

Key Peninsula Metropolitan Park District  
Dba Key Pen Parks



**Resolution No R 2018-15**

**A RESOLUTION OF THE BOARD OF COMMISSIONER'S OF THE KEY PENINSULA METROPOLITAN PARK DISTRICT ADOPTING UPDATED EMPLOYEE HANDBOOK**

Whereas, the Board of Park Commissioners of Key Pen Parks adopted an Employee Handbook policy via Resolution R2017-09; and

WHEREAS, the Key Peninsula Metropolitan Park District ("Key Pen Parks") desires to adopt an updated employee handbook;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF KEY PEN PARKS HEREBY RESOLVES AS FOLLOWS:

Section 1. Resolution Number R2017-09 is hereby repealed.

Section 2. The employee handbook attached hereto as Exhibit 1 is hereby adopted.

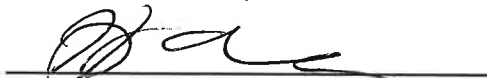
**PASSED AND ADOPTED** by the Board of Park Commissioners for Key Pen Parks at a regular meeting held at Volunteer Park Annex this 10<sup>th</sup> day of December 2018.


Attest:

Key Pen Parks  
Board of Commissioners  
Pierce County, Washington

  
Edward Robison, President

  
Mark Michel, Vice President

  
Kip Clinton, Clerk

  
John Kelly, Member-at-Large

  
Shawn Jensen, Member-at-Large

Key Peninsula  
Metropolitan Park  
District  
(DBA Key Pen Parks)

EMPLOYEE HANDBOOK

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# Introduction

## **1. Welcome**

Welcome to Key Peninsula Metropolitan Park District (dba Key Pen Parks). You have joined an agency that is committed to excellence in providing parks, recreation and special events for the Key Peninsula. Our emphasis on teamwork encourages cooperative decision-making among employees and management. Key Pen Parks actively seeks to create a positive environment in which every employee can realize his or her full potential.

## **2. Purpose of Employee Handbook**

This Employee Handbook has been prepared as a guide and reference to acquaint you with the policies and procedures of Key Pen Parks. The policies and procedures described in this Employee Handbook are not conditions of employment and do not constitute a promise of specific treatment in specific situations. Key Pen Parks may, in its sole discretion, change, delete, suspend or discontinue any part or parts of the policies in this Employee Handbook at any time with or without prior notice or reason.

**This Employee Handbook, and/or any of its policies do not constitute an employment contract or a guarantee of employment for any specific period of time.**

**After reviewing the manual, please sign the Receipt and Acknowledgment of Key Pen Parks' Employee Handbook form included at the end of this handbook confirming that you have received and understand the contents of the Key Pen Parks' Employee Handbook.**

## **3. History/ Philosophy**

Key Pen Parks was formed in May 2004 to provide locally governed parks and recreation facilities for the citizens of the Key Peninsula. It replaced the financially challenged 30-year-old Key Peninsula Parks and Recreation District.

As of 2018, Key Pen Parks manages 1297 acres of property ranging from open space to neighborhood parks to natural shoreline areas. Some of the amenities at the various properties include lighted baseball fields, skate park, half-court basketball, horseshoe pits, a disc golf course, picnic shelters, playgrounds, walking, biking, and equestrian trails, and access to salt water beaches. Key Pen Parks offers recreational programs for youth, adults, and special events. According to the State of Washington Office Financial Management Small Area Estimate Program, the estimated population of the Key Peninsula is 18,517 as of September 6, 2017.

Key Pen Parks currently employs approximately ten (10) team members. Key Pen Parks has an unrelenting commitment to excellence and the fair treatment of its employees and consumers.

#### **4. Mission Statement**

Key Pen Parks' mission statement is: "Preserve, Protect, & Play."

It is the **Key Pen Parks'** goal to do the following:

- To manage resources in an efficient and effective manner in the execution of Key Pen Parks' operations;
- To provide each employee with the training and support needed to grow professionally and personally;
- To adhere to the highest standards of honesty and ethical behavior toward consumers, employees, suppliers and the community.

## Employment Policies

These employment policies shall apply to all Key Pen Parks' employees. They shall not apply to elected officials and independent contractors

### **1. Application Process/Hiring**

Each applicant shall complete and sign Key Pen Parks' official application form prior to being considered for any position. Resumes may supplement, but not replace, Key Pen Parks' official application. Any applicant who is hired and found to have supplied false or misleading information is subject to immediate termination.

### **2. At-Will Employment**

Employment at Key Pen Parks is at-will, which means that either you or Key Pen Parks may terminate the employment relationship at any time with or without a reason or notice. This at-will relationship can be modified only in writing signed by the President of the Board. The at-will relationship cannot be modified by any oral statements or promises, by anything in this Employee Handbook or in any other manuals or handbooks, or by any other materials except in writing signed by the President of the Board. Key Pen Parks' requests a two week notice, when leaving employment with Key Pen Parks.

### **3. Introductory Period**

All new full time employees or newly promoted employees work on an introductory basis for the first one-hundred and eighty (180) days after their date of hire/promotion. If Key Pen Parks determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended solely at the discretion of Key Pen Parks for up to an additional one-hundred and eighty (180) days. The introductory period is intended to give new employees or newly promoted employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. Key Pen Parks uses this period to evaluate employee capabilities, work habits, and overall performance. During the introductory period, the employee may be terminated at any time.

**This introductory period does not create a contract or a guarantee of employment for any specific period of time and as set forth above, either the employee or Key Pen Parks may end the employment relationship at-will at any time during or after the introductory period, with or without a reason or notice.**

During the introductory period, new employees and newly promoted employees are eligible for those benefits that are required by law or by Key Pen Parks' benefit

programs or plans. New full-time employees accrue vacation and sick leave, but are not eligible to use vacation until one-hundred and eighty (180) days after their hire date. Employees should read the information for each specific benefit program for the details on eligibility requirements.

#### **4. Equal Employment Opportunity**

Key Pen Parks is an equal opportunity employer. It is our policy that employees and applicants will not be subjected to unlawful discrimination or harassment based on race, color, religion, sex, age, national origin, honorably discharged veteran's status, marital status, sexual orientation, physical or mental disability, or any other basis prohibited by applicable state, federal or local laws.

#### **5. Accommodation**

Key Pen Parks will make reasonable accommodations for the known physical or mental disabilities of an employee, unless undue hardship would result. The employee should advise either the Executive Director or Board President of any accommodations he or she believes are medically necessary in order to perform the job. Key Pen Parks may request medical certification from the employee's health care provider and Key Pen Parks will determine what, if any, reasonable accommodation may be appropriate. Key Pen Parks may take other action regarding employee accommodation, as appropriate, in accordance with state, federal or local laws.

#### **6. Anti-Harassment and Non-Discrimination Policy**

Key Pen Parks prohibits any form of unlawful harassment or discrimination in the workplace. Harassment or discrimination based on an individual's sex, race, color, national origin, religion, age, sexual orientation, marital status, honorably discharged veteran's status, physical or mental disability, or any other characteristic protected by state, federal or local law is unacceptable and will not be tolerated. Conduct that demonstrates mutual respect is expected of all employees in the workplace. Retaliation against any person who complains of harassment or discrimination in good faith, or who participates in an investigation in good faith, is also prohibited.

Sexual harassment is one form of unlawful harassment. Sexual harassment can be, but does not have to be, "sexual" in nature. Rather, sexual harassment is harassment that would not occur but for the gender of the person to whom it is directed. Sexual harassment may include requiring a person's submission to, or rejection of, sexual advances and/or sexual harassment which may alter that person's terms or conditions of employment. Sexual harassment also includes a sexually abusive, intimidating, hostile, or offensive work environment. Such an environment can be created by unwelcome sexual advances, requests for sexual favors, gender harassment, the display of sexually suggestive objects or pictures or emails, or any other verbal or physical conduct that would not exist but for the gender of the person at whom it is



directed and which has the effect of unreasonably interfering with an employee's work performance.

Other conduct that is not sexual in nature but will not be tolerated includes derogatory slurs, remarks or jokes about an individual's race, national origin, religion, age, sexual orientation, marital status, veteran's status, physical or mental disability, or any other characteristic protected by federal, State or local law.

### **Reporting Discrimination and Harassment of Any Type**

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

2. Any employee who believes that he or she has been subjected to objectionable conduct prohibited by this policy must report it immediately to the Executive Director, Board President, Board Vice-President or Board Clerk.

3. Each reported incident of unlawful harassment or discrimination will be investigated. Although we cannot guarantee confidentiality, reasonable efforts will be made to disclose information only as needed to investigate and resolve a complaint. If it is determined that a complaint is valid, appropriate remedial action will be taken promptly. When appropriate, the employee will be informed that remedial action has been taken but may not be told information that Key Pen Parks deems to be confidential.

4. Individuals reporting complaints or providing information in good faith in connection with an investigation will not be retaliated against for their participation in this procedure.

Supervisors and/or Executive Director must report any incidents, or reports of incidents, of harassment or discrimination to one of the following individuals: Executive Director, Board President, Board Vice-President, or Board Clerk.

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

## **7. Discipline and Termination of Employment**

Key Pen Parks, at its sole discretion, may take disciplinary action up to and including the termination of an employee's employment. Employee misconduct or other concerns noted by Key Pen Parks may result in an oral warning, a written warning, a probationary period, immediate suspension without pay, demotion, termination, or any other disciplinary action which Key Pen Parks, at its sole discretion, deems appropriate, including the termination of the employee's employment. Key Pen Parks has the option to skip one or all of the previously mentioned steps.

## **8. Performance Evaluation**

One tool your supervisor will use for communicating with you is the formal performance review. As a new employee, you may receive a performance review at the completion of your first one-hundred and eighty (180) days of employment. In addition, if you are promoted, demoted or receive a significant job change, you may receive a performance review at the completion of your first one-hundred and eighty (180) days of that new job. The completion of the period of review does not alter or change the at-will status of the employee's employment.

Key Pen Parks strives to review employees on a yearly basis. Generally, we attempt to conduct those reviews during the anniversary month of the employee, although dates and times of employee reviews may be conducted at any time, and is at the sole discretion of Key Pen Parks.

The evaluation is part of an employee's personnel record and may be a factor in determining the employee's conversion to regular status, whether the employee receives a wage increase, or is to be promoted, transferred, demoted, laid off, or terminated.

Salary increases are given annually at the employee's anniversary date contingent upon performance as indicated by the performance evaluation. An employee's supervisor will conduct a performance evaluation near the employee's annual hire or promotion date. The total amount of increase available for all employee salary increases will be determined annually at budget time, by the board of commissioners.

- Employees receiving a "meets expectations" rating may receive an increase of at least fifty percent (50%) up to one-hundred percent (100%) of the allocated increase (see Appendixes A & B Wage Scale).
- In the case of an employee receiving less than a "meets expectations" rating, a new performance review will be scheduled for six (6) months later. If the employee's rating is improved then a pay raise may be approved following the scale noted above to take effect at the time of the second review.

## **9. Training Policy**

Key Pen Parks seeks, within the limits of available resources, to offer training to increase an employee's skills, knowledge and abilities directly related to Key Pen Parks' 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. All training opportunities require prior approval of the Executive Director.

## **10. Open Communication & Grievance Procedure**

At Key Pen Parks we believe that communication is at the heart of good employee relations. Employees should share their concerns, seek information, provide input, and resolve work-related issues by professionally discussing them with their supervisors until they are fully resolved. It may not be possible to achieve the results an employee desires, but the supervisor should attempt to explain in each case why a certain course of action is preferred. If the employee's concern cannot be resolved with their supervisor, the employee may discuss it with the Executive Director. Key Pen Parks Board of Commissioners are not involved in the day to day personnel matters for the agency. Only if resolution has not been reached in the above manner should the employee bring the matter to the Board.

If an employee has a concern about discrimination and/or harassment, Key Pen Parks has set up special procedures to report and address those issues. The proper reporting procedures are set forth in the agency's Anti-Harassment and Non-Discrimination policy and employees should follow those procedures for those types of complaints or concerns.

## **11. Employee Personnel Records/Payroll Records**

A personnel file for each employee is kept secured in the Office Manager / Book Keeper's office, and access is limited to the Board President, Clerk, Office Manager / Book Keeper and Executive Director. An employee's personnel file contains the employee's name, title and/or position held, job description, salary, changes in employment status, training received, performance evaluations, personnel actions affecting the employee, including discipline, and other pertinent information.

An employee has the right to review his/her file. An employee may request removal of irrelevant or erroneous information in his/her personnel file. If Key Pen Parks denies the employee's request to remove the information, the employee may file a written rebuttal to be placed in his/her file.

Personnel files are kept confidential to the maximum extent permitted by law. Except for routine verifications of employment, no information from an employee's personnel file will be released to the public, including the press, without a written request from the employee.

The Board may only access an employee's personnel files in executive session unless otherwise authorized in writing by the employee.

The official payroll records are kept by the Office Manager / Book Keeper. The Executive Director will turn in, on a bi-monthly basis, a work record for each employee that has been signed by the employee, employee's supervisor, and/or the Executive Director, noting hours worked, leave taken and overtime worked. The Board President, Vice President, or Clerk will sign work records for the Executive Director.

## **12. References**

Key Pen Parks does not provide references, other than to confirm the dates of employment and last salary earned.

## **Hours of Work and Compensation**

### **1. Employee Classifications**

In order to clarify employment status and benefits eligibility, all employees are classified as either “exempt” or “non-exempt” from overtime compensation according to the overtime provisions of state and federal laws. Exempt employees are not covered by the FLSA overtime provisions and do not receive either overtime pay or compensatory time in lieu of overtime pay. The following positions shall be considered as exempt:

Executive Director  
Maintenance Supervisor

In addition, all employees fall into one of the following categories:

1. Regular full-time: An employee who is normally scheduled to work a standard thirty (30) hours to forty (40) hours or more each work week. Generally, if you are a regular full-time employee, you are eligible for Key Pen Parks’ benefit package, subject to the terms, conditions, limitations and eligibility requirements of each benefit program.
2. Regular part-time: An employee who is normally scheduled to work less than thirty (30) hours per week, but at least ten (10) hours per week. Regular part-time employees may be eligible for some benefits offered by Key Pen Parks, subject to the terms, conditions, limitations and eligibility requirements of each benefit program.
3. Seasonal/Temporary: An employee who is hired for a specific period of time and is not expected to establish a continuity of service. It is expected that a seasonal employee should not remain in seasonal job status longer than 1500 hours in a year and is generally not eligible for benefits offered by Key Pen Parks, unless those benefits are required by law.

### **2. Hours of Work/Paydays**

The standard workweek at Key Pen Parks is forty (40) hours. Key Pen Parks’ standard workweek may include any five (5) days Saturday through Friday dependent on the season. The standard workday is eight (8) hours for non-exempt employees. Non-exempt employees are required to clock in/out at employees scheduled work times. The workweek commences on Saturday morning at 12:01 a.m. and ends the following Friday evening at midnight. Non-exempt employees are entitled to two (2) ten (10) minute rest breaks each day. Normally these rest breaks will be scheduled in mid-morning and mid-afternoon, although please check with your supervisor. At least a thirty (30) minute unpaid meal period is provided to any non-exempt employee who works a minimum of five (5) hours per day. Employees are required to punch in/out for meal period. Non-exempt employees are expected to take their full allotted time for

lunch. If non-exempt employees are requested to work beyond eight (8) hours, they may be entitled to a second meal break or another rest period. Exempt employees should schedule their lunch to accommodate the needs of the Key Pen Parks.

Key Pen Parks' employees are paid on a Bimonthly basis. The pay periods are the 1<sup>st</sup> to the 15<sup>th</sup> and the 16<sup>th</sup> to the end of month. Paydays are the 10<sup>th</sup> and 25<sup>th</sup> of the month. If the payday falls on a Saturday, the payday will be on Friday. If the payday falls on a Sunday the payday will be on Monday. If the payday falls on a holiday the payday will be the preceding business day.

### **3. Attendance**

Regular and timely attendance is essential for Key Pen Parks to function productively. Absences and tardiness (or leaving early) are disruptive to the efforts of your colleagues and Key Pen Parks. Unexplained absences and excessive tardiness or leaving early will not be tolerated and may lead to disciplinary action, up to and including termination of employment. Key Pen Parks may require employees to provide medical certification from a health care provider for absences due to illness or injury.

If you are not able to attend work, or if you will need to arrive to work late or leave earlier than your normally scheduled shift, you are required to contact your supervisor or Executive Director prior to the start of the scheduled shift (notifying another co-worker is not sufficient), and as far in advance as possible. You should indicate the reason for your absence or lateness and when you expect to be at work. Employees who do not report to work on time and do not call may be subject to disciplinary action, up to and including the termination of employment.

Employees are expected to be at work during inclement weather. Supervisors may allow employees to be late or leave early during severe weather conditions; however, non-attendance will be counted as absence from work and will be charged to accrued vacation, comp time, or time off without pay.

### **4. Overtime or Compensatory time for Non-exempt Employees**

From time to time, it may be necessary for employees to perform additional or overtime work in order to complete a project or duty. Non-exempt employees will be paid overtime or compensatory time for hours worked more than forty (40) hours a week at the rate of one-and-one half time (1.5x) the employee's regular rate of pay for all time worked beyond forty (40) hours. When computing overtime, sick leave, holiday and vacation time are not counted as hours worked. When it is necessary to work overtime, non-exempt employees must obtain approval from their supervisor or Executive Director prior to working the overtime hours. Failure to obtain prior approval for overtime hours may result in disciplinary action, up to and including the termination of employment. If the compensatory time option is exercised, the employee is credited with one and one-half times (1.5x) the hours worked as overtime. Maximum accruals of compensatory time shall be limited to forty (40) hours for regular full-time employees. After maximum

accrual, overtime compensation shall be paid. Employees should schedule the use of compensatory time within a six (6) month time period by making a written request to their supervisor

## **5. Wage and Salary Review**

Key Pen Parks attempts to pay employees a competitive rate that reflects the employee's job position, experience and job performance. Key Pen Parks endeavors to review wages and salaries annually and may make adjustments to reflect an employee's performance or other factors Key Pen Parks considers appropriate. Please refer to Appendixes A & B for Wage Classification Matrix as of October 9, 2017.

Key Pen Parks will provide cost of living adjustments for full time staff based upon CPI as provided by the United States Department of Labor (Bureau of Labor Statistics). These adjustments will be made starting with the March 1<sup>st</sup> pay period, will be based on the October to October year's data which is released in November of the preceding year Consumer Price Index (CPI) for Seattle, Tacoma, and Bellevue (King, Pierce, & Snohomish counties) Bremerton and shall never result in a decrease in pay.

To attract and retain the best employees for the position, Key Pen Parks will pay seasonal/temporary staff up to \$1 more than Washington State Minimum wage that is adjusted annually on January 1<sup>st</sup> of each year. Key Pen Parks will use CPI for seasonal/temporary staff wages as discussed in RCW 49.46.020 Please refer to Appendix B for Wage Matrix for Seasonal/Temporary Staff.

## **6. Call Back**

All employees are subject to call back in emergencies by Key Pen Parks to provide necessary services to the public. A refusal to respond to a call back is grounds for disciplinary action. Employees called back to duty will be paid their appropriate rate of pay for a minimum of two (2) hours. If employees are called in to work on a non-scheduled day they will be paid a minimum of two (2) hours.

## **7. Compensation upon Separation**

When an employee's employment with Key Pen Parks is ended, the employee will receive the following compensation:

- Regular wages for all hours worked up to the time of termination that has not already been paid.
- Any overtime or holiday pay that is due.
- A lump sum payment of any accrued but unused vacation and compensatory time.
- A lump sum payment of twenty five percent (25%) of any accrued but unused sick leave will be paid upon separation with a minimum of five (5) years full time employment.

## Benefits and Leaves of Absence

### **1. Holidays**

The following holidays will be observed as holidays for Key Pen Parks' regular full time employees:

1. New Year's Day (January 1)
2. Martin Luther King Jr. Day
3. Presidents Day (observed)
4. Memorial Day
5. 4<sup>th</sup> of July
6. Labor Day
7. Veteran's Day
8. Thanksgiving Day
9. The day after Thanksgiving
10. Christmas Day
11. Floating Holiday one (1) taken at employee's discretion with approval from supervisor and must be taken within the calendar year.
12. Two (2) unpaid holidays for reasons of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization.
  - An Employee will be allowed to take the unpaid holidays on selected days unless the absence would unduly disrupt operations or impose an undue hardship. Employee will submit a written request for an unpaid holiday to employee's supervisor a minimum of five (5) days prior to the requested day. An unpaid holiday shall not be deemed approved unless it has been authorized in writing by employee's supervisor. The two (2) unpaid holidays must be taken during the calendar year and will not carry over from one (1) year to the next.

If any of these above holidays fall on a Saturday, the holiday will be taken on the Friday before the calendar holiday. If any of these above holidays fall on a Sunday, the holiday will be taken on the Monday after the calendar holiday.

Full-time employees shall receive up to eight (8) hours pay for each of the holidays numbered 1-11 as listed above on which they perform no work, provided the employee is not on an authorized leave of absence without pay. Non-exempt regular full-time or part-time employees will be paid for the holiday plus one and one-half times (1.5x) their regular rate of pay for any time worked on the holiday. Seasonal/Temporary employees will be paid one and one-half times (1.5x) their regular rate for hours worked when required to work on an observed holiday.

Except for any holidays mandated by state or federal law, Key Pen Parks' holidays are subject to change at the sole discretion of the agency.



## 2. Vacation

Vacation time with pay is available to all eligible full-time employees. Part time and temporary employees do not accrue or receive paid vacation time. The amount of vacation time employees receive each year increases with the length of the employee's employment. Vacation time begins to accrue with the employee's first full pay period. Vacation time accrues follows:

<b>Length of Service</b>	<b>Accrual Rate/Month</b>	<b>Accrual Rate/Year</b>
0-1 years	3.333 hours	5 days (40 hours)
2-4 years	6.667 hours	10 days (80 hours)
5-9 years	10 hours	15 days (120 hours)
10-14 years	13.333 hours	20 days (160 hours)
15+ years	16.667 hours	25 days (200 hours)

Employees may begin using vacation time after they have completed their introductory period.

To take vacation, employees must request approval from their supervisor. Generally, an employee seeking vacation time should give at least two (2) weeks prior notice of the request to help with scheduling. An employee can only take vacation time in two (2) week increments or less, unless the employee obtains prior approval from their supervisor or Executive Director, or unless the leave is due to illness or injury.

Employees are encouraged to use accrued vacation time for rest, relaxation, or personal pursuits. In addition, employees may elect to take accrued vacation time to care for: (1) a child of the employee with a health condition that requires treatment or supervision; or (2) a spouse, parent, parent-in-law, or grandparent of the employee with a serious health condition or an emergency condition. Exempt employees must take vacation time in two (2) hour increments. Non-exempt employees must take vacation time in at least one (1) hour increments.

Employees who do not use accrued vacation time during the year can carry over the unused time to the following year, but not more than two-hundred and forty (240) hours may be carried over. Accrued but unused vacation time will be paid out upon separation from employment at a rate of one for one. Employees may ask the Executive Director or the Board of Commissioners to cash out vacation time on a case by case basis with a limit of eighty (80) hours to be cashed out at any one time.

## 3. Sick Leave (Washington State Law RCW 49.46.210)

Key Pen Parks provides paid sick leave benefits to all employees for periods of temporary absences due to illnesses or injuries. Employees may elect to take accrued sick leave time to care for: (1) physical injury or illness to employee; (2) Medical or dental appointments for the employee; (3) a child of the employee with a health

condition that requires treatment or supervision; or (4) a spouse, parent, parent-in-law, or grandparent of the employee with a serious health condition or an emergency condition.

Regular full-time employees accrue eight (8) hours of paid sick leave per month. Seasonal/Temporary employees will accrue one (1) hour of paid sick leave per forty (40) hours worked.

Whenever possible, sick leave must be approved in advance by your supervisor. If you are not able to get advanced approval due to an emergency, you must notify your supervisor as soon as practicable. Key Pen Parks', at its sole discretion, may require employees to provide medical documentation from a health care provider for absences due to illness or injury. The total accumulation of sick leave shall not exceed eight-hundred (800) hours at the normal rate of pay. Sick leave must be taken in minimum increments of quarter hour (.25) hour.

#### **4. Washington Paid Family and Medical Leave RCW. 50A.04 (copied from Wa family tool kit)**

Paid Family and Medical Leave is a mandatory statewide insurance program that will provide you with paid time off to give or receive care.

If you qualify, this program will allow you to take up to 12 weeks, as needed, if you:

- Welcome a child into your family (through birth, adoption or foster placement)
- Experience a serious illness or injury
- Need to care for a seriously ill or injured relative
- Need time to prepare for a family member's pre- and post-deployment activities, as well as time for childcare issues related to a family member's military deployment. For specifics on military-connected paid leave, visit [www.dol.gov/whd/regs/compliance/whdfs28mc.pdf](http://www.dol.gov/whd/regs/compliance/whdfs28mc.pdf)

If you face multiple events in a year, you might be eligible to receive up to 16 weeks, and up to 18 weeks if you experience a serious health condition during pregnancy that results in incapacity.

#### **Payment of premiums**

The program is funded by premiums paid by both employees and employers. It will be administered by the Employment Security Department (ESD).

Premium collection starts on Jan. 1, 2019. In 2019, the premium is 0.4% of wages, or \$3.85 per week for someone making \$50,000 a year. Employers can either pay the full premium or opt to withhold a portion of the premium from their employees. Employers who choose to withhold premiums from their employees may withhold up to 63 percent of the total premium, or \$2.44 per week for an employee making \$50,000 annually. The

employer is responsible for paying the other 37 percent. Businesses with fewer than 50 employees are exempt from the employer portion of the premium but must still collect or opt to pay the employee portion of the premium. Premium collection will begin Jan. 1, 2019. Your employer will calculate and withhold premiums from your paycheck and send both your share and theirs to ESD on a quarterly basis.

### Taking leave

Starting Jan. 1, 2020, employees who have worked 820 hours in the qualifying period (equal to 16 hours a week for a year) will be able to apply to take paid medical leave or paid family leave. The 820 hours are cumulative, regardless of the number of employers or jobs someone has during a year. All paid work over the course of the year counts toward the 820 hours, including part-time, seasonal and temporary work.

While on leave, you are entitled to partial wage replacement. That means you will receive a portion of your average weekly pay. The benefit is generally up to 90 percent of your weekly wage, with a minimum of \$100 per week and a maximum of \$1,000 per week. You will be paid by the State of Washington rather than your employer.

Unlike the federal Family and Medical Leave Act (FMLA), employees of small businesses may take Paid Family and Medical Leave if they meet the standard eligibility requirements.

More information on applying for benefits will come in 2019. Please go to [www.paidleave.wa.gov](http://www.paidleave.wa.gov) for more information.

### What protections are there for me?

Employees who return from leave under this law will be restored to a same or equivalent job if they work for an employer with 50 or more employees, have worked for this employer for at least 12 months, and have worked 1,250 hours in the 12 months before taking leave (about 24 hours per week, on average).

You can keep your health insurance while on leave. If you contribute to the cost of your health insurance, you must continue to pay your portion of the premium cost while on leave.

Your employer is prohibited from discriminating or retaliating against you for requesting or taking paid leave.

## **5. Family and Medical Leave Act (FMLA)**

The following is a summary of Key Pen Parks' Family and Medical Leave Policy. Further information regarding the Family and Medical Leave Act of 1993 (FMLA), and state and local leave laws, may be obtained from the Executive Director.

The FMLA establishes rules for certain categories of unpaid leaves of absence. Eligible (or “qualified”) employees may take up to a total of twelve (12) weeks unpaid leave looking back in a twelve (12) month period for the following reasons:

- the birth of a child or to care for a child within the first twelve (12) months after birth;
- the placement of a child with the employee for adoption or foster care and to bond with and care for the child (within the first twelve (12) months after placement);
- the serious health condition of the employee that makes the employee unable to perform the functions of his/her position;
- to care for the employee’s spouse, child or parent who has a serious health condition; or
- If the employee experiences a qualifying exigency that arises out of the fact that the employee’s spouse, parent, or child has been called to or is on active military duty as a member of the National Guard or military reserves.

Military Caregiver Leave In addition, an employee who is the spouse, parent, child, or next of kin of a current member of the armed forces (including the regular armed forces) who was injured while on active duty may be eligible for up to twenty-six (26) weeks of FMLA leave in a twelve (12) month period, including the types of leave listed above.

Employees eligible for such leave are those who have been employed for at least twelve (12) months and have worked at least 1,250 hours of employment for Key Pen Parks preceding the requested leave. Employees must provide at least thirty (30) days’ notice of a foreseeable leave to Executive Director. If the leave is not foreseeable thirty (30) days in advance, the employee must give as much notice as practicable under the circumstances. FMLA entitlement is calculated beginning when the employee first takes leave.

When an employee gives notice of a requested FMLA leave for purposes of a serious health condition or for military caregiver leave, the employee will be required to provide medical or other certification that the requested leave is medically necessary. Key Pen Parks reserves the right to require periodic certifications (at least every thirty (30) days) for extended leaves under FMLA. Employees are also required to periodically inform Key Pen Parks of his/her condition and return-to-work status. Failure to provide requested certification in a timely manner may result in denial of the leave until it is provided. If an employee refuses to provide a certification, his/her leave request may be denied and the employee may be disciplined up to and including termination from employment. If an employee fails or refuses to provide return-to-work documentation, the request to return may be denied and the employee may be disciplined up to and including termination from employment.

Key Pen Parks, at its expense, may require a medical examination by a health care provider of its own choosing if it has a reasonable question regarding the medical

certification provided by the employee. In lieu of a second opinion, Key Pen Parks may contact the health care provider directly to clarify or authenticate a medical certification, including certifications for military caregiver leave. Second opinions may not be required for military caregiver leave.

Separate certification may also be required regarding the nature of the family member's military service and/or the existence of a qualifying exigency.

Key Pen Parks may require accrued but unused vacation, paid sick leave, or any other accrued paid leave be used as part of the leave period. Except for accrued vacation, paid sick time, or other accrued paid leave, family and medical leave will be leave without pay. Health benefits will continue during such leave, although you may be required to reimburse Key Pen Parks for the benefits in the event you do not return to work at the conclusion of the leave. Other flexible benefit options may be continued, which are in effect prior to the leave, if the employee chooses to pay the full cost for the selected options. However; when an employee is out on FMLA leave, he/she does not continue to accrue vacation pay, sick leave or any other accrued benefits.

FMLA leave may be counted as an absence under Key Pen Parks' attendance policy.

Employees returning from an FMLA leave will generally be re-employed in either the same job or one of equivalent status and pay, depending on the conditions which exist when the employee is ready to return to work. Exceptions may exist for "key" employees. Returning employees may also be required to provide medical certification that they are able to return to work.

This policy merely outlines your benefits under the FMLA. Some additional leave may be available under state or local laws. Where allowed by state or federal law, all leaves will run concurrently. Where the law allows, all approved leave, whether paid or unpaid, will be counted against an employee's annual family and medical leave entitlement under this policy and the law. This means that workers' compensation leave, leave for a nonindustrial injury or illness, leave as a reasonable accommodation for a qualified individual with a disability, federal family medical leave, and/or state family leave may all run concurrently where allowed by law and be counted against the employee's annual family leave entitlement. If you believe you may need to avail yourself of this policy, you are encouraged to contact the Executive Director for more specific information.

## **5. Pregnancy Disability**

A leave of absence will be granted to an employee for the period of time that she is actually ill or disabled due to pregnancy or childbirth. The employee shall provide medical documentation from her physician setting forth the medical necessity for the leave and the expected duration of the leave.

An employee taking a leave of absence for the period of disability relating to pregnancy and childbirth has the right to return upon expiration of such leave to the same position,

or a similar position of comparable pay and benefits, unless business necessity prevents Key Pen Parks from returning the employee to such position. If an employee extends her pregnancy-related leave beyond the period of actual disability, the employee has no right to return to the same or similar position upon expiration of such leave, unless the employee qualifies for FMLA leave.

## **6. Maternity Leave**

Maternity leave is available for a maximum of twelve (12) weeks. It is unpaid but an employee may elect to use all accrued sick leave and accrued vacation time during maternity leave. Key Pen Parks' may request that the employee pay employee benefits during leave unless the employee qualifies for FMLA leave.

The request for maternity leave should be made in writing to the Executive Director or Board President at the earliest possible date.

Employees returning to work after childbirth who wish to express breast milk will be provided a reasonable break time in a private, secure location other than a bathroom in which to do so pursuant to the provisions of the Fair Labor Standards Act. Employees interested in this benefit should contact the Executive Director.

## **7. Domestic Violence Victims Employment Leave**

State law provides for reasonable leave for employees who are victims of domestic violence, sexual assault, or stalking, and for employees whose family members are victims to participate in legal proceedings, receive medical treatment, or obtain other necessary services. Covered family members include the employee's child, spouse, parent, parent-in-law, grandparent, or person with whom the employee has a domestic relationship.

An employee may take reasonable leave from work, including intermittent leave, or leave on a reduced leave schedule, with or without pay to:

- Seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or employee's family members, including preparing for or participating in any civil or criminal legal proceeding related to domestic violence, sexual assault or stalking
- Seek treatment by a healthcare provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking, or to attend to healthcare treatment for a victim who is the employee's family member
- Obtain, or assist a family member in obtaining, services from a domestic violence shelter, rape crisis center, or other social services program for relief from domestic violence, sexual assault, or stalking

- Obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault, or stalking in which the employee or the employee's family member was a victim of domestic violence, sexual assault, or stalking
- Participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members from future domestic violence, sexual assault, or stalking

An employee must give advance notice of his or her intention to take leave. When advance notice cannot be given because of an emergency or unforeseen circumstance, the employee must give notice as soon as possible and no later than the end of the first day that the employee takes leave.

Key Pen Parks may require verification for the leave. Verification may consist of a police report, court order, evidence from the court or the prosecuting attorney, or a statement from an advocate for victims, an attorney, a member of the clergy, or a medical or other professional.

An employee may elect to use sick leave and other paid time off, compensatory time, or unpaid leave time. An employee is not required to produce or discuss any information that is beyond the scope of the verification and notice requirement or that would compromise the employee's safety or the safety of the employee's family member in any way. Key Pen Parks must maintain the confidentiality of all information provided by the employee. Information may be disclosed only if requested or consented to by the employee, ordered by a court or administrative agency, or otherwise required by applicable federal or state law.

## **8. Bereavement Leave**

Key Pen Parks' allows employees bereavement leave for the death of an employee's immediate family. For purposes of bereavement leave, the employee's immediate family is defined as the employee's spouse, child, grandchild, parent, brother, sister, in-laws, grandparents, guardian of the employee, or the death of any person residing with or legally dependent upon the employee.

Key Pen Parks may pay non-exempt employees (who have completed six (6) months of employment) their normal wages, up to a maximum of three (3) working days for bereavement leave. Exempt employees should speak with their supervisor about payment for bereavement leave.

## **9. Jury Duty**

Key Pen Parks' allows all employees who are called to serve on jury duty to take the time required to serve. Employees who are summoned for jury duty or who are

subpoenaed to appear in court or in deposition should present a copy of the summons or subpoena to their supervisor or Executive Director. Employees who are dismissed from jury duty or are not required to remain in court must report to work during regular work hours.

Key Pen Parks will pay non-exempt employees (who have completed six (6) months of employment) their normal wages, up to a maximum of five (5) working days for jury duty. Exempt employees should speak with their supervisor about payment for jury duty.

If an employee is summoned during a critical work period, Key Pen Parks' may ask the employee to request a waiver from duty.

## **10. Military Leave**

It is the policy of Key Pen Parks to comply with Washington State and federal laws regarding leave for military service in addition to any leave outlined above in the Family Medical Leave policy, including reinstatement as required by those laws. If you have any questions about your rights under Washington State and federal law for military leave, please see the Executive Director.

## **11. Personal Leave**

Under limited circumstances, employees may be granted a leave of absence for emergency circumstances (where the employee does not have available other leave, such as sick leave, vacation leave, etc.). Generally, this leave is only for extraordinary circumstances, and the decision about whether an employee will be granted such a leave is at the sole discretion of the Executive Director. The leave is unpaid.

## **12. Administrative Leave**

On a case-by-case basis, Key Pen Parks may place an employee on administrative leave with pay for an indefinite period, as determined by the Executive Director and Park Board if deemed to be in the best interests of Key Pen Parks during an investigation or other administrative proceeding

## **13. Benefits**

Key Pen Parks' offers benefits to its eligible employees, to assist with health care coverage and related expenses. Eligible employees will receive information about these programs and eligibility requirements on a periodic basis. In the event you have questions regarding eligible benefits or need information, please contact the Executive Director or Administrative Assistant.



## **Healthcare Benefits**

Key Pen Parks will pay one-hundred percent (100%) of eligible employee's premium for medical, dental and vision. Key Pen Parks will pay eighty percent (80%) of employee's dependents premium for medical, dental and vision with employee paying the remainder. If employee has access to an equal or better medical, dental or vision plan employee may opt to use that plan in lieu of any one of Key Pen Parks' offered plans. Employee may request Key Pen Parks to pay premium for said less expensive plan. Key Pen Park's will utilize Section 125 Cafeteria Plan (pre-tax dedications) for all health care benefit dedications.

## **Retirement Benefits**

Retirement eligibility shall comply with State of Washington requirements according to form DRS MS 198 (01/07). Key Pen Parks' makes contributions on behalf of all eligible employees to the Social Security System and to the Washington State Department of Retirement in addition to those contributions made by the employee through payroll deductions.

## **Disability Benefits**

All employees are covered by the State Industrial Insurance program (Worker's Compensation). This type of insurance covers employees in case of on-the-job injuries or job-related illness. For qualifying cases, State Industrial Insurance will pay the employee for work days lost for any disability resulting from job-related injuries or illness. All job-related accidents should be reported immediately to the employee's supervisor.

- When an employee is absent for one or more days due to an on-the-job accident, he/she is required to file a claim for Worker's Compensation. If the employee files a claim, Key Pen Parks' will continue to pay (by use of the employee's unused sick leave) the employee's regular salary pending receipt of Worker's Compensation benefits.
- When the employee receives Worker's Compensation benefits, he/she is required to repay to Key Pen Parks the amount covered by Worker's Compensation and previously advanced by Key Pen Parks. This policy is to ensure that employees will receive prompt and regular payment during periods of injury or disability so long as accrued sick leave is available, while ensuring that no employee receives more than he/she would have received had the injury not occurred. Upon the repayment of funds advanced, the appropriate amount of sick leave shall be restored to the employee's account.
- Key Pen Parks' may require an examination at its expense, performed by a physician of its choice, to determine when the employee can return to work (in

a regular or light-duty capacity) and if he/she will can perform the duties and responsibilities of the position.

### **Unemployment Compensation**

Key Pen Parks' employees may qualify for Washington State Unemployment Compensation after termination from Key Pen Parks employment depending on the reason for termination and if certain qualifications are met. For more information please see Employment Security Department Unemployment Handbook.

<http://www.esd.wa.gov/uibenefits/handbook/index.php>

### **14. Notice of Changes**

Any change in name, address, telephone number, marital status or number of exemptions an employee is claiming must be reported to the Executive Director or Office Manager / Book Keeper. It is the employee's sole responsibility to notify the above person of the necessary changes for tax and benefit purposes.

## Miscellaneous

### **1. Employment of Relatives**

While Key Pen Parks has no prohibition against hiring relatives of other employees, close family members such as parents, children, spouses, siblings, significant others, or in-laws will not be hired into, or transferred from, positions where they directly or indirectly supervise or are supervised by another close family member or significant other. Key Pen Parks reserves the right to determine in all cases if a close relationship exists to prohibit a supervisory relationship.

### **2. Electronic Communication and Technology**

Key Pen Parks respects the individual privacy of its employees. However, employee privacy does not extend to employees' work-related conduct or to the use of company-provided equipment or supplies. Employees should be aware that the following policy might affect their privacy in the workplace:

It is the policy of Key Pen Parks to provide the communication services, computers, and other equipment necessary for the conduct of its business. It is the further policy of Key Pen Parks to reserve the right to monitor its employees' use(s) of these communication services, computers, and other equipment to ensure that professional and business performance and conduct standards are maintained.

Key Pen Parks' communication services, computers, and all other electronic systems are for the sole purpose of conducting Key Pen Parks' business. These systems are not intended to be used by employees for conducting personal business, playing electronic or video games, storing personal documents, etc., or for any other personal reason. Inappropriate use of Key Pen Parks' communications and/or computer systems may result in disciplinary action, up to and including termination of employment.

All information stored in/on computer(s) issued to employees and other electronic record-keeping devices is the property of Key Pen Parks. Specifically, but without limitation, all documents, data, software, hardware, tapes, taped messages, voice mail, electronic mail, etc., stored in Key Pen Parks' communications and computer systems are the property of Key Pen Parks and may be used and accessed by Key Pen Parks at any time and in any manner it deems appropriate.

Key Pen Parks reserves the right to access, alter, save, copy, recreate, print, and/or use this electronic data in any method not prohibited by law. Key Pen Parks may and can monitor employee activity on its communications systems, its computers, its electronic record-keeping and/or storage systems as it deems necessary, without prior notification to the employees who customarily use these systems.

All electronically based computer programs and software which are owned by and/or licensed to Key Pen Parks may not be used or copied for personal use or for any non-

Key Pen Parks' purpose. Employees are prohibited from installing any unauthorized software onto computers and/or electronic devices owned by Key Pen Parks.

No employee, unless authorized in writing by the Executive Director or (the Board), may remove or download any records maintained in the agency's computer systems or other electronic record-keeping, and/or storage devices for personal use or gain.

All portable equipment provided for an employee's use, such as laptops, fax machines, and cellular phones, must be promptly returned to Key Pen Parks when such equipment is no longer required or immediately upon the employee's departure from Key Pen Parks. All equipment must be returned in good condition. Any damage beyond reasonable wear and tear shall be the financial responsibility of the employee.

Employees may not use Key Pen Parks' voice mail, electronic mail, desktop computers, fax machines or the Internet in any way that may be seen as insulting, disruptive, or offensive by other persons. Examples of forbidden transmissions include sexually explicit messages, cartoons, or jokes; unwelcome propositions or love letters; ethnic or racial slurs; or any other message or file that can be construed to be unlawful discrimination or harassment of others based on their race, color, national origin, religion, age, sex, sexual orientation, marital status, veteran's status, physical or mental disability or any other characteristic protected by state, federal or local law.

### **3. Health and Safety**

Safety is the responsibility of all employees at Key Pen Parks. It is the policy of Key Pen Parks to comply with all federal and state safety and health guidelines for the protection of its employees. Please report all injuries (no matter how slight) to your supervisor or Executive Director immediately, as well as anything that needs repair or appears to be a safety hazard. Failure to adhere to Key Pen Parks' safety standards and practices can result in disciplinary action, up to and including termination of employment.

- Key Pen Parks will provide full time maintenance staff a boot allowance of \$100 per calendar year to purchase steel toed work boots, which must be worn during work hours. Staff will be reimbursed for allowable amount upon providing receipt as proof of purchase.
- Key Pen Parks will provide seasonal maintenance staff a boot allowance of \$ 50 per calendar year to purchase steel toed work boots, which must be worn during work hours. Staff will be reimbursed after three (3) months of employment after providing receipt as proof of purchase.

### **4. Violence in the Workplace**

Key Pen Parks is committed to maintaining a workplace that is free from violence and threats of violence. Employees should promptly report any acts of violence or threats of

violence, including actions of coworkers and members of the public, to their supervisor or Executive Director. Employees who engage in acts of violence or make threats of violence are subject to discipline, up to and including the termination of employment.

## **5. Substance Abuse/ Drug Free Workplace**

While at work, each Key Pen Parks' employee has a responsibility to coworkers, and to the public, to perform his or her work in a safe and conscientious manner. Key Pen Parks expects employees to be able to work in an environment free from the effects of alcohol and/or other job-impairing substances. This does not mean that employees cannot perform their jobs while taking prescription or nonprescription medications in accordance with a lawful prescription or consistent with the standard dosage recommendations, unless such medications cannot be taken in a safe manner, or if the medications impair the employee's ability to do the essential functions of his or her position, with or without an accommodation, that does not create an undue hardship for Key Pen Parks.

Employees in safety-sensitive jobs are responsible for notifying the Maintenance Supervisor, Executive Director, or Board of Commissioners if they are taking medications which may interfere with their ability to do their jobs safely. In addition, the unauthorized use, sale, or possession, by any employee, of alcohol, controlled substances, drugs not medically authorized and used in the manner prescribed, or other substances which may impair job performance or pose a hazard to the safety and welfare of the individual employee, the public, or other employees, is strictly prohibited and may result in disciplinary action, up to and including the termination of employment. Employees must notify Key Pen Parks within five (5) days of any conviction for a drug violation in the workplace.

Key Pen Parks reserves the right to test employees for drugs or alcohol for cause, or after accidents, at Key Pen Parks' expense.

**NOTICE REGARDING MARIJUANA USE AND POSSESSION.** On November 6, 2012, Washington voters passed Initiative 502 legalizing the recreational use of small amounts of marijuana under Washington State law. The law became effective on December 6, 2012. However, under federal law, marijuana remains a controlled substance, and possession or use of the drug constitutes a crime. The federal and state governments have not yet determined how to resolve this conflict between state and federal law. However, employees who are impaired at work as the result of marijuana use will be subject to disciplinary action, up to an including termination of employment.

## **6. Outside Employment**

Outside employment, second jobs, or "moonlighting" may create a conflict of interest. Employees must obtain written approval in advance from either the Executive Director or the Board of Commissioners. If you are an employee at Key Pen Parks and outside

employment has been approved in writing, any activities related to that outside employment must be conducted off-site and not during regularly scheduled work hours. Employees shall not be employed with a firm which has contracts with or does business with Key Pen Parks, or which may reasonably be perceived by members of the public as a conflict of interest or otherwise discredits public service.

## **7. Confidential Information**

Employees of Key Pen Parks will receive and have access to information that is confidential in nature to the agency, its consumers and vendors. Employees are not to disclose any such confidential information to (a) any other person in the agency unless there is a legitimate business reason for doing so; or (b) any person outside the agency unless management has expressly stated that the information can be disclosed to that person. This obligation exists even after the employee leaves the organization. Compliance with the Public Disclosure Requests must be handled according to the law and by following Key Pen Parks' policy for dealing with such requests.

## **8. Ethics and Conflicts of Interest**

Employees are expected to use good judgment, adhere to high ethical standards and avoid situations that create an actual or perceived conflict between their personal interests and those of the agency. Key Pen Parks requires that the transactions employees participate in are ethical and within the law, both in letter and spirit.

Key Pen Parks' recognizes that different agencies have different codes of ethics; however, just because a certain action may be acceptable by others outside of Key Pen Parks as "standard practice," that is by no means sufficient reason to assume that such practice is acceptable at our agency. There is no way to develop a comprehensive, detailed set of rules to cover every business situation. The tenets in this policy outline some basic guidelines for ethical behavior at Key Pen Parks. Whenever employees are in doubt, they should consult with their supervisor.

Conflicts of interests or unethical behavior may take many forms including, but not limited to, the acceptance of gifts from vendors, potential vendors, or consumers of the agency. Employees are cautioned not to accept any form of remuneration or non-business related entertainment, nor may employees sell to third parties any information, products, or materials acquired from the agency. Employees may engage in outside business activities, provided such activities do not adversely affect the agency or the employee's job performance and the employee does not work for a Key Pen Parks' vendor, or consumer. Employees are prohibited from engaging in financial participation, outside employment or any other undertaking that is prejudicial to the best interests of Key Pen Parks. Employees may not use proprietary and/or confidential information for personal gain or to the agency's detriment, nor may they use assets or labor for personal use.

If an employee has a financial or employment relationship with a vendor, potential vendor, or consumer of the agency, the employee must disclose this fact in writing to the Executive Director or Board of Commissioners. The agency will determine what course of action must be taken to resolve any conflict it believes may exist. If the conflict is severe enough, Key Pen Parks may be forced to ask the employee to tender his/her resignation. Key Pen Parks has sole discretion to determine whether such a conflict of interest exists.

Employees are encouraged to seek assistance from their supervisors with any ethical concerns. However, Key Pen Parks realizes this may not always be possible. As a result, employees may contact the Executive Director or Board President to report any ethical concern they cannot discuss with their supervisor. Employees should refer to the reporting procedures under the Anti-Harassment and Non-Discrimination policy for reporting unlawful harassment or discrimination.

## **9. Policy on Reporting Government Misconduct**

This policy sets forth the procedures employees shall follow for reporting alleged improper governmental action.

### Definition of “Improper Governmental Action”

“Improper governmental action” means any action by a local government officer or employee (1) that is undertaken in the performance of the officer’s or employee’s official duties, whether or not the action is within that person’s employment and (2) that is in violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds.

“Improper governmental action” does not include personnel actions such as:

- employee grievances
- complaints
- appointments
- promotions
- transfers
- assignments or reassignments
- reinstatements, restorations, or reemployments
- performance evaluations
- reductions in pay
- dismissals
- suspensions
- demotions
- violations of the local government collective bargaining and civil service laws
- alleged labor agreement violations

- reprimands

### Reporting Alleged Improper Governmental Action

Every employee has the right to report to the appropriate person or persons information concerning alleged improper governmental action. The identity of the employee reporting such alleged improper governmental action shall be kept confidential to the extent possible, unless the employee authorizes the disclosure of his or her name in writing.

An employee who wishes to report alleged improper governmental action shall submit a written report to the Executive Director, Board President, or Vice President, stating in detail the basis for the employee's belief that an improper governmental action has occurred. The employee may also submit the written report to the county prosecuting attorney.

Except in the case of emergency, before an employee provides information regarding alleged improper governmental action to a person or an entity who is not a public official or a person listed in the preceding paragraph of this policy, the employee shall submit a written report, stating in detail the basis for his or her belief that an improper governmental action has occurred, to the agency. For purposes of this paragraph, an "emergency" means a circumstance that if not immediately changed may cause damage to persons or property.

### Protection Against Retaliatory Action

Employees are protected from retaliation for good faith reporting of improper governmental action.

In order to seek relief against retaliation for good faith reporting of improper governmental action, an employee shall provide written notice of the charge of retaliation to the governing body of the agency. The notice shall (1) specify the alleged retaliatory action and (2) specify the relief requested.

The notice of the charge of retaliation shall be delivered to the agency no later than thirty (30) days after the occurrence of the alleged retaliatory action. The agency then has thirty (30) days to respond to the charge and request for relief.

When the charging employee receives the agency's response, or after the last day on which the agency could respond, the charging employee may request a hearing to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. The request for a hearing shall be delivered to the agency within fifteen (15) days of delivery of the agency's response or within fifteen (15) days of the last day on which the agency could respond.



Within five (5) working days of receipt of the employee's request for a hearing, the agency shall apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge. At the hearing, the employee must prove his or her claim by a preponderance of the evidence.

Employees who fail to make a good faith attempt to follow this policy and procedure in reporting improper governmental action shall not be eligible for the protections outlined against retaliation.

**For employee complaints about harassment or discrimination, the employee should follow the Anti-Harassment and Non-Discrimination Policy found in the Employee Policies Section; Item 6; page 6 of this Employee Handbook.**

## **10. Social Media Guidelines** (Please refer to R2014-17 Key Pen Parks' Social Media Policy for Employees for additional information)

Social Media such as Facebook, Twitter, LinkedIn, tweeting, and blogging have an ever increasing presence as a way to keep in touch with family and friends. With increased usage however, comes the increased potential for the accidental or intentional inclusion of inappropriate information. In some cases, information conveyed through social media has led to legal liability for the person posting the information. In recognition of the large role that social media plays in our society, Key Pen Parks is providing these guidelines to assist you in utilizing social media in a safe and responsible manner.

Publication of false, defamatory facts about another individual on a social networking site that is viewable by others can give rise to a claim for libel, slander or defamation by the person discussed. Although it can be very tempting to vent about another person through a social networking site, extreme caution should be used when deciding what information to include.

Use of a social networking site to communicate inappropriately with or about a client or a coworker may lead to the filing of a claim for harassment with Key Pen Parks. If, after an investigation, it is determined that harassment occurred, the posting individual may be subjected to discipline by Key Pen Parks. The harassed individual could also seek a restraining order or start a legal proceeding against you.

Through your employment, you may have access to confidential information about clients and coworkers, such as medical conditions, home addresses and work schedules. Existing Agency guidelines that restrict the disclosure of such confidential information apply with equal force to social media postings. Inclusion of confidential information about coworkers or Key Pen Parks on a social networking site could lead to disciplinary action for violation of company policies.

## **11. Political Activities**

Key Pen Parks' employees may participate in political or partisan activities of their choosing provided that Key Pen Parks' 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 Key Pen Parks' time or in a Key Pen Parks' uniform or while representing Key Pen Parks in any way. Employees may not allow others to use Key Pen Parks' facilities or funds for political activities.

Any Key Pen Parks' employee who meets with or may be observed by the public or otherwise represents Key Pen Parks 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, on Key Pen Parks' property or Key Pen Parks' time, for a contribution for a partisan political cause.

Except as noted in this policy, Key Pen Parks' employees are otherwise free to fully exercise their constitutional First Amendment Rights.

## **12. No Smoking Policy**

For health and safety considerations, the Key Pen Parks prohibits smoking, vaping and the use of tobacco products by employees in all Key Pen Parks' facilities, including Key Pen Parks' owned buildings, vehicles, and offices or other facilities rented or leased by the District, including individual employee offices.

## **13. Use of Key Pen Parks' Vehicles and Equipment**

Use of Key Pen Parks' phones for local personal phone calls should be kept to a minimum; long distance personal use is prohibited. Other Key Pen Parks' equipment, including vehicles, shall be used by employees for Key Pen Parks business. An employee's misuse of Key Pen Parks' telephones (including cellular), vehicles, equipment or supplies can result in disciplinary action including termination.

When deemed necessary by the Executive Director for reasons of security and efficiency, Key Pen Parks' employees may take Key Pen Parks' vehicles home at end of the work day.

Key Pen Parks' may provide cellular telephones and service for certain employees to use for Key Pen Parks' business.

## **14. Contact with News Media**

The Executive Director and/or the Board President shall be responsible for all official contacts with the news media during working hours, including answering of questions from the media. The Executive Director may designate specific employees to give out

procedural, factual or historical information on particular subjects. It is the policy of Key Pen Parks to maintain good press relations with the media.

## **15. Driver's License Requirements**

As part of the requirements for certain Key Pen Parks' positions, an employee may be required to hold a valid Washington State Driver's license.

- If an employee's license is revoked, suspended or lost, or is in any other way not current, valid and in the employee's possession, the employee shall promptly notify his/her supervisor and will be immediately suspended from driving duties. The employee may not resume driving until proof of a valid, current license is provided to his/her supervisor.
- Depending on the duration of license suspension, revocation or other inability to drive, an employee may be subject to disciplinary action, including termination

## **16. Professional, Civic and Service Organization Memberships**

Administrative staff and supervisors are encouraged to be members of and participate in professional, civic, and service organizations. Membership dues, travel, and meal costs attributable to an employee's participation in such organizations may be reimbursed, if pre-approved in writing by the Executive Director or Park Board.

## **17. Travel on Official Key Pen Parks' Business**

Please refer to travel policy for information for traveling on Key Pen Parks' business.

## **18. Dress Code**

All employees are required to wear appropriate attire while performing their job tasks.

## **19. Other**

Key Pen Parks may from time to time provide meals or snacks for staff while on-duty.

- Key Pen Parks' business is being conducted at the meeting or a formal training session is being held.
- Staff are having a working lunch.
- A signed agenda must be attached to any required documentation and staff must have prior approval from the Executive Director for payment of expenses for staff meals or snacks.

## Coffee and Light Refreshment Reimbursement

- Reimbursement of coffee and light refreshments will be allowed at agency-sponsored meetings or formal training sessions with the advance permission of the Executive Director.
- The following conditions must be met before reimbursement of coffee and light refreshments will be allowed:
  - o Key Pen Parks business is being conducted at the meeting or a formal training session is being held;
  - o The coffee and/or light refreshments are an integral part of the meeting or formal training session;
  - o If the coordinator of the meeting or training session pays for the refreshments, a receipt for the actual cost is required for reimbursement;
  - o The coordinator must have *prior approval* from the supervisor for payment of refreshments.
- Please note this rule is not intended for use with the normal daily business of employees. It is to be used for special situations or occasions only.

## Key Pen Park's Employee Handbook

This Employee Handbook is a guide intended to help you become acquainted with Key Pen Parks and its policies and procedures. You understand that the policies and procedures described in this Employee Handbook are not conditions of employment and do not constitute a contract for employment or a promise of specific treatment in specific situations. You further understand that Key Pen Parks may, in its sole discretion, change, delete, suspend or discontinue or deviate from any part or parts of the policies in this Employee Handbook at any time with or without prior notice or reason. Any such changes made by Key Pen Parks will immediately supersede the current contents of this Employee Handbook. You acknowledge that this Employee Handbook is effective as of the date below and replaces and supersedes all previous employee handbooks.

**In addition, by your signature below, you further acknowledge that you understand that your employment with Key Pen Parks is terminable at-will; either by yourself or Key Pen Parks, and that nothing in this Employee Handbook is intended to or does alter the at-will status of your employment. No one at Key Pen Parks, other than the Executive Director or Board, and then only in writing, has the authority to enter into any employee agreement that in any way modifies the at-will status of your employment at Key Pen Parks.**

Your signature below indicates that you have read and understood this statement and have received a copy of the Key Pen Parks' Employee Handbook. Your signature further acknowledges your agreement that you will read and familiarize yourself with its contents and follow the policies and rules indicated.

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Date

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Employee's Printed Name

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Employee's Signature