

# Tukwila Pool Metropolitan Park District Employee Handbook

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## Part 1: General Information

### 1.1 Introduction

1.1.1 The Tukwila Pool Metropolitan Park District (District), which was established in 2011, operates under laws of the State of Washington governing Metropolitan Park Districts (RCW 35.61). Under this system, the Commissioners are ex officio members of the Tukwila City Council.

1.1.2 The Executive Director is appointed by the District Commissioners and is responsible for the overall administration of the District's operations. Managers are responsible to the Executive Director. Thus, our supervisory chain of command runs from the Board of Commissioners, to the Executive Director, to the Managers, to Head or Lead Guards, to non-supervisory personnel.

### 1.2 Purpose/Scope of Employee Handbook

This manual is a general informational guide to the district's current employment policies and practices. Any department standard operating procedures should be consistent with these policies and approved in advance by the Executive Director. This employee handbook can be accessed online on the Staff page of the District website: [www.tukwilapool.org](http://www.tukwilapool.org)

1.2.1 The policies in this handbook are not intended to create a contract. The policies should not be construed to constitute contractual obligations of any kind or a contract of employment between the District and any employee. The provisions in the handbook have been developed at the discretion of management and, except for the policy of employment-at-will, may be amended or cancelled at any time, at the sole discretion of the District.

1.2.2 The District reserves the right to amend, delete, supplement, or rescind any of the District's personnel policies, as the district deems necessary and appropriate, without advance notice. The district also reserves the right to deviate from these policies in individual situations, particularly in an emergency, in order to achieve its primary mission of providing orderly and cost efficient services to its customers.

1.2.3 These practices and policies are not an express or implied contract or any type of promise or guarantee of specific treatment in specific instances upon which any employee may rely.

1.2.4 These personnel practices and policies apply to all District employees.

1.2.5 These provisions replace all other existing policies and practices and may not be changed or added to without the express written approval of the Board of Commissioners of the District.

### 1.3 At Will Employment

You became an employee at the District voluntarily and your employment is at will. "At will" means that you are free to resign at any time, with or without cause. Likewise, "at will" means that the District may demote or terminate an employee, change an employee's job duties, or alter benefits, with or without cause, and with or without notice.

#### **1.4 Equal Employment Opportunity**

The District is an equal employment opportunity employer. Every employee has the right to work in surroundings that are free from all forms of unlawful discrimination. The District will not engage in or tolerate any discrimination in the workplace prohibited by local, state or federal law. Specifically, no employee will be discriminated against on the basis of his or her sex/gender, race, color, religion/creed, national origin, pregnancy, age, marital status, sexual orientation, physical or mental disability, military or Veterans status, or any other status protected by federal, state, or local law. Any alleged act or complaint of discriminatory treatment by any District employee should be reported to the Executive Director for appropriate investigation and action.

#### **1.5 Reasonable Accommodations - Disabilities**

The District recognizes that employees with physical or mental disabilities may need reasonable accommodations to enable them to perform their essential job duties. Any employee who believes s/he needs reasonable accommodation should notify the Executive Director. Although the need for accommodations is determined on a case by case basis, generally the District and the employee engage in an interactive process with the employee and the employee's healthcare provider(s) to confirm the existence of the condition, its impact on the employee's ability to perform the essential functions of his/her position and possible reasonable accommodations. The employee has an obligation to cooperate with the District in this process, which may include authorizing the District to communicate with the employee's healthcare providers concerning the employee's condition, its limitations and possible reasonable accommodations. Any reasonable accommodations shall be approved by the Executive Director.

#### **1.6 Reasonable Accommodations - Religion**

The District respects the religious beliefs and practices of all employees and will make, upon request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on the District's business.

Any employee who sincerely believes that his or her religious beliefs or practices conflict with his or her job, work schedule, or with the District's policy or practice regarding dress and appearance, or with other aspects of employment and who seeks a religious accommodation must request accommodation from the Executive Director. The request should explain religious conflict that exists and the employee's suggested accommodation.

The District will evaluate the request considering whether a work conflict exists, whether an accommodation is available which is reasonable and which would not create an undue hardship on the District's business or for its other employees. Any reasonable accommodations shall be approved by the Executive Director.

Any alleged act or complaint of discriminatory treatment by any District employee should be reported to the Executive Director for appropriate investigation and action.

#### **1.7 Work Place Harassment**

Harassment encompasses unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status, such as sex, sexual orientation, gender identity, color, race, ancestry, religion, natural origin, age, disability, marital status, veteran or military status, citizenship status, or other protected group status. The District will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment. All employees must be sensitive to the feelings of others and must try not to act in a way that might be considered harassment by someone else.

1.7.1 Sexual or any other type of unlawful verbal, physical, visual harassment of co-workers, co-employees and members of the public is absolutely forbidden. try not to act in a way that might be considered harassment by someone else.

1.7.2 Harassment can take many forms. Prohibited harassment includes, but is not limited to:

1.7.2.1 Verbal (e.g., racial, sexual or ethnic jokes, stereotypes and insults).

1.7.2.2 Physical (e.g., sexually suggestive or unwelcome touching or obscene gestures).

1.7.2.3 Visual (e.g., insulting cartoons, sexually suggestive or lewd pictures or photographs).

1.7.3 Sexual harassment can include verbal behavior such as suggestive looks or leering; and physical behavior such as pats or squeezes; repeatedly brushing against someone's body; obscene or rude sexual comments, jokes or suggestions; slang, names, or labels such as "honey," "sweetie," "boy," or "girl" that others find offensive; talking about or calling attention to another employee's body or sexual characteristics ; displaying nude or sexual pictures, cartoons or calendars in or on District property; continuing unwelcome behavior after a co-worker has objected to that behavior; or blaming the victims of sexual harassment for causing the problem.

1.7.4 Conduct of this type is improper, and it may be illegal if:

1.7.4.1 Submission to this conduct is either an explicit or implicit term or condition of employment;

1.7.4.2 Submission to or rejection of the conduct is used as a basis for employment

decisions affecting the person involved; or

1.7.4.3 The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

1.7.5 All employees are responsible to ensure a work place free from any type of harassment. If an employee is aware of any instances of work place harassment or believes he/she is a victim of harassment, the employee should ask the offending employee to cease the conduct. If an employee is uncomfortable doing this, or if the conduct does not stop, s/he should report the alleged act immediately to his/her Supervisor. Alternatively, if his/her Supervisor is engaging in such conduct or if his/her Supervisor is unavailable, the employee should immediately report the alleged harassment to the Executive Director.

1.7.6 All complaints will be promptly and thoroughly investigated by their Supervisor. Any employee who is found to have harassed another employee will be subject to appropriate disciplinary action, which could range from a disciplinary warning to termination. The affected individuals will be informed of the outcome of the investigation.

1.7.7 No retaliation of any type will result from reporting instances of harassment or cooperating in an investigation.

A manager's failure to carry out these responsibilities may result in disciplinary action up to and including discharge.

## **1.6 Work Place Violence**

1.6.1 Work place violence is any verbal or physical action that is communicated or perceived as a likely threat, harassment, abuse, intimidation, or personal contact, that produces fear, causes bodily harm, or damage to property. Even joking about violent acts is prohibited. Work place violence may involve family, friends, strangers, co-workers, elected officials, or members of the public. The District does not tolerate acts of violence towards District employees or property. All acts of violence are treated seriously and each act of violence will be dealt with promptly and appropriately using administrative, managerial, legal and disciplinary actions to minimize risk to employees and property.

1.6.2 All employees are responsible for refraining from participating in violent actions and for reporting to their Supervisor or the Executive Director any threatening or dangerous situations that occur within the work place or affect their work requirements. Employees who feel an immediate threat and cannot reach a manager should call 911 and leave the area as soon as possible. Employees may not bring weapons of any type into the workplace.

## **1.7 Workplace Ethics and Conduct**

1.7.1 We expect the District employees to be ethical in their conduct. It affects our reputation and success. The District requires employees to carefully follow all laws and regulations, and have the highest standards of conduct and personal integrity.

1.7.2 Our continued success depends on our customers' trust. Employees owe a duty to the District, our customers, and the public to act in ways that will earn the continued trust and confidence of the public.

1.7.3 As an organization, the District will comply with all applicable laws and regulations. We expect all directors, officers, Supervisors and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to not do anything that is illegal, dishonest, or unethical.

1.7.4 If you use good judgment and follow high ethical principles, you will make the right decisions. However, if you are not sure if an action is ethical or proper, you should discuss the matter openly with your supervisor. If necessary, you may also contact the Executive Director for advice and consultation.

1.7.5 It is the responsibility of every District employee to comply with our policy of business ethics and conduct. Employees who ignore or do not comply with this standard of business ethics and conduct may be subject to disciplinary action, up to and including termination of employment.

## **1.8**

## **1.9 Employee Personnel Records**

1.9.1 A personnel file for each employee is maintained by the Human Resource Designee . Medical records are maintained in a confidential file which is separate from other personnel records.

1.9.2

1.9.3 Personnel records, including medical information about an employee are confidential. Access will be limited only to those who have a need to know the information, such as the employee, the Manager(s), and the Executive Director. Usually, an employee's personnel file contains the employee's name, title and/or position held, job description, department to which the employee is assigned, salary, changes in employment status, training received, performance evaluations, personnel actions affecting the employee, including discipline, and other pertinent information.

1.9.4 Each employee may periodically review his/her personnel file. An employee may place pertinent information in his/her personnel file with the approval of the Manager(s) or Executive Director. An employee may request removal of irrelevant or erroneous information in his/her personnel file. If the District denies the employee's request to remove the information, the employee may file a written rebuttal statement to be placed in his/her file.

1.9.5 Confidential personnel records shall not be released to any unauthorized individual except with the written consent of the employee or in response to valid court orders, subpoenas or governmental requests directing the provision of information from personnel records. Some personnel records may also be subject to disclosure in response to a request under the Public Disclosure Act.

1.9.6 When a current employee needs the district to verify employment (such as for a loan approval), the employee should advise the Manager(s) or Executive Director of the need at the earliest opportunity so they can verify the authorization to release employment information.

### **1.10 References**

Usually the District does not give references, other than to confirm the dates of employment, last salary and eligibility for re-hire, without the employee's prior written consent. Any requests for references should be referred to the Manager(s) or Executive Director.

### **1.11 Personal Information**

Employees are to notify the Manager(s) or Executive Director of any personal changes, including but not limited to changes in name, address, telephone numbers, email addresses, number of dependents, emergency contact, marital status or other personal information so the district may keep personnel records up-to-date and so that the district can communicate with employees as needed.



## Part 2: Hours and Attendance

### 2.1 Employment Status Definitions: When employees are hired they will be informed of their employment status.

2.1.1 Regular Full-Time Employee - An employee who regularly works a minimum of 37.5 hours a week on a continuing basis.

2.1.2 Regular Part-Time Employee - An employee who regularly works less than 37.5 hours a week on a continuing basis.

2.1.3 Non-exempt Employee - An employee whose duties render his or her job eligible for overtime pay for all hours worked in excess of forty (40) hours in a week in accordance with applicable federal and state wage and hour laws.

2.1.4 Exempt Employee – An employee who is paid a fixed salary on a weekly, monthly, or annual basis and whose duties meet the criteria for exclusion under the applicable federal and state wage and hour laws, including but not limited to, supervisory, administrative, and professional employees. An exempt employee is not eligible to receive overtime pay.

2.1.5 Temporary/Seasonal Employee - An employee hired with the expectation that he or she will be needed for a limited period of time, generally not more than six (6) months.

### 2.2 Working Hours

The district's normal business hours are as posted at the District facility.

The district reserves the right to change the regular workweek, the normal business hours, or the normal workday with prior notice to employees.

2.2.1

2.2.2 The employee's manager establishes the normal workday hours and weekly schedule for nonexempt and temporary/seasonal employees.

2.2.2 Exempt employees are expected to work during the district's normal business hours. In addition, they may be expected to work additional hours in order to complete duties and assignments.

### 2.3 Overtime

2.3.1 Non-exempt employees are entitled to additional compensation, either in cash or compensatory time off, when they work more than the maximum number of hours during a work period.

2.3.2 All overtime must be authorized in advance by the Manager(s) or the Executive Director, unless due to an emergency, in which case approval must be obtained as soon as reasonably possible.

2.3.3 Overtime pay is calculated at one and one-half (1.5) times the regular rate of pay for all hours actually worked over forty (40) hours in one week. Time that is paid, but not actually worked, like sick leave, vacation or holidays, does not count as "hours worked" when computing overtime. Nonexempt employees are prohibited from engaging in "off-the-clock" work.

2.3.4

A nonexempt employee may request compensatory time off in lieu of overtime payment. Compensatory time off must be requested by the employee and authorized by the Executive Director. Compensatory time is accrued at the rate of one and one-half (1.5) hours for each hour of overtime work. Compensatory time must be used within thirty

(30) days of the time it was earned and authorized. Any accrued compensatory time not used within 30 days or prior to an employee's termination from service will be paid for on the next paycheck.

### 2.3.5

Exempt employees are expected to work whatever hours are necessary to complete their work. They do not receive overtime or compensatory time.

### 2.3.6

### 2.3.7

## 2.4 Attendance

2.4.1 Punctual and consistent attendance is an essential function of every employee's job and a condition of continued employment. Employees are required, as a condition of employment, to work their scheduled shift and arrive prepared and on time. Each employee is expected to be at their place of work during their regularly scheduled work days and at their regularly scheduled hours of work. Employees may not alter their regularly scheduled hours of work or take "comp time" without prior manager approval unless due to an unforeseen emergency or illness, in which case approval must be obtained as soon as reasonably possible.

2.4.2 Employees unable to work or unable to report to work on time must notify their Supervisor or his/her designee as soon as possible, but no later than 30 minutes after the employee's scheduled starting time. They must state the reason for being late or being unable to report for work. If the absence or tardiness is due to an emergency, the employee must have someone contact the district within the same time period as applied to the employee. Recurring absenteeism or tardiness, including failure to comply with the call in features of this policy may result in discipline up to and including termination of employment. If an employee fails to report for work or call in for three (3) days in a row (and is not on a pre-approved leave of absence), the employee will be deemed to have abandoned his or her job and employment will terminate. termination

2.4.3 Employees are expected to be at work even during inclement weather. Supervisors may allow employees to be late or leave early during severe weather conditions. Hours not worked will not be compensated (with exceptions for paid holidays and PTO).

## 2.5 Emergency or Maintenance Closures

2.5.1 All District offices and activities are to be open and in operation during established facility hours. However, there may be times when the management finds it necessary to close the facility due to an emergency or to perform necessary maintenance or repair work.

2.5.2 Unless otherwise notified, scheduled employees are still expected to report to work in a timely manner, even during a closure. Should emergency conditions prevent District employees from reporting to work, it is the employee's responsibility to contact his/her supervisor to indicate anticipated absence from work, or late arrival to work, and the reason for such absence or tardiness.

## 2.6 Breaks and Meal Periods

2.6.1 Employees working more than five (5) hours in a day are allowed a meal period two to five hours into their shift. In most circumstances, meal periods are scheduled by the employee's supervisor.

2.6.2 Any employee who works more than ten (10) hours in a day is required to take a second thirty-minute (30) unpaid meal period around the middle of the second five (5) hour period.

2.6.3 In most circumstances, the District tries to provide employees at least a ten-minute (10) paid break period for each four (4) hours of working time. To the extent practical, the District endeavors to schedule rest periods as near as possible to the midpoint of the workday, as long as the rest period does not interfere with District business or service to the public. Employees should not work more than three (3) hours without having either a rest break or a meal break. If you are not getting your breaks, you should inform your supervisor.

## 2.8 Call Back

2.8.1 All employees are subject to call back in emergencies or as needed by the District to provide necessary services to the public. A refusal to respond to a call back may be grounds for disciplinary action, including termination. Employees called back to duty are paid their appropriate rate of pay for hours worked (and overtime rate, if applicable.)

2.8.2 Non-exempt employees who leave work and are called back to work after completing their regular day's shift are paid in most circumstances for a minimum of one (1) hour worked. Exempt employees are not eligible for call-out pay.

## **2.9 Time Reporting**

Maintaining accurate time records is essential in computing employee pay, ensuring compliance with laws and regulations, and providing accurate cost information for the District.

2.9.1 Each employee is responsible for completing his/her own time record as required.

2.9.2 Reported times should be rounded off to the nearest 15 minute increments.

2.9.3 Supervisors are responsible for ensuring that the time records are maintained and submitted to the Bookkeeper.

2.9.4 Falsification of time records is grounds for disciplinary action, including termination.

## Part 3: Employment Practices

### 3.1 New Employee Orientation

All new employees usually participate in a orientation program. Typically, this includes an overview of the District's organization and services, safety rules, personnel policies, departmental rules and procedures, completion of payroll forms and introduction to other District personnel.

### 3.2 Customer Relations

Good customer relations translate into long-term stability for the district. Every employee represents the District to the patrons and the community...be Employees are courteous, friendly, prompt, and helpful. Contact with the public, telephone manners, and any communications sent out reflect the professionalism of the District. P Any infraction could result in disciplinary action up to and or including termination of employment.

### 3.3

### 3.4

#### 3.4.1

### 3.3 Change in Workforce

Nothing contained in these personnel policies, the pay plan or the district's past practices or customs shall prevent the district from reducing its workforce, laying off, promoting, demoting, reclassifying or removing employees, modifying the pay plan or otherwise managing and directing the operation of the district and its workforce as deemed necessary and proper.

### 3.4

### 3.5 Resignation

Employees are encouraged to submit written notice of resignation to their Supervisor at least ten (10) working days (two calendar weeks) prior to the effective date of their resignation. The Executive Director

may schedule an exit interview, if appropriate. When an employee resigns the employee is expected to return all District property, including uniforms, equipment and keys. Failure to do so may delay release of the employee's final pay check.

### **3.5 Staff use of the Facility**

3.5.1 All employees are eligible for a TPMPD swim pass, which entitles them to the same privilege as an annual family pass holder.

3.5.2 If the employment is terminated or the employee has not worked at least one (1) shift per calendar month, the pass is void and must be surrendered. Temporary or substitute employees retain the use of his/her employee pass only during the calendar month he/she works.

3.5.3 District keys and security codes are considered confidential District property and shall not be shared with any unauthorized users. The Manager(s), Executive Director or Designee shall control distribution of keys and security codes. Any loss of District keys or breach of security codes must be reported immediately to the Manager(s), Executive Director, or Designee.

3.5.4 Any inappropriate or unprofessional conduct while off-duty at Tukwila Pool is grounds for discipline up to and including termination.

3.5.5 These privileges are extended to immediate family members of employees, but are not extended to family members who are not dependents or do not live with the employee.

3.5.6 All employees may purchase Tukwila Pool sale items that are on the shelf behind the front desk at 10% off the current purchase price, plus tax. This does not include items from the vending machine.

## Part 4: Compensation

### 4.1 Policy

The District endeavors for transparency and fairness in regard to employee pay rates; offering equal pay for equal work and comparable job experience. Therefore, each position or job title within the District is assigned a defined salary range or pay-rate that is applied to all employees holding that position or job title with comparable experience. Pay rates for each position are outlined in the District's salary and wage schedule, which has been established by the District Board of Commissioners. The District Board of Commissioners may revise the salary and wage schedule from time to time.

### 4.2 Work Week

For payroll and overtime computation purposes, the regular work week begins on Monday mornings at one minute past Sunday midnight (12:01 a.m.)

### 4.3 Employee Pay Rates

**4.3.1** Each position's pay-rate is reviewed periodically to ensure that it remains competitive with other comparable positions.

**4.3.2** Pay-rates are based on the expectations of the position, reflect levels of authority and responsibility, required certifications or training if any, and other skills as needed to perform the expectations of the position with a great deal of competency. Within available resources, the District's compensation plan is generally competitive with other comparable employers in similar job markets.

### 4.3.3

**4.3.4** From time to time the District Board of Commissioners may grant cost-of-living adjustments, raising the salaries of all positions by a specified amount or for all employees within a defined position.

**4.3.5** Pay increases are contingent on satisfactory performance. If an employee's performance is unsatisfactory, a scheduled pay increase may be deferred for a stipulated period of time or until the employee's job performance is satisfactory.

### 4.4 Paydays

**4.4.1** Employees are paid semi-monthly, usually not later than the fifth day following the end of a pay period, at which time each employee receives a complete accounting of his/her earnings. Pay periods end on the 15<sup>th</sup> and the last day of the month.

**4.4.2** If a regularly scheduled payday falls on Saturday, pay checks are usually distributed on Friday; if it falls on Sunday or a holiday, pay checks are usually distributed on the next regularly scheduled working day.

### 4.5 Payroll Records

The official payroll records are kept by the District's designated bookkeeper. Each supervisor is expected to turn in, on a semi-monthly basis, a signed work record for each direct report, noting hours worked, leave taken and overtime worked.

#### 4.6 Deductions

The law requires the following payroll deductions: Medicare, federal income tax, labor and industries tax, contribution toward medical benefits (if applicable), and court-ordered garnishments. Other deductions may require an employee's written authorization.

#### 4.7 Paycheck Errors

The District does its best to provide you with proper pay for all hours worked. Should you notice an error in your pay or an improper deduction, please bring it to the attention of your Supervisor right away so that we can check into it and correct it if appropriate. Should we discover an overpayment, the employee will be notified as soon as possible and the overpayment will be taken out of the next paycheck.

#### 4.8 Expense Reimbursement

Employees and officials may be reimbursed for normal and reasonable travel and other expenses incurred for a Tukwila Pool Metropolitan Park District business related purpose. Travel costs are defined as expenses for transportation to and from a location other than the employee's primary work-place, lodging, meals and related items incurred by employees who are traveling for District business purpose only. Any such travel must be authorized in advance by the Executive Director or designee.

The District does not reimburse business expenses on a per diem basis. Travel expense and business expense reimbursement is based on actual expenses incurred. Expenses are reimbursed based on a TPMPD Reimbursement and Travel Report Form filed within 30 days after completion of the trip and accompanied by original receipts for each expense reported.

##### 4.8.1 Documentation

No claim for reimbursement shall be paid unless it is accompanied by a bona fide vendor's receipt. Should a receipt be lost or not be obtainable, an employee certification signed by the Executive Director will serve as a substitute for a receipt. Such receipt or certification should show the date, a description of the purchase, vendor identification, amount paid, and an explanation for the lack of a receipt should that be the case.

##### 4.8.2 Meals

Meals may be reimbursed by the District only when associated with official business. Payment for meals (including sensible tip), is reimbursable as a reasonable and necessary cost for such service. All employees and officials claiming reimbursement for meals consumed while on District business must use the TPMPD Reimbursement and Travel Report Form and provide original receipts.

##### 4.8.3 Reimbursable Travel Expenses

The District may reimburse the following business expenses:

**4.8.3.1 Personal Vehicle:** Expenses shall be reimbursed for travel at the current maximum rate allowed by the United States Internal Revenue Service (IRS) to and from a location other than the employee's primary work-place.

**4.8.3.2 Air travel:** The District will reimburse the cost of standard airfare (coach) only. The lowest available discount airfare or customary standard airfare (coach or equivalent) must be purchased. Reservations should be made in advance to guarantee the ticket is purchased at the lowest available discount fare. Accommodation savings of the traveler may offset additional cost incurred by purchasing the ticket at a higher price.

**4.8.3.3 Automobile Rental Expenses:** Automobile rental expenses will be reimbursed to the extent they are reasonable and appropriate. A receipt must support such expenses. Automobile insurance will not be reimbursed for domestic automobile rental, and should be declined. Additional automobile insurance should be purchased when renting an automobile for foreign travel.

**4.8.3.4 Alcoholic Beverages:** Alcoholic beverages are not allowed as a reimbursable travel expense.



**4.8.3.5 Incidental Expenses:** Reasonable, incidental charges such as gratuities are reimbursable and need not be supported by a receipt.

**4.8.3.6 Laundry:** Only services which cannot be deferred until completion of the trip may be claimed as a reimbursable expense.

**4.8.3.7 Lodging/Meals:** Itemized receipts for all lodging expense must accompany the TPMPD Reimbursement & Travel Report Form.

**Note:** *Employees are encouraged to seek out reasonably priced accommodations to minimize the cost to the District. Costs associated with upgrades in accommodations will not be reimbursed unless standard accommodations are not available.*

#### **4.8.4 TPMPD Reimbursement & Travel Report Form**

The TPMPD Reimbursement & Travel Report Form should be submitted within 30 days from the end of the travel for all overnight travel. Reimbursement for meals is based on actual expenses. If expenses include the cost of meals for other persons, the form must list names of individuals, the purpose, time, place and amount.

The cost of Conferences, seminars, Training Courses, and Classes related to employee training and training materials should also be listed on the TPMPD Reimbursement & Travel Report Form and submitted within 30 days of the end of the event.

#### **4.8.5 Cash Advance**

The employee or official may request a cash travel advance for the estimated expenses to be incurred which are not to be paid directly by the District or by District credit card. To receive a cash advance, the traveler must make the request for the advance a reasonable time in advance of the date of travel. If a TPMPD Reimbursement & Travel Report Form is not filed within thirty (30) days of the date **the travel is completed**, the travel advance will be deducted from the next payroll check.

#### **4.8.6 Non-Travel Reimbursement of Expenses**

Reimbursable employee non-travel expenses include:

**4.8.6.1** Same day travel and meals consumed by the District employees during meetings and other functions, which conduct official District business or serve to benefit the District are reimbursable to the employee.

**4.8.6.2** Meetings or functions wherein a District function, public purpose, training or District program is served or furthered and wherein the Executive Director has expressly approved the meeting as such, the District may incur such costs directly or as a reimbursement to employees who have incurred such costs on behalf of the District.

**4.8.6.3** Materials, supplies or other items incurred for TPMPD business related purposes.

#### **4.9 Compensation Upon Termination**

When an employee's employment with the District is terminated, the employee receives the following compensation:

**4.9.1** Regular wages for all hours worked up to the time of termination that have not already been paid; and/or

**4.9.2** Any accrued overtime, compensatory time, or paid time off.

## Part 5: Performance Evaluations and Training

**5.1 Performance Evaluation Policy** Periodic performance evaluations provide an opportunity to discuss how well the employee is meeting expectations, to clarify job responsibilities, and to explore possibilities for development and advancement. for every employee. Performance evaluations are designed to ensure that each employee is in the position that best fits their skills, therefore an employee's position may be adjusted based on the outcome of the evaluation.

5.1.1 Employees may be asked to sign each performance evaluation to indicate that it was reviewed; an employee's signature does not signify that the employee agrees with the district's evaluation of the employee's performance. Employees are evaluated by their supervisor usually once every twelve (12) months. Performance evaluations may be completed at other times at the discretion of the district. Temporary/seasonal employees generally do not receive formal performance evaluations, although their job performance may be monitored and evaluated in other ways.

5.1.2 Performance evaluations are part of the district's personnel records.

5.1.3

### 5.2 Training Policy

The District seeks, within the limits of available resources, to offer training to increase an employee's skills, knowledge and abilities directly related to District employment, to obtain or maintain required licenses and certifications, and to develop staff resources. Opportunities may include, but are not limited to: on-the-job training, in-house workshops, and seminars sponsored by other agencies or organizations. Course approval is granted at the discretion of the Executive Director. Approval must be granted prior to class enrollment or exam registration.

#### Education Training

The District may agree to pay or reimburse employees for pre-authorized job-related training. To be eligible, the employee must demonstrate that:

- The training is necessary for improving skills to perform or enhance present work or to qualify the employee for promotion;
- The money is budgeted in the operating budget;
- It is in the District's best interest to pay for this training; and
- District services may be improved by authorizing the training.

The employee should make his/her request in writing to his/her Supervisor who forwards it, with comments, to the Executive Director for approval. Employees taking courses that are graded must earn at least a C or equivalent in order to receive reimbursement. The District reimburses for tuition and fees only. Employees are generally responsible for books and any other costs associated with the class.

#### Membership in Professional and Technical Societies

District employees are encouraged to participate in technical and professional societies. These activities are considered a benefit to the District and to the employee through additional knowledge or personal associations gained through the membership. The District, through the budgeting process, will select what fees and dues it might pay for its employees' membership in technical and professional societies. For any organization for which the District pays the dues, the District address should be used on all mail. All magazines and publications received as a part of that membership should be made available for all employees to use.

#### Professional and Technical Registration

The District encourages professional and technical registration by providing the necessary experience under the direction of registered professionals, and assumes that each qualified individual will want to achieve professional status at the earliest opportunity. The District may pay fees for professional and technical certificates and licenses for its employees as determined by the District in its sole discretion. These requests should be sent to the Executive Director.

## Part 6: Benefits and Paid Time Off

### 6.1 Policy

The district may provide certain positions with an Optional Benefits package and the ability to earn paid time off (PTO). Positions currently eligible to receive these benefits include:

- Executive Director
- Aquatics Manager
- Assistant Aquatics Manager

No other positions are currently eligible to receive optional benefits or PTO. The district reserves the right to add to, amend, and discontinue the optional benefits package and/or PTO.

### 6.2 Optional Benefits

6.2.1 The District designates an allowance for each eligible employee which is to be used at their discretion to purchase Health Insurance, Dental Insurance, Vision Insurance, Child or Elder Care, or Disability Benefits.

6.2.2 The benefit allowance is reviewed periodically by the District and may be adjusted and all or a portion of it may be eliminated at any time.

6.2.3 This allowance is distributed in lieu of traditional employee benefits. Although the allowance is not defined as salary for the employee, it is taxed as income.

6.2.4 Each employee provided with a benefit allowance is expected to maintain medical coverage as required by federal, state or local law. Employees who do not maintain this coverage risk losing their benefit allowance.

### Paid Holidays

The Tukwila Pool is closed on the following holidays: December 25<sup>th</sup> and the fourth Thursday in November (Thanksgiving Day).

Exempt employees are not expected to work on these Holidays, but will be compensated in the usual manner.

Non-exempt or hourly employees will not be scheduled to work on stated Holidays. If, due to an emergency, they are required to report to work, they will be compensated at double their usual hourly rate for the time worked.

### Paid Time Off

Paid time off (PTO) may be accrued and used by an employee for vacation, sick days, or personal time.

6.2.5 Eligible employees accrue PTO as follows:

Years of Service	Non-Exempt Accrual Rate	Exempt Accrual Rate	Maximum accruable
1	8 hours for every 173 hours worked	1 day per month	12 days
2	8.64 hours for every 173 hours worked	1.08 days per month	13 days
3	9.28 hours for every 173 hours worked	1.16 days per month	14 days
4	10 hours for every 173 hours worked	1.25 days per month	15 days
5	10.64 hours for every 173 hours worked	1.33 days per month	16 days
6	11.28 hours for every 173 hours worked	1.41 days per month	17 days

7+	12 hours for every 173 hours worked	1.5 days per month	18 days
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6.2.6 PTO accrual is calculated on a monthly basis beginning with an employee's first date of employment and is not pro-rated for partial months.

6.2.7 If an employee plans to use PTO for personal or vacation time, it must be approved in advance by their supervisor. Requests that have a negative impact on the operations or other employees may not be approved.

6.2.8 When PTO is utilized, employees must send written notice (i.e. email) to their supervisor, who will forward it to the designated bookkeeper/payroll specialist before the close of the pay period to which the request applies. The employee must specify exactly how much time is being applied toward PTO.

6.2.9 Once the maximum accrual of PTO is achieved, an employee will not be able to accrue additional PTO.

6.2.10 PTO may only be transferred to another PTO eligible employee for extenuating circumstances with approval from the Executive Director or Designee.

### **Washington State Family Care Rules**

In accordance with the Washington Family Care Act, employees may use any accrued PTO that they have available on their own to use in order to care for their child, spouse, registered domestic partner, parent, parent-in-law or grandparent. An employee may use available PTO to care for his/her child where the child has a health condition requiring treatment or supervision, or where the child needs preventative care (such as medical, dental, optical or immunization services).

6.4.2 An employee may use PTO when a spouse, registered domestic-partner, parent, parent-in-law, or grandparent has a "serious or emergency health condition," which are conditions:

6.4.2.1 Requiring an overnight stay in hospital or other medical-care facility;

6.4.2.2 Resulting in a period of incapacity or treatment or recovery following inpatient care;

6.4.2.3 Involving continuing treatment under the care of a health care services provider that includes any period of incapacity to work or attend to regular activities, or

6.4.2.4 Involving an emergency (i.e. demanding immediate action).

6.4.3 Employees are required to notify their supervisor of the need to take time off to care for a family member as soon as the need for leave becomes known. The district reserves the right to require verification or documentation confirming a family member's health condition when available leave is used to care for that family member.

## **Part 7: Leave**

### **Paid Holidays**

The district is closed on the following holidays: December 25<sup>th</sup> and the fourth Thursday in November (Thanksgiving Day).

Exempt employees are not expected to work on these Holidays, but will be compensated in the usual manner.

Non-exempt or hourly employees will not be scheduled to work on stated Holidays. If, due to an emergency, they are required to report to work, they will be compensated at double their usual hourly rate for the time worked.

### **Family And Medical Leave**

The District will comply with applicable state and federal laws on Family Medical Leaves whenever it has the required number of employees in its employ for application of the laws and the factual circumstances warrants its application.

### 7.3 Administrative Leave

On a case-by-case basis, the District may place an employee on administrative leave with pay for an indefinite period of time, as determined by the Executive Director to be in the best interests of the District, such as pending an investigation or other administrative proceeding.

### 7.4 Military Leave of Absence

Any employee who is a member of the Washington National Guard or a Federal military unit is entitled to leave from their duties up to twenty-one (21) calendar days for each calendar year for official military duty, training, or drills or state active status. During the period of military leave, the employee shall continue to receive their normal rate of pay.

Any employee who is a member of the Washington National Guard or a Federal military unit who is called up to report for active duty shall be granted leave without pay for the period of active service.

If an employee takes temporary or regular military leave, he or she is entitled to return to the employee's former job as provided under federal and state laws. A copy of the official orders must be submitted to the employee's supervisor at least one (1) week prior to the commencement of the duty period.

#### 6.7.1

**6.7.2 7.5 Washington State Military Family Leave Act:** provides that during a period of military conflict, an employee who works more than twenty (20) hours per week and whose spouse or state-registered domestic partner is deployed or about to be deployed or is on leave from deployment in a military conflict declared by Congress or the President is entitled to up to fifteen (15) days of unpaid leave per deployment. An employee wishing to take this leave must notify his/her supervisor within five (5) business days of receiving official notice that the spouse is being deployed or will be on leave from deployment. Upon conclusion of the leave, the employee will return to his/her position or an equivalent one unless the employee would otherwise have been terminated had he/she not taken the leave.

#### 6.7.3

### 7.6 Domestic Violence Leave

6.7.4 Leave is available to employees who are victims of domestic violence, sexual assault, or stalking, or have a family member (spouse, children, parents, parents-in-law, grandparents, or "a person with whom the employee has a dating relationship.") who is a victim of such abuse.

#### 6.7.5

6.7.6 7.6.1 An eligible employee may take "reasonable" leave, including leave on an intermittent or reduced-schedule basis, to engage in specified remedial activities relating to the abuse, including: participating in legal proceedings; seeking medical treatment or mental health counseling; obtaining social services; or taking other actions to increase the safety of the employee and her/his family members.

#### 6.7.7

6.7.8 7.6.2 The District may request verification that the employee or her/his family member is a victim of abuse, and that the leave is for one of the covered remedial activities. Verification is satisfied by one or more of the following: (1) a police report indicating the employee or family member was a victim of abuse; (2) a court order protecting the employee or family member; (3) documentation from an attorney, clergy member, medical provider, or other professional from whom assistance was sought; or (4) the employee's own written statement that s/he or a family member is a victim and needs the leave to seek assistance. The District will maintain the employee's provided information as confidential and will not require the employee to disclose information beyond the verification material listed above.

6.7.9

6.7.10 7.6.3 The employee may elect to use PTO (if eligible), or may take unpaid leave.

6.7.11 7.6.4 Upon return from domestic violence leave, an employee shall be entitled to return to the employee's former position or a position with equivalent pay, benefits, and conditions of employment; unless unusual circumstances have arisen (i.e. the employee's position was eliminated for reasons unrelated to the leave). If the employee chooses not to return to work for any reason, the employee should notify the district as soon as possible. Failure to return as agreed from an approved leave may be treated as a voluntary resignation of employment.

### **7.7 Other Leaves of Absence With Pay**

6.7.12 7.7.1 Bereavement Leave. Up to three (3) days' leave may be granted for the death of an employee's immediate family or household member. "Immediate family" includes the employee's spouse, child, parent, sibling, parent-in-law, son or daughter-in-law. Additional leave may be approved beyond the allotted three (3) days, but may not exceed a total of nine (9) days. Any days (up to six) beyond the original three (3) days will be charged, as determined by the Executive Director, to the employee's accrued, but unused PTO, or if neither is available, will be unpaid.

6.7.13

6.7.14 7.7.2 Jury Duty. If an Exempt employee is called for jury duty or is subpoenaed as a witness, the employee receives his/her regular rate of pay while serving on jury duty. An employee released from jury duty for part of a day should call his/her supervisor for instructions. An employee receiving a jury summons should inform his/her department as soon as possible so that arrangements may be made to cover for the employee.

### **7.8 Workers Compensation**

6.7.15 Regular employees who are injured on the job, are unable to work, and file for Worker's Compensation may use accumulated PTO while the claim is being processed. Upon receiving payment from the Worker's Compensation carrier, the employee may sign the check over to the District, and any PTO used by the employee will be reinstated to the employee's account on a pro-rated basis. Employees may use PTO to supplement their time loss payments up to the equivalent of their usual hours or salary.

## **Part 7: Drugs and Alcohol**

### **6.7.16 7.1 Policy**

6.7.17 The District has a significant interest in the health and safety of its employees and pool patrons. In furtherance of that interest, the District will take those steps necessary to ensure that its employees perform their duties and responsibilities free of the influence of drugs and alcohol.

6.7.18

### **Prohibited Conduct**

6.7.19 The following conduct regarding alcohol and drug use or abuse is prohibited:

6.7.20

**7.2.1 Alcohol Possession and On-Duty Use of Alcohol:** An employee may not possess or consume alcohol while on duty, including consuming or using alcohol prior to reporting to work or



during breaks or meal periods. An employee may not report for or remain on duty while under the influence of alcohol in any way.

6.7.21

**7.2.2** Pre-Duty Use of Alcohol: An on-call employee who consumes alcohol within four (4) hours of being called in must acknowledge the use of alcohol and may not report for duty.

6.7.22

**7.2.3** Use of Drugs: An employee may not report for duty or remain on duty when the employee has used an illegal or legal drug or drugs, except when the use is pursuant to written instructions of a physician notifying the employee that the substance does not adversely affect the employee's ability to safely perform their job. Employees who are taking a prescription or over-the-counter medication that may impair their ability to perform their duties safely must report this to their supervisor and will not be scheduled to work until such time as they are no longer required to take the medication. The employee is responsible for providing the District with written notice from their physician or pharmacist with respect to the effects of all medication.

6.7.23

**7.2.4** Possession, Transfer or Sale: No employee may possess, transfer or sell drugs or alcohol while employed by and working for the District.

6.7.24

**7.2.5** Use of prohibited substances may be determined by a supervisor based on behavior, odor, or a Blood Alcohol Concentration test if necessary. If removed from duty based on reasonable suspicion of alcohol or drug use the employee may not return to work for a minimum of twenty-four (24) hours.

6.7.25

6.7.26

### **Testing**

**7.2.6** Reasonable Suspicion Testing: Employees are required to submit to a drug and/or alcohol test whenever District personnel reasonably suspect that the requirements of this policy (except the prohibitions against possession, transfer or sale of alcohol) may have been or are presently being violated. In most circumstances, referrals for testing are based on contemporaneous, specific observations. Such referrals are made by the employee's supervisor.

6.7.27

**7.2.7** No employee may refuse to submit to an alcohol or drug test as directed by the District. Refusal to submit to a test is considered the same as a positive test result.

### **Confidentiality and Record Retention**

6.7.28 All records related to drug and alcohol testing are maintained by the Executive Director or designee in a secure location with controlled access. These records are kept separate from records pertaining to all other employees.

6.7.29

### **Consequences of Engaging in Prohibited Conduct or Positive Drug or Alcohol Tests**

**7.2.8** Discipline: Employees are subject to appropriate disciplinary action up to and including termination of employment if:

**7.2.8.1** The employee tests positive for a drug or drugs;

**7.2.8.2** Results from an alcohol test indicate a blood alcohol level of 0.02 or greater; and/or,

**7.2.8.3** The employee has engaged in prohibited conduct as outlined in Section 7.2.

6.7.30

6.7.31 The District will endeavor to advise an employee, regardless of any disciplinary action taken, of resources available to the employee in evaluating or resolving problems associated with drug use or alcohol misuse.

6.7.32

### **7.6 Voluntary Referral**

6.7.33 The District supports employees who volunteer for treatment of alcohol or drug abuse. Employees are encouraged to seek treatment voluntarily. In most instances, any employee who comes forth and notifies the District of alcohol or drug abuse problems usually will be given the assistance extended to employees with any

other illness. In addition, voluntarily seeking assistance does not excuse any failure to comply with all of the provisions of this policy or other requirements of the District.

6.7.34

6.7.35 Paid time off, for eligible employees, or leave of absence without pay may be granted for treatment and rehabilitation as with other illnesses. Confidentiality of information will be maintained.

6.7.36

## **Part 8: Employees Responsibilities and Conduct**

6.7.37

### **Policy**

6.7.38 District employees are expected to represent the District to the public in a professional manner, which is courteous, efficient and helpful. Employees must maintain a clean and neat appearance appropriate to their work assignment, as determined by their position and supervisor. If the employee's supervisor concludes the employee's dress is inappropriate for any non-discriminatory reason, the employee may be sent home without pay. If an employee has any questions regarding appropriate dress, the employee should contact his or her supervisor. The Executive Director may issue rules regarding what is considered necessary, required or appropriate attire for each department or for particular positions.

6.7.39

6.7.40 Uniforms

6.7.41 The District may furnish or pay for clothing required by the District as finances allow.

6.7.42

### **8.1 Standards of Professional Conduct**

6.7.43 Since the proper working relationship between employees and the District depends on each employee's on-going job performance, professional conduct, and behavior, the District has established the following standards of personal conduct:

- Basic tact and courtesy towards the public and fellow employees; Adherence to District practices, procedures, safety rules and safe work practices; Compliance with directions from supervisors; Preserving and protecting the District's equipment, grounds, facilities and resources; and
- Providing orderly and cost efficient services to its citizens.

6.7.44

### **Outside Employment and Conflicts of Interest**

8.2.1 Full time employees may not, directly or indirectly, engage in any outside employment or financial interest which may conflict, in the District's opinion, with the best interests of the District or interfere with the employee's ability to perform his/her assigned District job. Examples include, but are not limited to, outside employment which:

8.2.1.1 Prevents the employee from being available for work beyond normal working hours, such as emergencies or peak work periods, when such availability is a regular part of the employee's job;

8.2.1.2 Is conducted during the employee's work hours;

8.2.1.3 Utilizes District telephones, computers, supplies, or any other resources, facilities or equipment;

8.2.1.4 Is employed with a firm which has contracts with or does business with the District; or

8.2.1.5 May reasonably be perceived by members of the public as a conflict of interest or otherwise discredits public service.

6.7.45

8.2.2 An employee who chooses to have an additional job, contractual commitment or self-employment, may do so provided he/she obtains prior approval from his/her supervisor and the Executive Director. Any employee engaged in outside employment which conflicts with the requirements of this policy may be required to resign from such outside employment or be terminated, if the employee refuses to resign.

6.7.46

8.2.3 Any outside employment that could potentially interfere with emergency call-out situations must be reported to the employee's supervisor. If, after accepting outside employment, situations arise which could interfere with the employee's job, the employee needs to immediately report those situations to his/her Supervisor.

6.7.47

### **Gifts and Gratuities**

6.7.48 Employees may not accept any gift or gratuity from any vendor or agent with whom the District transacts business.

### **Political Activities**

8.3.1 District employees may participate in political or partisan activities of their choosing provided that District resources and property are not utilized, and the activity does not adversely affect the responsibilities of the employees in their positions. Employees may not campaign on District time or in a District uniform or while representing the District in any way. Employees may not allow others to use District facilities or funds for political activities.

6.7.49

8.3.2 Any District employee who meets with or may be observed by the public or otherwise represents the District to the public while performing his/her regular duties may not wear or display any button, badge or sticker relevant to any candidate or ballot issue during working hours. Employees shall not solicit for a contribution for a partisan political cause on District property or District time.

6.7.50

8.3.3 Employees who file for election to public office in the District, may be required to take a leave of absence without pay during the campaign or be terminated from District employment upon election where said office may, in the District's sole judgment, create an appearance of impropriety or a conflict of interest.

6.7.51

### **No Smoking**

6.7.52 For health and safety considerations, and in accord with State law and District policy, the District prohibits smoking by employees in all District facilities, including District-owned buildings, vehicles, and offices or other facilities rented or leased by the District, including individual employee offices. Employees may smoke outside only in designated smoking areas at least 25 feet from any door or ventilation equipment. Employees using the smoking area must keep it neat and clean and pick up trash and cigarette butts.

6.7.53

### **Use of District Equipment**

8.6.1 Use of District phones for local personal phone calls should be kept to a minimum; long distance personal use is prohibited. Other District equipment should be used by employees for official District business only. An employee's misuse of District services, telephones, equipment or supplies can result in disciplinary action, including termination.

6.7.54

8.6.2 Certain job assignments may require that employees furnish personal equipment. If an employee is required to furnish any items, his/her Supervisor will provide a list of the items needed. The District is not responsible for lost or stolen personal property, so employees should be careful to secure such equipment, as well as any money or valuables, they have in the work place.

6.7.55

### **Non-Solicitation**

8.8.1 It is the District's desire to conduct its operations in an orderly and efficient manner. The District believes its employees and the public should have the opportunity to work and receive District services without interference from persons who are pursuing a purpose not related to the District's normal business.

6.7.56

8.8.2 With this in mind, the District does not allow non-employees to come onto District property or buildings to solicit employees or other members of the public or to distribute literature or other materials for any purpose at any time, unless authorized by the Executive Director. Furthermore, employees are prohibited from soliciting or distributing any form of non-work related literature or other materials during work time or in work areas. For this purpose, working time means time during which either the soliciting employees or the employees who are the object of the solicitation are expected to be actively engaged in their assigned work.

6.7.57

### **Employment of Relatives**

6.7.58 The district believes it is in the best interests to keep business and professional relationships separate from personal and family relationships. To prevent the appearance of or actual conflicts of interest, the district generally will not employ an employee's relatives. For this policy, "relative" is defined as any family relationship resulting from birth, marriage or adoption, as well as any person cohabiting with another employee.

6.7.59

6.7.60 Under certain circumstances it may be necessary to employ relatives. Such employment will occur where: 1. Neither employee will supervise, appoint, remove or discipline the other; 2. Neither relative will evaluate or audit the work of the other; and 3. The working relationship will not create a conflict of interest or the appearance of favoritism.

6.7.61

6.7.62 If one employee becomes related to another employee through marriage and this results in a prohibited employment relationship, one of the employees must resign or transfer. The Executive Director shall consult with the affected employees and allow them to decide which one of them will resign, prior to taking final action.

6.7.63

6.7.64

6.7.65

#### **Bulletin Boards**

6.7.66 Information of special interest to all employees is posted regularly on the District bulletin boards or in the Employee Log Book. Employees may not post any information on these bulletin boards or in the Employee Log Book without the prior authorization of the Executive Director or one of the Managers. Employees are urged to check the bulletin board and Employee Log Book frequently, as they are expected to be aware of its posted contents.

6.7.67

**Employee Parking Employees are asked not to park in the spaces facing the front entrance of the building as these are reserved for pool patrons. The District assumes no responsibility for vehicles or their contents in these parking areas.**

6.7.68

#### **Personal Property**

6.7.69 Employees may bring and use their personal property (i.e. pictures, awards, knick-knacks, etc.) at work; however, by bringing such items to work the employee assumes all risk of loss due to theft, breakage, or any other type of damage to such property. Personal items that may be offensive to others, including items that may violate the District's harassment or discrimination policies, may not be brought into the workplace. Personal use of electronic devices (cel phones, tablets, mp3 players, etc.) for phone calls, texting, or other electronic communication shall be restricted for use in the break room or private offices except in case of emergency.

6.7.70

#### **Computer Usage and Privacy**

6.7.71 The District regards desks, computers, file cabinets, furniture, and other work spaces as the District's property, and reserves the right to inspect those locations if, in its sole discretion, it determines that there is a security, health, or other business reason to do so. This includes oral or written communications made using District equipment or supplies such as communications stored or made on District computers, cell phones, telephone systems, E-mail or voice mail.

6.7.72

6.7.73 By using the district's technology resources, employees acknowledge and agree there is no expectation of privacy or confidentiality in their use of these systems or in any data that they create, store, or transmit in or over the systems, including any data created, stored or transmitted during an employee's incidental personal use of the technology resources as permitted under this policy. Employees should understand that certain email messages, other electronic communications, and documents created on District computer systems may be considered a public record subject to disclosure and/or subject to discovery in the event of litigation. The District reserves the right to monitor and inspect any data that employees create, store, or transmit on or over district systems.

6.7.74

6.7.75 When using the District's computer system, employees are using District property. As a result, any documents, comments and use of the District's computer system must be appropriate to the District's business activities.

6.7.76

6.7.77 Because E-mail is a business communications tool, all E-mail messages should be business-like and professional in tone and content. Obscene, offensive, illegal, or unprofessional communication through E-mail is forbidden. This includes, but is not limited to:

- obscene, profane, abusive, or threatening language or graphic representations;

- statements, jokes or graphic representations that may be construed as discriminatory or offensive by reference to race, national origin, gender, religion, age, disability, sexual orientation, or other legally protected criteria;
  - reference to or discussion of any sexual acts, sexual relationships, dates, dating, or any personal relationships;
    - communications that violate the personal privacy of, or are disrespectful of, any individual; and
- 6.7.78 communications in furtherance of any illegal activity, including, but not limited to, "football pools" and other forms of illegal gambling.

#### **Contact with News Media**

6.7.79 The Executive Director, TPMPD Board President or designee are responsible for all official contacts with the news media including answering of questions from the media before or after any event or emergency. The Executive Director may designate specific employees to give out procedural, factual or historical information on particular subjects on a case by case basis.

6.7.80

#### **Safety**

8.15.1 The District endeavors to use reasonable efforts to provide a safe working environment which protects employees and the public from injury. Every employee is responsible for maintaining a safe work environment and following the District's safety rules. Each employee is expected to promptly report all unsafe or potentially hazardous conditions to his/her supervisor. The District will endeavor to remedy problems as quickly as possible.

6.7.81

8.15.2 Employees should exercise caution in the performance of duties. Always observe the special safety rules applicable in each work area and follow at all times general rules of safety. Employees are expected to comply with the following specific safety rules, including but not limited to:

6.7.82

1. Report immediately any injury or accident, safety hazard, or property needing repair to your supervisor.

6.7.83

2. Keep your individual work area clean and orderly at all times.

6.7.84

3. Do not smoke or permit others to smoke on district owned or leased property.

6.7.85

4. Do not allow unauthorized people to have access to restricted areas.

6.7.86

5. Store all materials and equipment in their proper places and appropriately.

6.7.87

6. Conduct themselves in a professional manner at all times while on work premises.

6.7.88

7. Drive safety and courteously when operating a vehicle as part of work.

6.7.89

8. If your job duties include lifting heavy objects, do so with the appropriate equipment and/or assistance.

6.7.90

8.15.3 Accidents and Accident Reports: In case of an accident involving personal injury or property damage, regardless of how serious, the employee must immediately notify their supervisor. As soon as practical, but in no case later than twenty-four (24) hours following an injury or accident, or suspected injury or accident, an employee must complete an accident form describing the circumstances surrounding the incident. This form may be obtained from your supervisor.

6.7.91 Employees should exercise caution in the performance of duties and shall follow and adhere to published safety regulations and controls.

8.15.4 If a District vehicle or mobile equipment is involved in an accident within the District limits, the Police Department or Sherriff's Office should be promptly notified, and an accident report form should be completed.

## **8.16 Suggestions**

6.7.92 All employees are encouraged to make suggestions which will improve the efficiency of District operations or employee job satisfaction. Suggestions may be written or verbally given to the employee's supervisor at any time. The supervisor will then discuss the idea with the appropriate person or group and the Executive Director.

6.7.93

### **Dispute Resolution Procedures**

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

6.7.95

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

6.7.96 The supervisor should respond to the employee, in writing, within five to seven working days after meeting with him/her, if possible.

6.7.97

8.17.2 Step 3: If the employee is not satisfied with the response from his/her Supervisor, the employee may submit the problem, in writing, to next level supervisor within ten working days after receiving their direct supervisor's response. The written complaint must contain, at a minimum:

8.17.2.1 A description of the problem;

8.17.2.2 A specific practice, guideline, or procedure, which the employee believes, has been misapplied;

8.17.2.3 The date of the circumstances leading to the complaint or the date when the employee first became aware of those circumstances;

8.17.2.4 The remedy sought by the employee to resolve the dispute.

6.7.98

8.17.3 The Manager or Executive Director may meet with the parties, either individually or together, and will respond in writing to the aggrieved employee within ten working days of any such meeting, if possible. Such determination is generally the final decision regarding the employee's specific complaint. In the instance where the Executive Director is the subject of the complaint, the TPMPD Board President or designee] will perform the actions normally done by the Executive Director.

6.7.99

## **8.18 Litigation**

6.7.100 From time-to-time the District may be involved in legal actions. The only persons authorized to receive legal summons and lawsuit filings for the District are the Executive Director, Board President and the Clerk of the Board of Commissioners during business hours, and the Executive Director or Board President or Clerk of the Board upon receipt of the summons or lawsuit are responsible for promptly notifying the District's Attorney and the District's insurance carrier.

6.7.101

6.7.102 No other persons or employees are authorized or allowed to accept service on behalf of the District. Any unauthorized person should advise the process server.

## Part 9: Whistleblower Policy

### 6.7.103

#### Policy

6.7.104 The District (1) encourages reporting by its employees of improper governmental action taken by District officers or employees and (2) protects District employees who have reported improper governmental actions in accordance with the District's policies and procedures.

### 6.7.105

#### Definition of Improper Governmental Action

6.7.106 Any action by a District officer or employee:

9.1.1 That is undertaken in the performance of the officer's or employee's official duties, whether or not the action is within the scope of the employee's employment; and

### 6.7.107

9.1.2 That (1) is in violation of any federal state, or local law or rule, (2) is an abuse of authority, (3) is of substantial and specific danger to the public health or safety or (4) is a gross waste of public funds.

### 6.7.108

6.7.109 Improper governmental action does not include personnel actions, including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, re-employments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, or reprimands.

### 6.7.110

#### Procedures for Reporting

6.7.111 District employees who become aware of improper governmental actions should first raise the issue with their supervisor. If requested by the supervisor, the employee shall submit a written report to the supervisor, or to some person designated by the supervisor, stating in detail the basis for the employee's belief that an improper governmental action has occurred. Where the employee reasonably believes the improper governmental action involves his or her supervisor, the employee may raise the issue directly with the Executive Director. If the employee reasonably believes the improper governmental action involves the Executive Director, the employee may raise the issue directly with the President of the Board of Commissioners.

### 6.7.112

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

### 6.7.114

6.7.115 The supervisor and the Executive Director, as the case may be, will endeavor to take prompt action to assist the District in properly investigating the report of improper governmental action. District officers and employees involved in the investigation are required to keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorizes the disclosure of his or her identity in writing. After an investigation has been completed, the employee reporting the improper governmental action should be advised of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.

### 6.7.116

6.7.117 District employees may report information about improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action if the District 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 has been taken by the District to address the improper governmental action or that for other reasons the improper governmental action is likely to reoccur. A list of governmental agencies to whom the employee may wish to report is attached as Appendix A to this handbook.



## 6.7.118

6.7.119 District employees who fail to make a good-faith attempt to follow the District's procedures in reporting improper governmental action do not receive the protections provided by the District in these procedures.

## 6.7.120

**Protections Against Retaliatory Actions**

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

## 6.7.122

6.7.123 Retaliatory action means any adverse change in the terms and conditions of a District's employee's employment.

## 6.7.124

6.7.125 Employees who believe that they have been retaliated against for reporting an improper governmental action should advise the Executive Director. The Executive Director will endeavor to take appropriate action to investigate and address complaints of retaliation.

## 6.7.126

6.7.127 If the Executive Director does not satisfactorily resolve a District employee's complaint that he or she has been retaliated against in violation of this policy, the employee may obtain protection under this policy and pursuant to state law by providing a written notice within 30 days after the occurrence of the alleged retaliatory action to the District Board of Commissioners that:

- (a) specifies the alleged retaliatory action and
- (b) specifies the relief requested.

## 6.7.128

6.7.129 District employees are required to provide a copy of their written notice to the Executive Director. The District will endeavor to respond within 30 days to the charge of retaliatory action.

## 6.7.130

6.7.131 After receiving either the response of the District or 30 days after the delivery of the charge to the District, the District 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 shall deliver the request for hearing to the Executive Director within the earlier of either 15 days of delivery of the District's response to the charge of retaliatory action, or 45 days of delivery of the charge of retaliation to the District for response.

## 6.7.132

6.7.133 Upon receipt of request for hearing, the District may apply, within five working days, to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge.

## 6.7.134

6.7.135

## 6.7.136

6.7.137 The District will consider any recommendations provided by the administrative law judge that the retaliator be suspended with or without pay, or dismissed.

## 6.7.138

**Responsibilities**

## 6.7.139

6.7.140 The Executive Director is responsible for implementing the District's policies and procedures (1) for reporting improper governmental action and (2) for protecting employees against retaliatory actions. This includes ensuring that this policy and these procedures (1) are posted where employees will have reasonable access to them, (2) are made available to any employee upon request, and (3) are provided to

**6.7.141**

6.7.142 all newly-hired employees. Supervisors are responsible for ensuring the procedures are implemented within their areas of responsibility. Violations of this policy and these procedures may result in appropriate disciplinary action, including termination.

6.7.143

## Part 10: Discipline and Termination

6.7.144

### Discipline Policy

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

6.7.146

10.1.1 , Any acts, errors or omissions which violate District policies or practices or may discredit the public service, may result in discipline, including termination.

6.7.147

10.1.2 The Executive Director and supervisors have full discretion and authority to impose disciplinary action in accordance with District policies and the circumstances of the particular case.

6.7.148

10.1.3 Unless otherwise specified by resolution or a written employment contract, all employees are employed on an at-will basis.

**10.1.4** While the District recognizes the benefit in some cases of using progressive discipline, the need for disciplinary action is evaluated on a case-by-case basis and the District may, but is not required or obligated to use progressive discipline before imposing a particular type of disciplinary sanction, including termination.

6.7.149

**10.1.5** Disciplinary actions are intended to increase an employee's efficiency and value to the District by changing the employee's conduct, attitude, habits, or work methods .In the event that discipline is necessary, any or all of the following types of disciplinary actions may be used, depending on the particular situation:

10.1.5.1 **Oral Warning:** An oral warning is a counseling session between the employee's supervisor and the employee on the subject of the employee's conduct and performance, or his/her failure to observe a guideline, rule, regulation, or administrative instruction. Following the counseling session the supervisor should document the oral warning.

6.7.150

10.1.5.2 **Reprimand:** A reprimand is a formal written disciplinary action for misconduct, inadequate performance, or repeated lesser infractions. Written reprimands are placed in the employee's personnel file. Written warnings should include:

- A statement of the facts;
- A statement of the discipline being given, if any;
- If appropriate, the employee's explanation and reason for the violation;
- The required corrective action on the part of the employee;
- If appropriate, a written and definite period of disciplinary probation during which the employee must clearly demonstrate improvement; and
- A statement indicating further disciplinary action, up to and including termination, may follow if correction is not achieved.

6.7.151

6.7.152 The Reprimand should be signed by the employee's direct supervisor, and the employee with a copy forwarded to the Executive Director. After review with the employee, a copy of the reprimand should be provided to the employee and a copy placed in the employee's personnel file.

6.7.153

10.1.5.3 **Suspension:** A suspension is a temporary, unpaid absence from duty which may be imposed as a penalty for significant misconduct or repeated lesser infractions. A suspension is a

6.7.154

## 6.7.155

6.7.156 severe disciplinary action which is made part of the employee's permanent record. In each case of disciplinary suspension, a written memo should be prepared indicating:

- The event or events which lead to the suspension;
- The duration of suspension;
- A statement indicating required corrective action on the part of the employee;
- If appropriate, the employee's explanation or comment; and
- A statement indicating that it is a "final warning" and further indicating that the employee will be discharged upon the occurrence of another infraction or unless corrective action is taken within the stated time.

## 6.7.157

6.7.158 The notice of Suspension will be signed by the employee's supervisor and a copy forwarded to the Executive Director. The notice of Suspension may be signed by the employee. After review with the employee, a copy of this notice should be provided to the employee, and a copy entered into the employee's personnel file.

## 6.7.159

6.7.160 Suspensions with pay, where the employee is placed on administrative leave, may be utilized by the District pending the results of an investigation or disciplinary action.

## 6.7.161

10.1.6 **Termination:** When the nature of a violation warrants termination, or if the termination is a result of the disciplinary procedure where the desired corrective action was not achieved, the supervisor should prepare a written report to his/her supervisor and the Executive Director. The written report should include:

10.1.6.1 The reason(s) for the termination;

10.1.6.2 Information on any previous warnings or disciplinary actions that may be relevant;

10.1.6.3 A brief summary of the employee's past work record and length of employment with the District; and

10.1.6.4 Any other relevant information.

## 6.7.162

6.7.163 In certain circumstances, before a final decision is made regarding a termination or suspension without pay, the District may convene a pre-termination meeting.

## 6.7.164

6.7.165 In the event the District convenes a pre-termination meeting, the employee will be notified of the reason for the pending termination and given a brief summary of the District's evidence, if any. The employee will be given an opportunity to respond to the charges, either orally or in writing, and to explain why the District should not go ahead with the termination. This procedure does not limit the District at any subsequent hearing or proceeding from presenting a more detailed and complete case, including the presentation of witnesses and/or documents not introduced at the termination meeting.

## 6.7.166

### Rules of Conduct

10.2.1 The District places as few restraints on employee personal conduct as possible. The District relies on each employee's good judgment and sense of responsibility as the principal source of guidance for conducting day-to-day duties and responsibilities. However, for the protection of the District's business interests and other employees, certain rules of conduct have been established. The rules are formalized here for each employee's information and to minimize the likelihood of any employee, through misunderstanding or otherwise, becoming subject to disciplinary action.

## 10.2.2

10.2.3

## 6.7.167

**10.2.4** These rules of conduct do not change an employee's status as an at-will employee, nor do they guarantee or imply progressive discipline will be used when the District determines discipline is warranted.

## 6.7.168

10.2.5 The following is a partial list of offenses that may lead to discipline, up to and including termination.

10.2.5.1 Theft, misappropriation or removal of District property or the property of employees, clients or members of the public;

10.2.5.2 Material falsification of any application for employment or any report, record, time record or any other District records;

10.2.5.3 Soliciting and/or accepting payment, gifts or any item of value for services performed during the regular workday while working for the District;

10.2.5.4 Material alteration, destruction or waste of District property, facilities, records or equipment, wherever located or the destruction of another employee's property;

10.2.5.5 Violation of the substance abuse, alcohol or drug policies;

10.2.5.6 Giving or taking a bribe of any nature as inducement for obtaining or retaining a job or position;

10.2.5.7 Disorderly conduct, fighting or insubordination. Insubordination includes, but is not limited to:

- Neglect of duty or refusal or failure to obey reasonable orders or instructions in the line of duty; and
- Use of abusive, insulting or obscene language to any supervisor or other employee.

10.2.5.8 Threatening, intimidating, coercing or interfering with supervisors or other employees;

10.2.5.9 Deliberate attempts to injure another employee or fighting on District property;

10.2.5.10 Sleeping during work hours;

10.2.5.11 Unauthorized possession of firearms, explosives or any dangerous weapons while performing District work;

10.2.5.12 Participating in an unauthorized work stoppage or slowdown;

10.2.5.13 Recklessness resulting in a serious accident while on duty;

10.2.5.14 Workplace harassment or other unlawful discrimination directed toward another employee or other individual in the workplace;

10.2.5.15 Use of District property or time for personal financial gain;

10.2.5.16 Ignoring safety rules or common safety practices or contributing to unsanitary or unsafe working conditions;

10.2.5.17 Failure to report occupational injuries or accidents promptly to the employee's supervisor;

10.2.5.18 Engaging in activities other than assigned work during working hours and/or while operating District equipment, without approval in advance by the employee's supervisor;

10.2.5.19 Acting in an insulting, rude or insolent manner towards any citizen, employee or other person while working for the District, or while operating District equipment or on District premises;

10.2.5.20 Failure to exercise the care and attention to one's work as required by the circumstances;

10.2.5.21 Unexcused or excessive absences, or tardiness;

10.2.5.22 Leaving work before the end of the shift or not being ready to begin work at the start of the shift or working overtime without permission from the employee's supervisor;

10.2.5.23 Loafing or spending unnecessary time away from the job;

10.2.5.24 Unauthorized possession or use of any District property, equipment or materials;

10.2.5.25 Violation of any District Policy or Procedure.

#### 6.7.169

10.2.6 These are only samples of the types of conduct that may result in disciplinary action. These rules of conduct do not change an employee's status as an at-will employee, nor do they guarantee or imply progressive discipline will be used when the District determines discipline is warranted.

10.2.7 It is desirable, whether off-duty or on-duty, that an employee's conduct reflect favorably on the employee, his/her fellow employees and the District. Off-duty misconduct may result in discipline when it renders an employee less capable of performing his/her duties and responsibilities, or when it reflects unfavorably upon an employee's continuing qualifications for employment.

#### 10.2.8

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### 6.7.171 Employee Handbook Receipt and Acknowledgement

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6.7.173

This confirms that I: \_\_\_\_\_

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have received and

read the District's Employee Handbook and understand that:

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- these policies are not an agreement or contract for employment;

6.7.178

- no one in the District has the authority to enter into any agreement for employment for a specified period of time or to make other representations or agreements inconsistent with these policies unless it is in writing signed by an authorized District representative;

6.7.179

- the policies and procedures contained may be revised and updated by the District from time to time;

6.7.180

- these policies revoke and supersede any prior handbooks, statements of employment policies, guidelines and procedures, or employment manuals, handbooks, or other documents issued by the District;

6.7.181

- unless otherwise provided by a law, my employment with the District is at-will.
- it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it; and
- I should consult my manager or Executive Director regarding any questions not answered in the handbook.

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6.7.187

Employee's Signature  
Date

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6.7.189 **Remove this receipt from the handbook and fill in the Human Resource Employee file**

6.7.190