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CHAPTER 1 - GENERAL PROVISIONS

SECTION A  ABOUT KITSAP COUNTY

Kitsap County was founded in 1857, and is a subdivision of the State of Washington. Although it is not an administrative agency of the state, Kitsap County often functions as an administrative arm of the state by maintaining records, providing courts and law enforcement, building roads, assessing property, collecting taxes, and conducting elections. In Kitsap County these functions, as well as others, are governed by full-time Elected Officials including a board of three County Commissioners, a Sheriff, Superior Court and District Court Judges, an Assessor, Treasurer, Prosecutor, Auditor, Clerk, and Coroner. The number of independent, elected County officers provided for in the constitution and state law is a distinguishing feature of County government.

SECTION B  ORGANIZATIONAL STRUCTURE (see Appendix A)

The independent nature of County elected officers make County government quite different from traditional municipal government forms with distinct legislative and executive branches. The Board of County Commissioners establishes the budget and functions as both the legislative and executive body. The Commissioners share administrative and, to some extent, legislative functions with the independently Elected County Officials: the Assessor, Auditor, Clerk, Coroner, Prosecuting Attorney, Sheriff, Treasurer, and the judges of the Superior and District Courts. In addition to the various offices directed by independently Elected Officials, Kitsap County Government functions through various departments headed by appointed officials. The Human Resources Department, Department of Administrative Services, and Information Services/Facilities Departments report to the Board of County Commissioners through an appointed County Administrator.

SECTION C  KITSAP COUNTY VISION STATEMENT

A unique and growing community, widely known for:

Safe and Healthy Communities
People are protected and secure, care about their neighborhoods and are proud of where they live, work and play.

Protected Natural Resources and Systems
Education, land use planning and coordinated efforts assure that the forests, clean air and water that Kitsap is known for are sustained for the benefit of current and future generations.

Thriving Local Economy
A well-educated workforce and strategic investment in County infrastructure prompt businesses to expand or locate in Kitsap County, creating well-paying jobs and enhancing our quality of life.

Inclusive Government

Effective 10/1/00
Amended 9/1/01
Amended 6/30/14

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County government conducts all activities in a manner that encourages citizen involvement, enhances public trust, and promotes understanding.

Effective and Efficient County Services
County government continuously assesses its purpose, promotes and rewards innovation and improvement, fosters employee development, and uses effective methods and technologies to produce significant positive results and lasting benefits for citizens.

SECTION D       KITSAP COUNTY MISSION STATEMENT

Kitsap County government exists to protect and promote the health, safety and welfare of our citizens in an efficient, accessible and effective manner.

SECTION E       FUNCTION OF COUNTY GOVERNMENT

Through elected representatives, the public determines the desired level of services and establishes the standards that it demands of public employees in providing these services. In its representative capacity, Kitsap County strives for an effective balance between accountability for the expenditure of public funds and responsiveness to the needs of the public. In its capacity as an employer, Kitsap County must balance the interests of the public employee with the interests of the public. Achieving this balance requires the County to maintain an effective and efficient governmental operation, including the efficient management of personnel, maintaining close internal working relations, enforcing adherence to standards of competence, and avoiding disruptions in the workplace and interference with work. Employees, in fulfilling their dual roles as citizens and public employees, have a unique personal stake in ensuring effectiveness, efficiency, and integrity in public service. Particularly in the performance of duties that are a matter of public concern, public employees must balance their interests as private citizens with their responsibilities and obligations as public representatives.

SECTION F       STANDARDS

1. As an employer, Kitsap County strives for an environment in which all individuals can reach their full potential as efficient and effective employees so that the County can reach its full potential for public service. To achieve full potential, the County and its employees must strive to create a work environment that encourages attributes such as creative and independent thinking, inventiveness, and innovation. Work/life policies are important to that environment because the County recognizes the needs of its employees to balance both work and home in order for the employee to reach their full potential and the County to provide superior services to its citizens. The County and its employees must continuously examine, evaluate, challenge, streamline their methods and processes, and identify new ways of providing the best possible public services. The County and its employees must also maintain certain standards of conduct, including the following:

   a. Conducting County business ethically, professionally, with pride, and enthusiasm.

   b. Providing quality services within available resources.
c. Treating the public and co-workers with dignity, respect, courtesy, fairness, and sensitivity.

d. Providing timely and accurate information.

e. Responding promptly to requests.

SECTION G PURPOSE OF THIS HANDBOOK

This policy handbook is provided as a reference source of general guidelines relating to the hiring, compensation, working conditions, promotions, transfers, discipline, and other matters affecting the status of employees covered by these guidelines. Employees’ suggestions for change to the Manual can be submitted at any time to the Human Resources Department. Additionally, this Manual will be reviewed on a periodic basis to insure that the purpose of the Manual is being met, the contents are current, and that it is consistent with the stated Mission of the County. These guidelines shall not be interpreted as promises of specific treatment, and these guidelines shall not be deemed to create a vested contractual right in any employee. The County may amend, modify, delete, alter, supplement, suspend, or terminate any statements or policies in this handbook and any employee benefits at any time, with or without notice. The County also reserves the right to deviate from the statements or policies in this handbook in individual situations to avoid disruptions in the public employer function, or to achieve its primary mission.

SECTION H APPLICABILITY

Positions Covered:

All County positions are covered by this Manual except for the following positions:

1. Elected Officials and their chief deputies.

2. Members of all boards and commissions appointed by the Board of County Commissioners.

3. Employees within the classified system of the Sheriff’s Civil Service Commission.

4. Persons covered by a separate contract of employment.

5. Extra-help employees.

6. Volunteers.

7. At-will employees as listed in Appendix C.

8. With respect to employees employed by Elected Officials other than the Board of County Commissioners, and except as stated elsewhere in this Chapter, the provisions of this Personnel
Manual concerning wages, benefits, classifications and employee relations apply to employees employed by the Assessor, Auditor, Clerk, Coroner, Prosecuting Attorney, Sheriff, Treasurer, and judges of the Superior and District Courts. The remaining provisions of this Manual do not apply to such employees unless specified and expressly adopted by the Employing Official.

9. With respect to at-will employees, the provisions of this Personnel Manual concerning wages, benefits, classifications and employee relations shall apply. The remaining provisions of this Manual do not apply to such employees.

Supplementation of Collective Bargaining Agreement:

1. The provisions of this Manual apply to represented employees who are covered by the terms and conditions of a collective bargaining agreement only in accordance with the following:

2. The provisions of this Manual may be adopted by specific reference and included as a part of the collective bargaining agreement.

3. Where the collective bargaining refers to this Manual to resolve matters not covered by the Collective Bargaining Agreement or for elucidation of matters covered by the Collective Bargaining Agreement.

4. When language or discussion in a collective bargaining agreement addresses the subject matter covered by any section of this Manual, wholly or in part, the language in the Collective Bargaining Agreement shall be considered complete.

SECTION I    EMPLOYER RIGHTS
The County reserves all legal rights with respect to matters of general legislative or managerial policy, which include, but are not limited to:

1. Determine the mission of its constituent departments and commissions.

2. Select standards for employment and promotion.

3. Direct its employees.

4. Take disciplinary action.

5. Relieve its employees from duty because of lack of work or other legitimate reason.

6. Contract out work.

7. Maintain the efficiency of governmental operation.

8. Determine the methods, means and personnel by which government operations are to be conducted.
9. Take all necessary actions to carry out its mission in an emergency.

10. Exercise complete control and discretion over its organization and the technology of performing its work.

The County also reserves the right to deviate from the statements or policies in this handbook in individual situations to avoid disruptions in the public employer function, or to achieve its primary mission.

SECTION J EMPLOYEE RIGHTS

1. Employees have the right and shall be protected in the exercise of such right, freely and without fear of penalty or reprisal, to form, join and assist any employee organization.

2. Employees shall be protected from discrimination and harassment on the basis of sex, race, color, religion, national origin, age, disability, marital status, veteran status and sexual orientation. (Amended September 1, 2001)

SECTION K SEVERABILITY

If any provision of this Manual or its application to any person or circumstance is held invalid, the remainder of this Manual or the application of the provisions to other persons or circumstances shall not be affected.

SECTION L REVISIONS, ADDITIONS, AND DISTRIBUTIONS

As changes occur, departments shall receive electronic notification of the revisions and additions to this Manual. The current date of each revision is entered in the lower left-hand corner of each page. The Personnel Manual shall be maintained by the Office of the Board of County Commissioners, the Human Resources Department, and the Director of each department. The Personnel Manual will be available online.
CHAPTER 2 - DEFINITION OF TERMS

2.1 ADMINISTRATIVE LEAVE (Amended 12/12/11)

Paid time off the job allowed to employees for the following:

1. When an Employing Official, or their designee, places an employee on leave with pay pending the resolution of an administrative investigation, an investigation for alleged misconduct, a pre-disciplinary/pre-termination hearing or, for business necessity. Any employee placed on administrative leave shall be advised, in writing, of the reason for the leave.

2. When the County Administrator, or in their absence the Chair of the Board of County Commissioners, determines it to be a business necessity and/or in the best interest of the County.

2.2 ANNIVERSARY DATE

The date an employee is hired into a regular budgeted, full-time or part-time position. No credit is given for extra-help work when establishing an employee’s anniversary date.

2.3 APPLICANT

An individual who in accordance with this Manual has submitted a complete application for employment within the publicized recruiting period and on the prescribed forms.

2.4 CAUSE

As used in this Personnel Manual, “cause” means in good faith and for a reason.

2.45 CHAIR

The chairperson of the Board of County Commissioners

2.5 CLASSIFICATION

The systematic arrangement of positions into groups or categories according to established criteria such as type and level of work duties and/or responsibilities, skills, abilities, qualifications and conditions common to various individual positions of employment. Classifications are adopted by the Board of County Commissioners. Positions are assigned to classifications to facilitate pay administration, recruitment and other personnel actions.
2.6 COMPENSATORY TIME

Paid time off the job granted to a Fair Labor Standards Act (FLSA) and Washington Minimum Wage Act nonexempt employee in lieu of overtime pay for hours actually worked beyond eight hours in a day and/or in excess of 40 hours in a work week.

2.7 CONTINUOUS SERVICE/SENIORITY

Length of continuous service by an employee including periods of authorized paid leave. An employee who terminates and is re-employed, within thirty (30) calendar days of the termination date, shall have his/her continuous service date adjusted by the time between termination and re-employment. All benefits based on length of service are computed on the basis of continuous service, unless otherwise specified.

2.8 COUNTY ADMINISTRATOR

The County Administrator is appointed by the Board of County Commissioners, oversees the operations of the internal services departments and coordinates the operations of those departments with the operations of departments directed by the Board of County Commissioners and other Elected Officials. Wherever action is required by the County Administrator, and in the absence of the County Administrator, the chair of the Board of County Commissioners shall act in his/her place.

2.9 DEMOTION

The movement of an employee, involuntarily, from one classification to another having a lower pay range.

2.10 HUMAN RESOURCES DEPARTMENT

The department responsible for administering the Human Resources System on behalf of the Board of County Commissioners, under the direction of the County Administrator.

2.11 DEPARTMENTAL RULES

Rules, regulations, and procedures established by individual departments not in conflict with this Manual.

2.12 DEPARTMENT DIRECTOR

The appointed administrator of a County department serving at the pleasure of the Board of County Commissioners.
2.13 DIRECTOR
The Director of the Human Resources Department, or the Director's designee.

2.14 DELETED

2.15 EMPLOYEE ASSISTANCE PROGRAM (EAP)
A confidential and professional assistance program to help employees and their families resolve problems that affect their personal lives and job performance.

2.16 ELECTED OFFICIAL
An individual independently elected by the citizens of Kitsap County responsible for the administration and oversight of a specific County office or department as defined in the Washington State Constitution or by Washington State Law.

2.17 EMPLOYEE CLASSIFICATION

At-Will Employee:
An employee whose continued employment with the County is at the discretion of the County Administrator, Elected Official, Board of County Commissioners or a Department Director. At-will employees may have their appointments revoked at any time with or without cause and without right to appeal.

Exempt Employee:
An elected, executive, administrative, or professional employee exempt from the minimum wage and overtime requirements of the Washington Minimum Wage Act and the Fair Labor Standards Act. An exempt employee is hired to fulfill the duties of their position and expected to work the hours needed to complete work assignments.

Full-Time Employee:
A regular employee who is hired to work at least 40 hours per week in a budgeted position.

Nonexempt Employee:
An employee who is subject to the minimum wage and overtime requirements of the Washington Minimum Wage Act and the Fair Labor Standards Act.
Part-Time Employee:
A regular employee who is hired to work 40 hours or more in a two week pay period but less than 80 (40 hour workweek) hours in a two week pay period in a budgeted position.

Regular Employee:
An employee in a budgeted position who has successfully completed his or her probationary employment period. Regular employees are credited with continuous service from the date of hire into a budgeted position.

Extra-Help Employee:
Non-regular employees who are at-will for the entire period of employment and may be terminated at any time by the Employing Official or designee. Extra-help employees receive only those benefits required by federal or state laws.

Probationary Employee:
An employee, in a budgeted position, who is serving a test period of work evaluation for a new or promoted position.

2.18 EMPLOYING OFFICIAL
A person responsible for the employment, discipline, or termination of employees, usually the Elected Official, Department Director or designee.

2.19 FULL MONTH OF EMPLOYMENT
Any calendar month in which a probationary or regular employee is in a paid status for at least sixty-five percent (65%) of their regularly scheduled hours. (65% of a full-time employee’s regularly scheduled hours is calculated to be 112 hours or 14 paid working days in a month.)

2.20 GRIEVANCE
A dispute or disagreement brought by an employee against the County in regard to the interpretation or application of specific provisions of the Personnel Manual. Specifically excluded from further recourse to the grievance procedure are grievances that have been processed and decided and grievances not presented within established timeframes.
2.21 IMMEDIATE FAMILY

- Children (includes foster, in-laws)
- Parents (includes in-laws & steps)
- Siblings (includes in-laws & steps)
- Grandchildren
- Grandparents
- Aunt, Uncle, Niece, Nephew
- Spouse/Registered Domestic Partner (RDP)

- Spouse’s/RDP’s Children
- Spouse’s RDP’s Parents
- Spouse’s/RDP’s Siblings
- Spouse’s/RDP’s Grandchildren
- Spouse’s/RDP’s Grandparents
- Spouse’s/RDP’s Aunt, Uncle, Niece, Nephew

2.22 JOB SHARING

An alternative work arrangement in which employees share a full-time position.

2.23 LAYOFF

The termination of an employee from the active work force due to lack of funds, lack of work, or organizational changes.

2.24 ORAL WARNING

An oral discussion with an employee regarding the correction of inappropriate work behaviors and/or performance deficiencies.

2.25 OUT OF CLASS PAY

Pay provided to an employee for actual hours worked for temporarily performing work for a minimum of ten consecutive days in a higher classification, usually due to a special project, a vacancy or the absence of a regular employee. Exempt employees do not receive out of class pay for hours worked in excess of full time hours. In addition, non-exempt employees working out of class in an exempt position will not receive pay for hours worked in excess of full time hours.

2.26 OVERTIME

Rate of pay for each hour a nonexempt employee actually works in excess of eight (8) hours in a day or in excess of 40 hours in a work week.
2.27 PAID STATUS

The normal employment situation in which the employee is paid for time worked or the employee is on paid leave, (such as, vacation, sick leave, or other paid leaves of absence)

2.28 PAY GRADE

The alpha/numeric identification of a range of compensation for specific classifications approved by the Board of County Commissioners, indicating:

a. Exempt or nonexempt status.
b. Union or non-union status.

2.29 PAY RANGE

The compensation attached to steps assigned to a pay grade approved by the Board of County Commissioners.

2.30 PERSONNEL FILE

The official County record for each current or former employee, maintained in the Human Resources Department, which may include application forms, dates of employment, status changes for position changes, promotions, step increases, leaves of absence, benefit information, performance evaluations and rebuttals, letters of commendation, disciplinary actions, pay rates, and other pertinent information. (Departments may maintain records including, but not limited to, payroll records, time sheets, leave requests, etc.)

2.31 POSITION

A budget reference assigned a group of specific duties and responsibilities requiring the full-time or part-time employment of one person. Positions are created by the Board of County Commissioners.

2.32 PROBATIONARY PERIOD

The test period of work evaluation for a new or promoted employee.
2.33 PROMOTION

Appointment to a job classification with a higher pay range within the department of current employment.

2.34 RECALL

The rehiring of a laid-off employee into the previously held classification within the department of lay-off.

2.35 RECLASSIFICATION

Changes in the level of responsibilities, tasks and duties of a position which may change areas of emphasis, the level of skill required and/or qualification requirements as they relate to the current position. These changes may result in allocating the position to a new classification, a current classification or a title change. A reclassification upgrade is not to be used as a merit raise or as a reward for employment longevity, nor is it to be used to reflect an increased volume of work at the same level of responsibility that the incumbent is currently performing. A reclassification may result in an increase or decrease in compensation. A reclassification must be approved by the Board of County Commissioners before an employee may be compensated for any change in compensation resulting from a reclassification.

2.36 RE-EMPLOYMENT

The appointment, without competitive examination, of a laid-off employee or a former employee, within 30 days of the effective date of termination, to a classification in which the employee formerly served as a regular, non-probationary employee, or to a comparable or lower classification for which the former employee is qualified.

2.37 RESIGNATION

Voluntary termination of an employment relationship with the County by an employee.

2.38 RETIREMENT

Voluntary separation of an employee who is retiring through the Washington State Retirement System.
2.39 SUPERVISOR

An employee with the County who has been delegated the responsibility and authority to assign, schedule, monitor, train and evaluate the work of assigned staff. Performs virtually all elements of supervising, approving annual/sick leave requests, authorizing overtime, and recommending to the Employing Official hiring, promotion, discipline and termination actions of assigned staff.

2.40 SUSPENSION

A temporary removal of an employee with or without pay usually due to disciplinary reasons or for the purpose of an investigation into allegations involving the employee.

2.41 TERMINATION

The involuntary discontinuation of the employment relationship.

2.42 TIME LOSS

Absence from work due to an on-the-job injury which has been determined to be compensable in accordance with the Worker’s Compensation Regulations.

2.43 TRANSFER

A change from a position in one classification to another classification of an equal or lower paygrade whether intra-departmental or inter-departmental.

2.44 WORK DAY

A work day is the hours in a day an employee is scheduled to work.

2.45 WORK IMPROVEMENT PLAN

A written document outlining areas of improvement expected within a designated time frame following disciplinary action, or a performance evaluation relating to unsatisfactory work performance/inappropriate work behavior. The work behavior/performance shall be closely monitored which may result in more frequent performance evaluations than required by this Manual.
2.46 WORK/LIFE POLICIES AND PROGRAMS

These policies and programs promote balance between work and home. Providing employees and employers with an effective way to deal with personal responsibilities creates a more efficient employee and a more effective employer. These practices often include the following: child and elder care assistance programs, financial benefits and assistance, flexible personnel policies, alternative work schedules, education and wellness programs, a drug and violence free environment and employee assistance programs.

2.47 WORKPLACE

1. The building or work area constituting the principal place where work is performed or assigned including common areas (such as reception area or halls) and private or personal work areas (such as offices or group work stations)

2. Any remote areas where the employee is engaged in official business, including field locations

3. Vehicles, either County-owned or privately owned, when used while conducting County business.

2.48 WORK WEEK

A work week is a fixed and regularly recurring period of one hundred sixty-eight (168) hours, seven (7) consecutive twenty-four (24) hour periods, usually beginning on Monday and ending on Sunday.

2.49 WRITTEN REPRIMAND

Formal written notice to an employee to correct inappropriate work behavior and/or performance deficiencies, usually after receiving an oral warning or for more serious/severe offenses and informing the employee that further disciplinary action shall result.
CHAPTER 3 - RECRUITMENT AND EXAMINATION

SECTION A RECRUITMENT

1. The Human Resources Department shall develop and conduct a recruitment program designed to meet current and projected employment needs. It is the policy of Kitsap County to select qualified applicants to fill job openings based solely on job qualifications. Discrimination in selection because of race, color, religion, sex, national origin, age, disability, veteran’s status, marital status or sexual orientation, HIV status, genetic information, or sensory, mental or physical disability is prohibited.

2. Employees who feel they have been discriminated against because of race, color, religion, sex, national origin, age, disability, veteran’s status, marital status or sexual orientation, HIV status, genetic information, or sensory, mental or physical disability, should contact the Human Resources Director. The Director or designee will help the employee, or can advise the employee of other sources of assistance, such as the Equal Employment Opportunity Commission (EEOC) and the Washington State Human Rights Commission.

3. Types of Job Vacancy Announcements
   a. Outside Posting: An Employing Official may request to post a notice of job vacancy to the general public. Applications are accepted from qualified persons who wish to apply. The notice is usually posted at least ten (10) working days before filling a job vacancy. The posting period may be reduced to five (5) working days at the discretion of the Employing Official.
   
   b. Promotional Posting: An Employing Official may request to post a notice of job vacancy to employees of the employing department. Applications are restricted to employees in regular, budgeted positions within the employing Kitsap County department. The notice is to be posted a minimum of five (5) working days prior to filling a job vacancy.
   
   c. Internal Posting: An Employing Official may request to post a notice of job vacancy internally to employees of Kitsap County. Applications are restricted to employees in regular, budgeted Kitsap County positions. The notice is to be posted for a minimum of five (5) working days prior to filling a job vacancy.
   
   d. Continuous Posting: An Employing Official may request to post a notice of job vacancy to the general public for an unspecified period of time. Applications are accepted on a continuous basis without a designated closing date. Periodically, applications are screened and proceed to the next step in the recruitment process. Those who successfully pass the exams shall be placed on the employment list. Positions may be filled at any time during the recruitment from the employment list. This posting may be closed at any time by the Human Resources Department or the Employing Official.

4. Recruitment Procedures will be established by the Director of Human Resources.
5. Applications

   a. Filing of Applications: All openings are posted on the Kitsap County website, and only electronic applications are accepted. Applications for employment will be filed on such forms as may be prescribed by the Human Resources Department.

6. Rejection of Applicants: The Director or designee may reject any applicant from further consideration for specific reasons, which may include but are not limited to:

   a. The applicant does not meet the minimum qualification/eligibility requirements established for the position.

   b. The applicant, through examination, does not successfully meet the minimum established passing score to be considered further for the position.

   c. The applicant has made a false statement of material fact in the application process.

   d. The applicant has used or attempted to use illegal means to secure an advantage in the application process.

   e. The applicant has improperly obtained and used information regarding the examination to which he/she was not entitled.

   f. The applicant has failed to reply to a letter of inquiry sent to his or her last address, e-mail address, and/or phone messages left at numbers designated on the application form.

   g. Within the past ten (10) years the applicant has been convicted of a crime, and the conviction is directly related to the requirements of the job.

   h. The applicant does not meet the minimum age requirement specified in the current class specification.

   i. The applicant has declined an interview, arrived late or failed to appear for a scheduled test or interview or expressed lack of interest in the position.

   j. The applicant failed to provide a completed application packet as required by the designated closing date.

   k. Improper conduct on the part of the applicant during the examination or interview process.

SECTION B EXAMINATIONS

1. Once the recruitment period is closed, all completed applications are screened using a selection process specifically designed for that recruitment. Each step in the selection process is designed to test the knowledge, skills, and experience required to successfully perform the essential functions for the specific position. Examinations may include written, oral, physical or performance exercises, evaluations of training and experience, reference checks, review of the application and supplemental questionnaire, or other valid examination processes. Such factors as experience, education, aptitude, knowledge, skill,
ability, character or any other job-related qualifications may be taken into consideration. The Human Resources Department specifies the nature and content of examinations based upon the advice and information of Employing Officials and subject matter experts.

a. **Veterans Preference:** Veterans qualifying under the provisions of RCW 41.04 shall have added to their passing score an appropriate preference in accordance with State law. Eligible applicants must request such preference and provide proof of honorable discharge in the manner prescribed by the Director or designee.

b. **Pre-Employment Examination:** Applicants selected for employment for certain positions may be required to successfully pass a pre-employment physical examination, which may include, but is not limited to physical, psychological, hearing, polygraph, drug testing, voice stress analysis exams, or other exams as deemed appropriate.

c. Current regular non-probationary employees are not required to post paid leaves to participate in Kitsap County recruitment testing or interviewing. Employees will provide supervisors with reasonable notice of time needed for County recruitment testing or interviewing. Employees may request annual leave to participate in County recruitments if they so desire.

d. If an applicant is a PERS retiree, from Kitsap County or from any other employer covered by one of the Washington State retirement systems, there may be impacts to the applicant’s retirement benefits. Before considering returning to work with Kitsap County, applicants should contact the Department of Retirement Systems to discuss any possible impacts to their retirement income. The amount of hours offered to the applicant seeking the job will not be altered due to any potential impact to their PERS retirement. If offered employment, the applicant must inform Kitsap County that they are a retiree for proper reporting of hours. They must also acknowledge that Kitsap County will not adjust the amount of working hours of the job they are seeking.
CHAPTER 4 - APPOINTMENT

SECTION A EMPLOYMENT LISTS

1. Each appointment to fill a budgeted position in the County service is made from an employment list. An employment list contains the names of candidates who are qualified for appointment to the classification. The Director or designee shall refer candidates from one or more of the following lists.

2. Types of Employment Lists
   
a. **Department Recall List**: Names of employees who have been laid off in the affected department shall be placed on a current department recall list. When vacancies occur in the employee’s same classification within the employing department, the department shall first attempt to rehire those employees who are eligible and qualify for the vacant position.

b. **Re-Employment List**: Names of employees who have been laid off by the County and want to be considered for other County positions. Qualified employees shall receive consideration by other departments for positions that are within the classification from which laid off, classifications within the same pay grade, or classifications within pay grades with lower maximum salary ranges.

c. **Promotional Employment List**: Names of qualified County employees in regular, budgeted positions from within the employing department.

d. **Internal Employment List**: Names of qualified County employees in regular, budgeted positions.

e. **Outside Employment List**: Names of top candidates who have successfully completed the examination process.

SECTION B TYPES OF APPOINTMENTS

1. **Regular Appointment (Full-Time and Part-Time)**: Regular appointment is any appointment to a budgeted position vacancy in the Kitsap County service. Appointments are made from an employment list in accordance with this Manual. Such appointments include initial appointments to the County service, promotions, transfers and recalls. A regular appointment is tentative pending successful completion of a probationary period.

2. **Appointment Following Reorganization or Transfer of Function**: Whenever there is a transfer or reorganization of functions within the County, and provided that the employee's position, duties and responsibilities are not changed substantially, the employee continues in the status previously held prior to such transfer or reorganization. Where there is a transfer of function within the County, any incumbent employee is appointed without examination provided the duties, responsibilities, and qualifications of the affected position are not changed substantially.
3. **Transfer**: Upon agreement by an Employing Official and an employee, or to meet the needs of the County, a transfer may be made. An employee transferring to a different position should possess the minimum qualifications for that position and shall be subject to a six (6) month probationary period. The right to return, if provided, must be in writing, by the affected Employing Official at the time of transfer.
CHAPTER 5 - PROBATIONARY PERIOD

SECTION A PURPOSE

The probationary period is an essential part of the selection process and is a continuing evaluation of the candidate prior to granting regular employee status. During the probationary period, an employee is required to demonstrate suitability for the position by actual performance of the work.

SECTION B PROBATIONARY PERIOD - NEW EMPLOYEE AND TRANSFERRED EMPLOYEE

1. Duration: The probationary period for a new employee and transferred employee is usually a period of six months unless otherwise determined by the Employing Official. The probationary period may be extended by the Employing Official for reasons including but not limited to

   a. A disciplinary problem has developed which is correctable with more time, and it is in the best interests of the County to do so.

   b. Additional training is required to achieve satisfactory performance.

   c. The Employing Official determines that there has been an insufficient or inadequate opportunity to evaluate the probationer's performance.

   d. Other reasons determined to be appropriate by the Employing Official.

2. Notification: Notification, in writing, which states the reason for the extension and the employee's obligation during the extension period shall be provided to the probationer, with a copy to the Human Resources Department.

3. Conditions of Probation: During the probationary period, each employee should receive two performance evaluations. One evaluation should be performed approximately three months after the date of appointment and the second evaluation should be performed approximately two weeks prior to the end of the normal probationary period. During the probationary period, the Employing Official may, with or without cause, dismiss or demote an employee. The probationary employee is at-will, and does not have the right to appeal or the right of access to the grievance process upon demotion, dismissal or disciplinary action.

4. Paid Time Off During Probation: New and transferred probationary employees may use accrued leave during the probationary period.
SECTION C  PROBATIONARY PERIOD - PROMOTED EMPLOYEE

1. **Duration:** The probationary period for a promoted employee is a period of three months. The Employing Official may extend the probationary period under the following conditions:
   
   a. A disciplinary problem has developed which is correctable with more time, and it is in the best interests of the County to do so.

   b. Additional training is required to achieve satisfactory performance.

   c. The Employing Official determines that there has been insufficient or inadequate opportunity to evaluate the probationer's performance.

2. **Notification:** Notification, in writing, which states the reason for the extension and the employee's obligation during the extension period shall be provided to the probationer, with a copy to the Human Resources Department.

3. **Conditions of Probation:** During the probationary period the Employing Official may, with or without cause, demote an employee to his or her prior position or an equivalent position in the same wage grade at the step previously held. The probationary employee shall not have the right to appeal or the right of access to the grievance process upon demotion, dismissal or disciplinary action.
CHAPTER 6 - CLASSIFICATION

SECTION A  APPLICABILITY

The Board of County Commissioners has the sole authority to approve or modify classifications for all positions within elected and appointed departments. This section applies to positions established within the budgets of elected offices and appointed departments.

SECTION B  CLASSIFICATION PLAN

Development and Maintenance:
The Human Resources Department maintains a classification plan for all positions of employment within the County subject to preliminary approval by the County Administrator, and final approval by the Board of County Commissioners. The placement of each position in the classification plan is determined in accordance with the qualifications required, difficulty and responsibility of its designated duties.

SECTION C  CLASS SPECIFICATIONS

The Human Resources Department maintains a class specification for each class of positions and may add, combine, abolish or revise the class specifications. Each class specification includes the class title, a description of representative duties and responsibilities of positions included in the class, and a statement of the required, desirable and/or preferred qualifications for positions in the class.

Vested Rights: Kitsap County may review and revise the classification of any position. While a classification may attach to a position, an employee filling the position has no vested right in any existing job classification. Modification or abolishment of a classification description is not a personnel action subject to the grievance procedure described in this Personnel Manual.

SECTION D  NEW POSITIONS

1. In preparation for submitting their annual budget, the Employing Official may request to add or delete individual position(s) or groups of positions which may result in a classification study. New position requests may also be initiated during the budget year in response to unanticipated changes in service demands, legal, technical, organizational, or programmatic requirements. New position requests initiated during the budget year will be included on the quarterly budget amendment at the level approved by the BOCC following Human Resources review and recommendation.

2. Whenever an Employing Official desires to create a new position, a notice of such proposed action shall be submitted to the County Administrator in the format as established and maintained by the Human Resources Department:
3. Upon approval by the County Administrator, the Human Resources Department will complete a formal review and submit recommendations regarding the new position’s proper classification to the County Administrator. The County Administrator submits recommendations along with any comments to the Board of County Commissioners for approval.

4. The Board adopted County Annual Budget establishes the programmatic, financial and staffing plans for all County departments, under the direction and management of Employing Officials. Changes in service demands, legal, technical, organizational, or programmatic requirements may necessitate changes in levels of a position. In preparation for submitting their annual budget, the Employing Official may request to delete an existing position(s) and/or add a new position(s) in a different class.

SECTION E  CLASSIFICATION STUDIES

A classification study may be initiated if the Employing Official believes that the level of responsibilities, tasks, and duties have significantly changed to warrant a classification change. Classification study recommendations initiated during the budget year will be included on the quarterly budget amendment following completion of the study.

1. Classification Upgrade: A classification upgrade is the result of an increase in the scope of responsibilities, tasks, and duties of a position which changes the level of influence and consequences of actions required in the current position.

   a. A classification upgrade may not be used as a merit raise, or as a reward for employment longevity or as a means to recognize excellent employees. An increased volume of work at the same level of responsibility that the incumbent is currently performing is not a classification issue, but may reflect an inadequate number of positions.

   b. As a result of reclassification, and due to an overall increase in the responsibilities of a position, compensation for the position may increase. The reclassification of a job involves an analysis of the essential functions of the position and the appropriate placement in the County's classification/pay scale.

2. Approval to Review Classifications: Prior to assigning new duties to positions within their department or reorganizing work flow and responsibilities that may affect the classification of a position, the Employing Official must receive approval for the new classification(s) or impact to existing classification(s) from the Board of County Commissioners. The proposed changes will include effective dates of the future changes. Any change in classification or compensation shall become effective on the date authorized by the Board of County Commissioners.

3. Procedure: The Employing Official shall submit classification study requests to the County Administrator, in the format as established and maintained by the Human Resources Department. The County Administrator will submit completed requests to the Board of County Commissioners for preliminary approval. Any change in classification or compensation will become effective on the date that the study is given preliminary approval from the Board.
a. If the changes proposed by the Employing Official are preliminarily approved by the Board of County Commissioners, the Department Human Resources will complete a formal review and submit its recommendations regarding the reclassification upgrade request to the County Administrator. The County Administrator will submit the completed review and recommendations to the Board of Commissioners for final considerations.

b. Resolutions relative to creation and reclassification of positions shall be submitted by the Department of Human Resources for final approval.

4. **Classification Downgrade:** A classification downgrade is the result of a decrease in the scope of responsibilities, tasks, and duties of a position which changes the level of influence and the consequences of actions required in the current position.

   a. A position may be reclassified to a lower level if the responsibilities of the job are determined to be less than originally indicated, or if essential responsibilities are removed from the job. The Employing Official may request a formal review and recommendation by the Department of Human Resources.

   b. All classification downgrade reviews affecting an incumbent employee shall be discussed with the employee before implementation. The employee will be offered the opportunity to meet with the County Administrator or the Employing Official to discuss the results of the review, prior to approval and adoption by the Board of County Commissioners.

   c. An incumbent affected by a classification downgrade shall not be paid less than his/her present salary, but any future salary increases are pursuant to County policies for employees whose wages are considered frozen. A classification downgrade is not considered a demotion.

5. **Effect of Classification Changes on Employees:** Whenever a position is reclassified from one class to another class, the employee shall maintain the same benefits and credit for service as he/she had prior to reclassification, except as noted below:

   a. Whenever a position is reclassified from one class to a higher class, the incumbent shall be promoted. Promotions that result from a classification review that concludes the position’s duties have evolved to a higher level over time are not subject to a promotional probation.

**SECTION F    WORKING OUT-OF-CLASS**

Temporary Working Out-of-Class Upgrades may be granted when an employee is assigned significant additional responsibilities for an anticipated extended period of time. Temporary working out-of-class upgrades require the approval of the Employing Official and the County Administrator. The County Administrator may require the Department of Human Resources to complete a formal review and submit its recommendation regarding the request by the Employing Official.
Such prior review and approval is not required when an Employing Official temporarily assigns an employee to perform the scope of duties of a higher classified budgeted position that is currently vacant or for which the incumbent is on extended leave. The Department of Human Resources shall review and approve such requests pursuant to the Working Out-of-Class Compensation guidelines established in Chapter 7, Section C.14.
CHAPTER 7 - COMPENSATION ADMINISTRATION

SECTION A    APPLICABILITY

Only the Board of County Commissioners may approve the compensation assigned to classifications for all positions within elected and appointed departments. This section applies to positions established within the budgets of elected offices and appointed departments.

SECTION B    PAY PLAN

1. The Human Resources Department maintains a pay plan for all positions of employment within the County subject to the preliminary approval of the County Administrator and final approval of the Board of County Commissioners. The County recognizes providing adequate compensation through a consistent pay plan attracts and retains qualified employees. Comparisons of salaries with comparable agencies will take into consideration total compensation.

2. The pay plan is comprised of the following two salary structures:
   a. Exempt: Includes Executive, Professional, Administrative and Computer Professional Employees as defined by the Fair Labor Standards Act and the Washington State Minimum Wage Act. Partial deductions from an exempt employees’ salary for absences of less than one day are usually prohibited, provided the employee has worked at least one half of their workday; however, absences may be charged against the employee’s accrued leave balance for reasons such as sick leave, vacation leave, bereavement leave, civil leave, military leave, etc. In instances involving leave without pay, consult with the Human Resources Department to ensure compliance with wage and hour laws. Exempt employees shall not accrue overtime or compensatory leave.
   b. Nonexempt: Includes all other classifications. Nonexempt employees shall have any absence deducted from accrued leave balance for reasons such as sick leave, vacation leave, bereavement leave, civil leave, military leave, etc. If leave is not available, wages shall be reduced by the amount of the leave without pay.

SECTION C    RATES OF PAY

1. Pay Grade: A pay grade identifies a pay range which comprises a series of steps through which employees in classifications assigned to the particular pay grade may progress. (See Chapter 6 on Classification for information regarding the assignment to classifications).

2. Minimum and Maximum Pay Rates: No employee shall be paid at a rate of pay less than the minimum nor more than the maximum amount on the pay grade established for his/her classification as set forth in the pay plan unless otherwise provided for in this Manual (see #11 below--Frozen Pay Rate). Monthly and annual pay rates in the pay plan are based upon full-time
employment at the normal working hours for the position. Placement at compensation levels, which are not in accordance with this Manual, shall require the written approval of the Board of County Commissioners.

3. **Starting Pay Rate Upon Initial Employment:** New employees are normally appointed to the minimum step of the pay range in effect for the particular classification to which the appointment is made. If the Employing Official has determined that it is not possible to hire the most qualified and/or desirable candidate at the entry level step, a salary offer not to exceed Step 3 of the exempt pay grade or Step 3 of the nonexempt pay grade may be made. Appointment at Step 4 or above on the exempt and nonexempt pay grades must be approved in writing by the County Administrator.

4. **Pay Rate Upon Transfer:** When an employee transfers to a different position, the Employing Official determines the placement on the applicable pay grade, not to exceed the wage closest to the employee’s pay rate prior to the transfer.

5. **Pay Rate Upon Promotion:** When an employee is promoted from one classification to another within their department of current employment, the employee's actual salary for the position into which the employee is promoted shall be greater than the employee's salary at the formerly held position and/or greater than the salary the employee would have been entitled to had the employee retained the formerly held position for ninety (90) additional days. An increase in pay, which exceeds approximately ten (10) percent, shall require the written approval of the County Administrator. Provided, such approval is not required when placement is at step one of the pay range of the new position.

6. **Pay Rate Upon Demotion:** An employee who is demoted to a lower classification may be paid at any rate assigned to the lower classification as determined by the Employing Official, not to exceed the wage closest to the employee’s pay rate prior to the demotion.

7. **Pay Rate Upon Recall:** An employee who is recalled back to the same department and into the same classification shall be reinstated to the same step in the pay grade as held prior to the break in service.

8. **Pay Rate Following Reclassification:** If a position is reclassified to a higher classification, the employee shall receive an increase in pay as provided for in cases of promotion. If a position is reclassified to a class with a lower pay grade, the employee's rate of pay shall be established as provided in this Manual for reclassification downgrade or frozen pay rate.

9. **Pay Rate Following Allocation to a Different Pay Range:** If a classification is assigned to a different pay range, with no change in duties or responsibilities, the employee shall be paid at the step in the different pay grade that most closely corresponds to the employee's placement in the original pay grade.

10. **Pay Rate Upon Re-employment:** For employees who have been laid off and rehired within twelve (12) months and for employees who are separated for thirty (30) days or less and rehired, the Employing Official shall determine the pay rate pursuant to the guidelines in section one (1) above for initial employment.

11. **Frozen Pay Rate:** (“A” Rate) An employee whose pay rate is frozen due to exceeding the maximum step of the pay range of the classification assigned. Employees whose pay rates are
frozen receive 60% of a Wage adjustment granted to the respective pay grade or are moved to the top step of the adjusted pay grade, whichever is greater.

12. **Standby Pay Rate:** Employees who are placed on “Standby Status” for one week which requires that the employee be available on a twenty-four (24) hour basis during that week for emergency work and are required to respond by telephone within fifteen (15) minutes to any summons at any time during the twenty-four (24) hour period, shall receive $15.00 per day.

13. **Shift Differential Pay Rate:**
   a. Regular employees of the Kitsap Recovery Center whose positions require them to work shifts (e.g., Food Services Worker, Treatment Aide, Treatment Assistants) shall receive an additional twenty-five (25) cents per hour for each hour worked on swing shift and an additional thirty-five (35) cents per hour for each hour worked on graveyard shift; Provided, shift differential pay shall only be paid for each hour of swing or graveyard shifts actually worked. Provided further, the Human Services Director, or designee, shall designate the hours assigned to swing and graveyard shifts. (Amended 12-12-11)
   b. Regular employees in the job classification of Juvenile Detention Supervisor shall receive an additional twenty-five (25) cents per hour for each hour worked on the swing shift and an additional thirty-five (35) cents per hour for each hour worked on graveyard shift; Provided, shift differential pay shall only be paid for each hour of swing or graveyard shifts actually worked; provided further, the Juvenile Department Director or designee shall designate the hours assigned to swing shift and graveyard shift. (Amended June 23, 2003)

14. **Pay Rate for Working Out-of-Class:** An employee who performs work in a higher classification, for a period in excess of ten (10) working days, may be paid wages of the higher classification pursuant to one of the two following conditions:
   a. At the request of the Elected Official or Department Director, and as approved by the County Administrator, the employee is temporarily assigned to perform significant additional responsibilities for a designated period of time. Special work projects or unanticipated work demands resulting from legal, programmatic or operational changes are examples wherein a temporary working out-of-class upgrade may be granted.
   b. The employee is temporarily assigned by the Elected Official or Department Director to perform the scope of duties principally ascribed to a higher classified budgeted position, which is currently vacant, or the higher classified employee is on extended leave.
   c. The employee must meet the Minimum Qualifications for the position to which he/she is being assigned. The employee shall only be paid the higher wages for the hours spent actually performing the duties of the higher classification. Non-exempt employees assigned to work out of class in an exempt position will not receive overtime for any hours worked in excess of the regular work week. Temporary out-of-class wages shall be paid for all actual hours worked in the higher classification. The temporary upgrade will be five percent increase, or the minimum step of the salary range for the approved classification, whichever is greater. Once the temporary assignment is completed, the out of class pay will cease. Employees receiving out-of-class wages for an exempt level position will be treated as exempt from overtime for all hours worked in the exempt level position. See Chapter 7, Section H for exempt employee overtime policy.
SECTION D  ADVANCEMENT WITHIN A PAY GRADE

1. Employees may receive increases in pay within the steps of the pay grade for their classification as follows:

   a. Employees on six-step salary schedules are eligible to advance from Step one (1) through Step four (4) one year following their last step advancement or date of hire, and advance from Step four (4) through Step six (6) two years following their last step advancement or date of hire; Provided, the employee achieves the minimum performance score on their evaluation that entitles them to the step increase pursuant to the County evaluation system. (Refer to the “Performance Evaluation Guidelines for Employees and Supervisors” and Chapter 10 in this Manual--Employee Relations.)

   b. Employees on seven-step salary schedules are eligible to advance from Step one (1) through Step five (5) one year following their last step advancement or date of hire, and advance from Step five (5) through Step seven (7) every two years following their last step advancement or date of hire; Provided, the employee achieves the minimum performance score on their evaluation that entitles them to the step increase pursuant to the County evaluation system. (Refer to the “Performance Evaluation Guidelines for Employees and Supervisors” and Chapter 10 in this Manual--Employee Relations.)

Adjustment to Step Increment Date (refer to Chapter 8--Seniority/Continuous Service).

SECTION E  LONGEVITY BONUS

1. PERS I Employees Hired Before January 1, 1985. Upon completion of the following years of employment, Employer shall pay eligible employees an annual longevity bonus, the amounts to be paid on the 2nd pay period of the anniversary month of employment effective January 1, 1997: The longevity amount is paid based on the employee continuous service date.

   Completed five years of employment $200.00
   Completed ten years of employment $280.00
   Completed fifteen years of employment $400.00
   Completed twenty years of employment $500.00
   Completed twenty five years of employment $680.00

2. PERS I Employees Hired on or After January 1, 1985 and prior to January 1, 1998, and PERS II Employees hired prior to January 1, 1998: Upon completion of the following years of employment, Employer shall pay eligible employees an annual longevity bonus, the amounts to be paid, on the 2nd pay period of the anniversary month of employment: The longevity amount is paid based on the employee continuous service date.

   After 5 thru 9 years service 1.5% of annual salary on anniversary date
   After 10 thru 14 years service 2% of annual salary on anniversary date
   After 15 thru 19 years service 2.5% of annual salary on anniversary date
   20+ years service 3% of annual salary on anniversary date
a. The above longevity plan is effective January 1, 1991 for employees on 6-step pay scales and is effective May 1, 1992 for employees on the 7-step pay scale.

b. Employees who were receiving a higher longevity rate than that prescribed above shall continue at their current rate. Provided, affected employees shall not receive any further increase unless such increases are provided in accordance with the above guidelines.

3. Employees hired on or after January 1, 1998, and prior to 1/1/13: Upon completion of the following years of employment, Employer shall pay eligible employees an annual longevity bonus, the amounts to be paid, on the 2nd pay period of the anniversary month of employment The longevity amount is paid based on the employee continuous service date:

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Annual Salary Bonuses</th>
</tr>
</thead>
<tbody>
<tr>
<td>After 5 thru 9 years</td>
<td>1.0% of annual salary on anniversary date</td>
</tr>
<tr>
<td>After 10 thru 14 years</td>
<td>1.5% of annual salary on anniversary date</td>
</tr>
<tr>
<td>After 15 thru 19 years</td>
<td>2.0% of annual salary on anniversary date</td>
</tr>
<tr>
<td>20+ years service</td>
<td>2.5% of annual salary on anniversary date</td>
</tr>
</tbody>
</table>

4. In the event that an eligible employee terminates employment for any reason, the employee shall receive a longevity bonus in a prorated amount, which is computed as follows: the number of months between the employee’s anniversary date and termination date shall be divided by twelve, and the result multiplied with the appropriate annual longevity bonus. Any month must be considered a full month of employment (See Chapter 2) in order to receive longevity credit for that month.

5. The longevity bonus shall be based upon continuous employment, exclusive of those periods wherein an employee is placed upon a leave without pay status; Provided, when an employee is laid off and rehired, and the separation does not exceed twelve (12) months, the longevity bonus shall be computed from the initial employment date excluding the lay-off period; Provided further, when an employee separates from employment and is subsequently rehired, the longevity bonus shall be computed from the date of reemployment; Except, the longevity bonus shall be computed from the date of initial employment, if the period of separation does not exceed thirty (30) days.

6. NEW EMPLOYEES hired on or after January 1, 2013 shall not receive a longevity bonus.

SECTION F COMPENSATION FOR TRAVEL AND TRAINING

Travel Time Compensation - Nonexempt Employees: The following explains which hours are compensable and which hours are not when traveling for County business purposes:

1. Normal commute time to and from work is not compensable.

2. Travel during regular work hours

3. Travel between job sites is compensable time.
   a. Travel from remote job site to regular job site is compensable time.
   b. Out of town travel is compensable.
c. Authorized travel time outside of regular work hours and/or on non-work day is compensable.

2. Compensable Time For Training: Computation of work time for nonexempt employees while attending training or traveling to and from training shall be in compliance with the Fair Labor Standards Act (FLSA). Time spent in training is usually considered work time. Training which is mandated by the state or federal government as a condition of practice in the profession shall not be considered work time if attended outside of regular work hours. Time spent studying for training classes shall not be considered work time. Employees whose positions are exempt from the FLSA shall be compensated for all time in training during normal work hours (e.g. 8:00 am to 4:30 pm).

SECTION G OVERTIME – NON-EXEMPT EMPLOYEES

1. Overtime and Compensatory Time: Nonexempt employees performing work in excess of eight (8) hours in a day or in excess of forty (40) hours in one work week shall be paid overtime at the rate of one and one half times the employee's regular rate of pay; Except, that an employee may request compensatory time off at the rate of one and one half hours off for each hour of overtime earned in lieu of overtime pay if the compensatory time is used within ninety (90) days of the date it is earned. An employee cannot accrue more than forty (40) hours of compensatory time. If the compensatory time is not used within ninety (90) days or exceeds forty (40) hours, the employee will be paid overtime at the rate when it was earned. Overtime compensation is earned on hours actually worked. Sick leave, annual leave, compensatory time off, and any other compensable absence are not included in the calculation of the overtime thresholds of 8 hours per day or in excess 40 hours per week. (Amended January 1, 2013)

2. Authorization of Overtime: Before an employee works overtime the overtime hours to be worked must be authorized in advance by the Employing Official to be eligible for compensation.

3. Agreement Prior to Performance of Work: Compensatory time may be used in lieu of overtime compensation only if such an agreement or understanding has been arrived at between the Employing Official and the individual employee before the performance of work.

4. Overtime Hours Worked on Holidays and Sundays: For hours actually worked on holidays and Sundays that result in overtime (in excess of scheduled 40 hour work week), nonexempt employees shall be paid overtime compensation at the rate of twice the regular rate of pay; Except, that an employee may choose to receive compensatory time off at the rate of two hours off for each hour of overtime earned in lieu of overtime pay. Compensatory time earned under this section must be used within ninety (90) days of the date it is earned. This section does not apply to non-exempt employees scheduled to work shifts in seven day a week, twenty-four hours per day operations/divisions.

5. Computation of Overtime: For the purpose of computing overtime compensation, fractional parts of an hour shall be rounded to the nearest fifteen (15) minute increment.

6. Compensable and Non-Compensable Working Time: Questions regarding compensable and non-compensable time should be referred to the Human Resources Department.
SECTION H  OVERTIME – EXEMPT EMPLOYEES

1. Overtime exempt employees shall not be eligible for overtime pay or compensable time (comp time) accruals.

2. Overtime exempt employees are compensated on a salary basis for all hours worked and shall not be charged for absences involving time off that is less than a scheduled full work day. Provided, employees work at least one-half of their scheduled work day and the employee has obtained the approval of their Employing Official (or designee).

3. It is expected that full time, overtime exempt work schedules will normally consist of approximately 40 hours per week; however, emphasis is placed on meeting the responsibilities assigned to the position rather than on working specific number of hours. The nature of responsibilities associated with overtime exempt positions often requires greater than a 40-hour work week including evening and weekend work and considerable flexibility in work scheduling to accommodate meetings and functions on weekends and evenings.

4. Overtime exempt employees are required to fill out time records to account for daily attendance and to support required federal, state or other grant or contract requirements or when such reporting is required to support fees or charges for county services or to document project or program expenditures. The normal workday is defined in terms of hours that the exempt employee is generally expected to be at work. Time away from the exempt employee’s normal workday, as determined by the supervisor, is tracked to the appropriate leave accrual and is to be reported in no less than half-day increments.

5. Although their work hours are not tracked, overtime exempt employees may be granted flexible and compressed work week schedules as appropriate to complete their duties and responsibilities. Granting flexible work schedules does not alter the overtime exempt status, nor does it alter the expectation that work may be assigned beyond scheduled work hours.

SECTION I  RETENTION/RECRUITMENT PREMIUM PAY

1. An Employing Official may request the Board of County Commissioners to authorize a premium pay for a particular employee that is in addition to the maximum of the established pay range for a critical position under the following conditions:

   i. Retention: In order to retain an employee in a critical position who has received a bona-fide job offer from another organization at a salary higher than the established pay range and their departure would be an undue hardship to the County’s critical business functions; or

2. Recruitment: In order to secure the best candidate’s acceptance of a job offer for an advertised vacant critical position; and

3. The Board of County Commissioners has determined that the position is critical:

   a. Due to the requirement of special knowledge, skills and abilities.
b. A key management or professional position.

c. A position that is difficult to recruit or retain qualified persons due to market supply or demand issues.

4. The amount of premium pay shall be approved by the Board of County Commissioners, and may be made effective on the date of such approval; provided, however, premium pay shall not be made retroactive to any date preceding the Board’s approval. Premium pay may be continued, increased, reduced or withdrawn entirely from year to year as determined by the Board of County Commissioners. The premium pay shall be paid monthly or bi-weekly whichever is applicable in a lump sum amount.

5. The additional cost of the premium pay shall be absorbed within the budget of the requesting department. In the event the department requests premium pay that cannot be absorbed within the current budget, thereby requiring a supplemental budget appropriation to handle the additional cost, final approval of the premium pay shall be withheld until the Board of County Commissioners approves the budget appropriation request.

6. The premium pay will not be added to the employee’s base salary established by the official pay range of the position in calculating longevity, cost of living adjustments, vacation cash-outs/pay-outs, step increases, non-FLSA overtime, sick leave cash-outs, and any other general salary adjustments.

7. Any decisions concerning the withdrawal or reduction of premium pay are not subject to grievance procedures, civil service procedures, or any other procedures that may be available.
CHAPTER 8 - SENIORITY/CONTINUOUS SERVICE

Seniority is the length of continuous service in a regular position with the County and determines eligibility for annual leave accruals, sick leave accruals, and longevity. Seniority begins to accrue from the first day of employment or rehire into a regular position, whichever is later, and may be adjusted as indicated in Section C.

SECTION A  SENIORITY RETAINED

1. Seniority Shall be Retained Under the Following Situations: (Adjustments to Seniority will be made in accordance with Section C in this chapter)
   a. Periods of authorized leave or protected leave of absence.
   b. Layoff not to exceed one year.
   c. Resignation (which does not exceed thirty (30) days) and re-employment.
   d. Transfers, demotions, and promotions.
   e. Military Leave paid or unpaid in accordance with state and federal laws.
   f. Time off while on Time Loss due to an on-the-job injury.

SECTION B  SENIORITY LOST

1. Seniority is lost/ended under the following situations:
   a. Resignation.
   b. Termination.
   c. Retirement.

SECTION C  ADJUSTMENT TO CONTINUOUS SERVICE DATE

The continuous service date is the date of hire in a regular position, and is used to determine employee seniority.

The continuous service date is adjusted for the following:
   a. Unpaid leave in excess of one shift per workday.
b. Separation and re-employment less than thirty (30) calendar days

c. Layoffs and rehire within one year.

d. The continuous service date will not be adjusted for unpaid leaves that qualify for and are protected by state or Federal laws

SECTION D  ADJUSTMENT TO STEP INCREMENT DATE

1. The step increment date for regular part-time employees shall be adjusted in accordance with the number of regularly scheduled hours actually worked, such that the employee shall receive a step increase only upon completion of the equivalent of full-time employment.

2. Upon promotion, reclassification and/or transfer to a new classification in a higher pay grade, the step increment date shall be adjusted in accordance with the effective date of such action.

3. The step increment date shall be adjusted when an employee returns from leave without pay to reflect the period of unpaid leave.

4. Upon reclassification or transfer to a classification in the same pay range, the step increment date remains unchanged.
CHAPTER 9 - EMPLOYEE BENEFITS

SECTION A  GENERAL POLICY

1. Kitsap County provides eligible employees with a comprehensive benefits program. An employee benefit is anything of value received in addition to salary to help the County attract and retain quality employees. The County retains sole discretion to review and modify its benefits program at its convenience.

2. All employees in positions budgeted at .50 FTE and above are eligible for benefits offered by Kitsap County.

3. It is the policy of Kitsap County to administer employee benefits in compliance with applicable Washington State and federal law. To the extent required by Washington State law and to the extent that interpretation of terms does not conflict with federal law, for purposes of this chapter in the administration of Kitsap County employee benefits, the terms spouse, marriage, marital, husband, wife, widower, next of kin, parent-in-law, and family shall be interpreted as applying equally to state registered domestic partnerships and to individuals in state registered partnerships as they apply to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved or invalidated. The recognition of state registered domestic partnerships for administration shall be effective on the dates required by Washington State law for those specific benefits.

   a. This interpretation does not apply to federally mandated employee benefits which do not recognize domestic partnerships eligibility, and which are not otherwise covered under Washington State law or Kitsap County policy.

SECTION B  ORIENTATION

1. New Employee Orientation is a responsibility, which is shared by the Human Resources Department, Risk Management and the hiring department.

2. Attendance at orientation for new employee(s) is mandatory and includes information on Human Resources and Risk Management policies, procedures and safety related requirements. Employees are also provided information regarding their available employment based benefits.

3. It is the responsibility of the hiring department to provide information to the new employee regarding specific job requirements, duties, responsibilities, hours of work and departmental policies and procedures.

SECTION C  INSURANCE AND MEDICAL BENEFITS

1. Medical, vision, dental and life insurance coverage for eligible employees and designated legal dependents commences the first day of the month following one full month of employment (see
Definitions section for definition of full month of employment). Upon separation from employment, coverage ends the last day of the month of separation. At that time, the employee and/or covered dependents may elect to continue their coverage at their own expense under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) as amended.

2. Insurance Premiums: Eligible employees receive County contributions towards medical, vision, dental and life insurance coverage established through the current County benefit plans. The County’s contribution towards insurance premiums will be prorated as follows, according to the employee’s full-time equivalent (FTE) status, as established and approved by the Employing Official and the Kitsap County Budget Office:

   a. For employees with an established and approved FTE of .75 and above, the Employer’s insurance premium contribution shall be the same as the Employer’s insurance premium contribution for a full-time employee. Employees will pay the remaining insurance premium balance through payroll deduction.

   b. For employees with an established and approved FTE between .75 to .50, the Employer’s medical and vision premium contributions shall be pro-rated rounding down, at intervals of 5%, starting with .70 FTE and ending at .50 FTE, based on the Employer’s premium contribution for a full-time employee. Employees will pay the remaining medical and vision premium balance through payroll deduction.

3. Employees may cover legal dependents on the County plans through payroll deduction, except when the County agrees to pay a portion of the coverage. Dependents may be enrolled at time of hire, during annual open enrollment as designated by the County or according to special enrollment and eligibility guidelines for County plans.

4. The County may make available optional or supplemental insurance plans. Premiums for these plans are paid by the employee through payroll deduction. Employees may add optional benefits or change to alternate benefit plans only during annual open enrollment as designated by the County each year or as allowed or required by the plan.

5. The County will continue to pay the employer’s portion of health insurance premiums under County insurance plans in accordance with and as required by applicable laws during job-protected leave. Refer to Appendix G.

SECTION D RETIREMENT SYSTEM

Employees who are eligible to participate in a Washington State Employees' Retirement System will be enrolled upon employment or verification of eligibility. Contributions by the employee and the County are based upon a percentage of the employee's salary.
SECTION E   HOLIDAYS

1. Paid holidays begin at the date of hire. Employees who are on leave without pay for more than one-half of their scheduled shift the working day before or the working day after a holiday shall not receive compensation for that holiday.

2. Holiday Observance:
   a. Kitsap County observes the following as paid holidays:
      
      | Holiday               | Date                     |
      |-----------------------|--------------------------|
      | New Year's Day        | January 1                |
      | Martin Luther King Day| Third Monday in January   |
      | President's Day       | Third Monday in February  |
      | Memorial Day          | Last Monday in May       |
      | Independence Day      | July 4                   |
      | Labor Day             | First Monday in September|
      | Veterans Day          | November 11              |
      | Thanksgiving Day      | Fourth Thursday in November|
      | Day after Thanksgiving| Fourth Friday in November |
      | Christmas Day         | December 25              |
      | One Floating Holiday  | Employee’s choice         |
      | Two unpaid holidays   | Employee’s choice         |

   b. If a holiday falls on a Sunday, it is observed on the following Monday. If a holiday falls on a Saturday, it is observed on the preceding Friday. Employees that work in a seven-day per week and/or twenty-four hour per day programs shall observe the holiday on its actual date.

   c. If the holiday falls on an employee’s regularly scheduled day off, that employee receives annual leave based on the employee’s established FTE status.

3. Non-exempt employees required to work their normal shift on one of the observed holidays shall receive holiday pay based on the employee’s established FTE (Full Time Equivalent) status plus their regular rate of pay for the hours worked on the holiday, OR in lieu of holiday pay, the employee may choose to receive their regular rate of pay for the hours worked on the holiday plus annual leave based on the employee’s established FTE.
   a. Work on Premium Holidays: Non-exempt employees who work on New Year’s Day, Independence Day, Thanksgiving Day or Christmas Day, receive their regular hourly rate of pay for all hours actually worked plus either an amount equal to one and one-half times the regular hourly rate in pay or compensatory time at a rate of one and on-half times the hours actually worked on the holiday.
b. Exempt employees required to work on one of the observed holidays receive annual leave equivalent to the hours worked on the holiday.

c. The floating holiday is in effect and is available for use on January 1 of each year. The floating holiday may be taken by an employee at any time during the calendar year with prior approval of the Employing Official. The floating holiday shall not accumulate from year to year.

1) Floating holiday.

i. Upon resignation or retirement with two weeks notice, layoff, involuntary termination or death, the employee or beneficiary shall receive payment for an unused floating holiday.

ii. When the floating holiday is taken, it is to be used in full increments (i.e. 8 hours for 1 FTE, 4 hours for .50 FTE) The floating holiday is not to be split over more than one day.

4. Employees may take two unpaid holidays at any time during the calendar year, with prior approval of the Employing Official, in accordance with State Senate Bill 5173. Employees may take unpaid holidays for reasons of faith or conscience or an organized activity conducted under the auspices of a religious denomination, organization, or church. The unpaid holidays are in effect and available for use on January 1 of each year. The unpaid holidays must be taken in full work day increments, may not be supplemented with paid accrued leave time, and shall not accumulate from year to year. Unpaid holidays taken under this law will not result in adjustments to seniority and will not impact accrual rates.

SECTION F SICK LEAVE

1. Accumulation of sick leave is allowed primarily for the purpose of providing the employee with an economic cushion to be used in the event of a major illness or absence from work for medical reasons or to provide medically necessary care for an eligible family member.

2. Sick Leave Accrual:

a. Sick leave is accrued each full month of employment.

b. Accrued sick leave may be used only after it has been accrued. The advancement of sick leave accruals is prohibited.

c. Eligible full-time employees hired on or after December 1, 2004, accrue 8 hours of sick leave per month.

d. Eligible full-time employees hired on or after October 1, 1985 and prior to December 1, 2004, accrue 10 hours of sick leave per month.

e. Eligible full-time employees hired before October 1, 1985, accrue 12 hours of sick leave per month.
f. Eligible employees who were receiving a higher sick leave accrual rate at the time the above plans were amended shall continue at the higher rate.

g. Eligible part-time employees’ sick leave accrual will be pro-rated based on the employee’s FTE status as established and approved by the Employing Official and the Budget Office.

h. No more than 150 days (1200 hours) of sick leave may be carried from one calendar year to the next.

3. **Use of Sick Leave:** (Amended 12-12-11)

   a. Accrued sick leave may be used for absence due to the employee’s illness, injury or other incapacity that renders the employee unable to perform the duties of their position, or for the purpose of medical, vision and dental appointments.

   b. Accrued sick leave may be used to care for a child of the employee with a health condition that requires treatment or supervision, including medical, vision and dental appointments. For these purposes, “child” means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of person standing in loco parentis who is (1) Under eighteen years of age; or (2) eighteen years of age or older and incapable of self-care because of a mental or physical disability.

   c. Accrued sick leave may be used to care for an employee’s spouse, registered domestic partner, parent, parent-in-law, parent of a registered domestic partner or grandparent who has a serious health condition or an emergency condition. For these purposes, the following definitions will apply:

      i. “Grandparent” means a parent of a parent of an employee.
      ii. “Parent” means a biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child.
      iv. “Spouse” means a husband or wife, as the case may be. (Effective 1-1-03)
      v. “Domestic Partner” means a person registered in Washington State as a domestic partner.

   d. Accrued sick leave may be used for bereavement leave as provided in this manual under the section related to “Bereavement Leave.”

   e. Accrued sick leave may be used for absences related to qualifying conditions and care of eligible victims of domestic violence, sexual assault or stalking as required by State law.

   f. All sick leave taken shall reduce the sick leave most recently accrued.
4. **Sick Leave Reporting**: (Amended 12-12-11)
   
   a. To qualify for sick leave payment, employees shall report to their immediate supervisor or designee their qualifying reason prior to the start of their shift each day of their absence unless otherwise arranged.

   b. The Employing Official may require an employee to be examined by a health care provider of the County's choice. Upon prior approval of the Employing Official, the County shall bear the cost of any charges above those covered by any insurance carrier for an examination required by the County. The employee shall immediately sign over to the County any reimbursement received from an insurance carrier for the required examination.

   c. Use of sick leave must be supported by a certificate from the employee’s health care provider, if requested by the Employing Official.

   d. Employees may not use or substitute sick leave when an injury or illness occurs while on previously approved annual leave or compensatory time. Employees may request a change of pre-approved time off prior to the beginning of that leave period if circumstances change.

5. **Sick Leave Cash Payment Upon Retirement or Death**: (Amended 12-12-11)
   
   a. Upon retirement with the Washington State Retirement Systems, the employee shall receive payment for 50% of all their sick leave balance accrued prior to January 1, 1984, based upon the rate of pay at the time of retirement. If, at any time, the balance of an employee’s sick leave bank as of January 1, 1984 is reduced, it may not be replenished for the purposes of sick leave payout. (See 5.b. below)

   b. Upon an employee's death, the beneficiary shall receive payment for all of the employee’s sick leave balance accrued prior to January 1, 1984, based upon the rate of pay at the time of death.

   c. Employees separated from employment for reasons other than retirement from the Washington State Retirement Systems or death, do not receive sick leave pay.

   d. No cash payment shall be made for sick leave accrued and not used after January 1, 1984.

6. **Conversion of Sick Leave** (Amended 12-12-11):
   
   Each January, an employee may, at their option, convert their previous calendar year's accumulated and unused sick leave to annual leave on a 10 to 1 ratio provided that the request for conversion is submitted to the Employing Official or designee on or before January 31. Under no circumstances shall an employee carry over to the following year or receive cash payment for converted leave on the books.
### SECTION G  ANNUAL LEAVE

1. Annual leave is accrued each full month of employment.

2. Annual Leave Accrual:
   
   a. Annual leave is accrued each full month of employment. Accrued annual leave may be used following the first full month of employment.
   
   b. Annual leave may be used only after it has been accrued. The advancement of annual leave accruals is prohibited.
   
   c. Eligible full-time employees earn annual leave as follows:

   | Non-exempt Employees (Z pay scale) Hired 12/1/2004 or later: |
   |---------------------------------|------------------|------------------|
   | Upon Hire                      | 10 days/yr       | 6.67 hrs/mo      |
   | Upon completion of 3 years     | 12 days/yr       | 8.00 hrs/mo      |
   | Upon completion of 5 years     | 15 days/yr       | 10.00 hrs/mo     |
   | Upon completion of 10 years    | 20 days/yr       | 13.33 hrs/mo     |
   | Upon completion of 15 years    | 25 days/yr       | 16.67 hrs/mo     |

   d. Non-exempt Employees (Z pay scale) Hired 1/1/1998 through 11/30/2004:

   | Upon Hire                       | 10 days/yr       | 6.67 hrs/mo      |
   | Upon completion of 3 years      | 15 days/yr       | 10.00 hrs/mo     |
   | Upon completion of 5 years      | 20 days/yr       | 13.33 hrs/mo     |
   | Upon completion of 10 years     | 25 days/yr       | 16.67 hrs/mo     |

   e. Non-exempt Employees (Z pay scale) Hired Prior to 1/1/1998 earn 20.00 hours per month.

   f. Non-exempt Employees (N pay scale) Hired on or after 1/1/1998: (Effective12/1/04):

   | Upon Hire                       | 10 days/yr       | 6.67 hrs/mo      |
   | Upon completion of 3 years      | 12 days/yr       | 8.00 hrs/mo      |
   | Upon completion of 5 years      | 15 days/yr       | 10.00 hrs/mo     |
   | Upon completion of 10 years     | 20 days/yr       | 13.33 hrs/mo     |
   | Upon completion of 15 years     | 25 days/yr       | 16.67 hrs/mo     |

   g. Non-exempt Employees (N pay scale) Hired Prior to 1/1/1998 earn 20.00 hours per month.

   h. All Exempt Employees (X pay scale) Hired on or after 1/1/1998:

   | Upon Hire                       | 10 days/yr       | 6.67 hrs/mo      |
   | Upon completion of 3 years      | 15 days/yr       | 10.00 hrs/mo     |
   | Upon completion of 5 years      | 20 days/yr       | 13.33 hrs/mo     |
   | Upon completion of 10 years     | 25 days/yr       | 16.67 hrs/mo     |
3. Eligible employees who were receiving a higher annual leave accrual rate at the time the above plans were amended shall continue at the higher rate. Those employees shall not receive any further increases unless such increases are provided in accordance with the above guidelines.

4. Eligible part-time employees accrued annual leave will be pro-rated based on the employee’s FTE status as established and approved by the Employing Official and the Budget Office.

5. No more than 360 hours annual leave may be carried from one calendar year to the next.

6. The County Administrator, or in their absence the Chair of the Board of County Commissioners, may approve annual leave accrual rates up to 20 days per year in order to fill positions requiring special experience, training and education. The Director of Human Resources shall review all requests by Employing Officials and submit a recommendation to the County Administrator/Chair of the Board of County Commissioners. The employee shall be eligible to earn additional annual leave in accordance with subsection 2.c. above.

7. As an inducement for the acceptance of employment into a position identified by the Director of Human Resources as a critical labor market skill position, the County Administrator, or in their absence the Chair of the Board of County Commissioners, may approve a request by an Employing Official to grant the advancement of up to 80 hours of annual leave on the first day of employment. The employee shall begin accruing annual leave upon completion of the employment period required for the advanced annual leave hours. Provided, as a condition for the advancement of annual leave, the employee shall agree to reimburse the County for any annual leave hours used in excess of earned if the employee terminates their employment prior to the employment period required for the advancement.

8. Annual Leave Cash Payment Upon Termination of Employment: Upon termination of the employment relationship due to resignation with two week notice, layoff, dismissal or death, the employee or beneficiary shall be paid for unused accrued annual leave at the rate being paid at the time of separation. Cash payment for unused accrued annual leave upon termination due to retirement with the Washington State Retirement System shall not exceed 240 hours. However, if an employee has accrued annual leave in excess of 240 hours, the employee may be continued on the payroll for the time equivalent to the amount of excess annual leave.

9. Use of Annual Leave:

a. Employees should attempt to use annual leave during the year in which it is earned.

b. Requests for leave must be approved in advance by the Employing Official or designee. Annual leave must be taken at times mutually agreeable to the employee and the Employing Official. In the event of conflicts between employees in requests for leave, the employee first requesting prevails. In the event of concurrent requests or conflicting requests for which the sequence of request is unknown, the Employing Official shall make the final determination with consideration towards seniority and prior requests for leave. If an employee is prevented by the Employing Official from taking annual leave and, as a result, the employee has more than 360 hours annual leave accumulated on
December 31, then the employee is paid for such leave in excess of 360 hours at the salary rate then being paid to the employee.

10. **Annual Leave Donation Policy**: Annual Leave Donation Policy permits County employees to donate annual or general leave to eligible employees who would otherwise be in an unpaid status in excess of five (5) consecutive working days due to a catastrophic medical condition, illness, injury or impairment. Refer to Appendix B — Kitsap County Annual Leave Donation Plan. (Amended 9-22-03)

### SECTION H SOCIAL SECURITY

Social Security (Federal Insurance Contributors Act) provides employees and/or their dependents with an income in the event of disability, death or retirement under the Act. Under federal law, a joint contribution by the employee and the County, based upon a percentage of the employee's salary, is paid into the fund.

### SECTION I WORKERS COMPENSATION (Industrial Insurance)

1. The County is self-insured for employee injuries suffered during work hours. Compensation is made for medical expenses and time lost from work due to the injury as determined by Washington State Industrial Insurance Regulations.

2. All on-the-job injuries must be reported to the employee's supervisor and the Risk Management Division. The Risk Management Division shall provide the employee with the required forms to be filed.

3. Family and Medical Leave (FMLA) runs concurrently with time loss for up to twelve (12) weeks per leave year. During FMLA leave, the County will continue to pay its portion of medical and dental insurance premiums before FMLA leave becomes unpaid, employees must use all accrued annual and sick leave.

4. Regardless of FMLA status, the County will continue to pay the County’s portion of medical, dental and life insurance premiums, for an employee who is currently employed in a regular, budgeted position and receiving time loss, for up to six (6) months from date of injury. Employees who supplement time loss benefits with accrued leave(s) to maintain full time pay and status will pay the employee portion of all benefit premiums through normal payroll deduction. Employees who do not supplement time loss with accrued leave(s) must remit payment to the County for the employee portion of benefit premiums in order to keep benefit coverage intact during the six(6) month period from each date of injury.

5. Employees who supplement time loss with accrued leave to equal their normal FTE paid hours will be considered to be in paid status for a period up to six (6) months, and will be eligible to receive all benefits employees on paid status receive, including, but not limited to, health insurance contributions, service credit towards a longevity bonus and step increase, credit towards holiday compensation, and annual or sick leave accruals. An employee who is receiving time loss compensation and is not supplementing to their normal FTE with accrued leave shall be
considered to be on leave without pay status, and shall not accrue annual, sick leave or holiday hours.

6. Unpaid leave for work related injuries will not be deducted from continuous service or affect seniority.

7. Employees who receive time loss in excess of six (6) months from the date of injury and are no longer eligible for FMLA will be offered COBRA as an option to maintain health and dental insurance coverage. The full cost of COBRA insurance continuation, including a two (2) percent administrative fee is the employee’s responsibility.

SECTION J LEAVES OF ABSENCE

Civil Leave:

a. Civil leave with pay shall be allowed to permit an employee to serve as a juror or to testify in any federal, state or municipal court when a subpoena compels such testimony. An employee must notify the immediate supervisor prior to taking civil leave and provide proof of compulsion.

b. Civil Leave with pay shall only apply to regularly scheduled work hours. Employees placed on juries or subpoenaed as witnesses may request to have a temporary schedule change to coincide with jury duty or court hours, provided that the jury duty placement or subpoenaed testimony requirement is for full day increments. Approval of a schedule change for this purpose is at the discretion of the employing authority.

Bereavement Leave:

Bereavement leave with pay is allowed when an employee experiences a death in the employee's immediate family. No more than 24 hours bereavement leave is allowed per occurrence and is not cumulative. In the event the employee needs to travel out of state to attend a funeral, bereavement leave shall be allowed up to 40 hours. However, the 16 additional hours of bereavement leave are charged to the employee's sick leave. An employee must obtain approval of the Employing Official or a designee prior to taking such leave.

Military Leave:

a. Any employee who is a member of the Washington National Guard or of the Army, Navy, Air Force, Coast Guard or Marine Corps of the United States or of any organized reserve of the Armed Forces of the United States, shall be entitled to military leave with pay for a period not to exceed twenty-one (21) days from October 1st – September 30th in order that the employee may take part in active duty training. Such military leave shall be granted pursuant to the provisions of RCW 38.40.
b. Any employee who enters active duty service or training in the Washington National Guard, the Armed Forces of the United States, or the United States Public Health Service may seek a leave of absence as set forth within this Manual and, upon return, shall be entitled to re-employment pursuant to the provisions of RCW 73.16.031 - 73.16.061 and Title 38 U.S.C. § 4301 et seq. An employee is entitled to unpaid military leave for a cumulative length of up to five years, and may be entitled to more time under certain circumstances. Upon returning from a military leave of absence, the employee’s seniority, vacation, health, retirement, and other rights and benefits are generally restored as if the employee had never taken a military leave of absence; provided, statutorily mandated National Guard and Reserve training requirements are excluded from the cumulative five-year limit, pursuant to the provisions of Title 38, U.S.C. § 4301 et seq.

Leaves of Absence Without Pay:

A leave of absence without pay may be granted to County employees at the discretion of the Employing Official. If the leave of absence exceeds five (5) consecutive working days, the following conditions shall be met before granting the leave:

a. A written request for a leave of absence without pay must be submitted to the Employing Official on forms prescribed by the Director. The written request must include the reason for leave, the length of time requested and the expected date of return to service. A leave of absence form must then be completed and approved by the Employing Official, then submitted to the Human Resources Department.

b. All accrued annual leave must be exhausted. If the leave is for medical reasons, accrued sick leave must be exhausted also.

c. The Employing Official must be assured that the granting of leave shall not operate to the detriment of the department.

d. Arrangements must be made in advance by the employee to pay for insurance premiums if continued coverage is desired for the duration of the leave.

e. The Employing Official must be reasonably assured that the employee shall return to work after the agreed leave time is exhausted.

f. The granting of leave without pay is discretionary. The employee must have demonstrated his/her ability and value to the County work force before the leave is considered.

g. If during the authorized leave of absence, the Employing Official determines that the absence of the employee is causing a hardship to the department, the employee may be required to return to work. The Employing Official shall send a written notice by certified mail (and/or by electronic mail if address is known), return receipt requested, through U. S. Mail, requiring the employee to return to work. An employee who fails to return to work within three (3) work days of receipt of the notice shall be considered to have abandoned the position. Termination for job abandonment is not grievable.
h. All leave without pay results in a suspension of accruals for seniority, vacation, sick leave, longevity, and other benefits except as provided herein during the time of leave.

Family and Medical Leave:
The Family Medical Leave Act (FMLA) entitles an employee who has been employed with the County for fifty-two weeks and has worked at least 1,250 hours during the twelve-month period immediately preceding the commencement of the FMLA leave, up to twelve work weeks of FMLA leave during the twelve-month period following the date the employee’s first FMLA leave begins for the following reasons:

a. For the birth of a son or daughter, and to care for a newborn child.

b. For the placement with the employee of a son or daughter for adoption or foster care.

c. To care for the employee’s spouse, son, daughter or parent with a serious health condition.

d. Because of a serious health condition that prevents the employee from performing the essential functions of the employee’s job.

All accrued paid leaves must be exhausted before unpaid FMLA leave commences, with the exception of Workers’ Compensation (L&I) leaves that run concurrently with FMLA. Refer to Appendix G. Kitsap County Family and Medical Leave (FMLA) Policy.

Washington Family Leave Act (WFLA)

- The WFLA generally runs concurrently with FMLA. The exceptions are that the WFLA provides additional leave to care for a new born, and the WFLA provides up to 12 weeks of unpaid leave per 12-month period to care for a registered domestic partner with a serious health condition. The FMLA does not cover domestic partners.
- Refer to Appendix G. Kitsap County Family and Medical Leave (FMLA) Policy for more detail information.

Under the law, during a leave covered by the WFLA but not the FMLA (e.g., during the 12 additional weeks of bonding with a new child following exhaustion of FMLA/Pregnancy Disability Leave), health insurance will not be automatically continued unless the employee elects continuation of coverage at his/her expense. This does not affect the ability of the employee and eligible family members to participate in the County’s group health insurance plan during FMLA and/or WFLA.

Washington Family Care Act (WFCA)

Under the Washington Family Care Act, employees with accrued annual leave, floating holidays, sick leave, or compensatory time may use their leave to take care of a sick family member. Employees do not have to meet minimum service requirements to be eligible for
FCA leave but will have to comply with all notice and document requirements under the applicable policy for the type of leave used.

Domestic Violence Leave Act

Effective April 1, 2008, Washington State enacted legislation guaranteeing “reasonable leave” for victims of domestic violence, sexual assault and stalking. The law protects victims of domestic violence, as well as their family members. Family members include children, spouses, registered domestic partners, parents, parents-in-law, grandparents, and individuals with whom the employee has a “dating relationship”. Employees are entitled to leave in order to participate in legal proceedings, receive medical treatment and mental health counseling, or obtain support from social services programs. Family members can take leave to assist victims in their endeavors to obtain help or secure safety.

- Employees in need of leave under this law may use annual leave, compensatory time if available, or may take unpaid leave. Employees are required to provide advance notice of the need for leave to their Employing Official. Where advance notice is not possible, notice must be given no later than the end of the first day that the employee needs the leave. Kitsap County may request that the employee provide timely verification that the employee or the employee’s family member is a victim of domestic violence, sexual assault or stalking. This verification may be in the form of a police report, a court document, or a statement from an advocate for victims of domestic violence, an attorney, a member of the clergy, a medical professional, or a statement from the employee. Kitsap County may require proof of familial relationship, in the form of a birth certificate, court document, or other statement. Except where disclosure is authorized or required by law, Kitsap County will maintain confidentiality of all information provided by the employee in conjunction with this leave.

SECTION K COUNTY TRAINING PROGRAM (see Appendix L)

1. Kitsap County seeks to offer County employees training to increase skills, knowledge and abilities directly related to County employment. Training opportunities may include, but are not limited to:

   On-the-job training
   In-house classes
   Academic classes, or
   Workshops/seminars/conferences sponsored by professional organizations

2. The Kitsap County Training Coordinator is responsible for the implementation of the County-wide training plan and serves as the chair for the Training Committee.
SECTION L  EMPLOYEE ASSISTANCE PROGRAM (EAP) (see Appendix R)

Kitsap County offers a free Employee Assistance Program to all employees and their legal dependents. This program provides confidential and professional assistance to help employees and their families resolve problems that affect their personal lives and job performance. Use of the Employee Assistance Program is voluntary. (Amended September 1, 2001)

SECTION M  EMPLOYEE SUGGESTION AWARD PROGRAM (see Appendix U)

The Kitsap County Employee Suggestion Award Program exists to reward and recognize County employees for suggestions that improve the effectiveness and efficiency of County operations and services.
CHAPTER 10 – EMPLOYEE RELATIONS

SECTION A  EQUAL EMPLOYMENT OPPORTUNITY PLAN (see Appendix S)

1. Kitsap County is an equal opportunity employer. The County believes the participation of men and women of diverse ages, races, religions, cultures, abilities, etc., shall add to personal development and organizational success. By express policy, the County is committed to promoting and protecting the rights and opportunities for equal employment for all and to ensure that no discrimination is committed against any person on the basis of race, color, religion, sex, national origin, age, disability, veteran’s status, marital status or sexual orientation, HIV status, genetic information, or sensory, mental or physical disability is prohibited. This policy extends to all areas of employment and to all relations with employees including recruitment, selection and placement, compensation, promotion and transfer, disciplinary matters, demotions, layoffs and terminations, testing and training, working conditions, awards and benefits, and all other terms and conditions of employment.

2. If a County employee believes he or she is being discriminated against on the basis of race, color, religion, sex, national origin, age, disability, veteran’s status, marital status or sexual orientation, HIV status, genetic information, or sensory, mental or physical disability is prohibited, he or she may follow the grievance procedure set forth in this Manual. (Refer to Chapter 13)

SECTION B  POLICY PROHIBITING DISCRIMINATION AND HARASSMENT (see Appendix I)

Kitsap County is committed to eradicating discrimination and harassment of County employees in the workplace because of an employee’s race, color, religion, sex, national origin, age, disability, veteran’s status, marital status or sexual orientation, HIV status, genetic information, or sensory, mental or physical disability is prohibited. The Kitsap County Board of Commissioners has established a policy prohibiting discrimination and harassment. (Amended September 2001)

SECTION C  EMPLOYEE RESPONSIBILITIES

1. Purpose: The orderly and efficient operation of the County government requires that employees accept certain responsibilities. Work rules covering personal standards of conduct as well as standard operating procedures are necessary to protect the health and safety of all employees, to maintain uninterrupted service and to protect the County's property.

2. Work Rules: The following work rules are applicable to all County employees. This Manual is not intended to be all-inclusive and Employing Officials may establish additional rules which are unique to their department/organization. It is the expectation that all employees shall abide by these work rules and any other work rules/departmental policies and procedures. Failure to do so may result in disciplinary action up to and including termination.

   a. Employees shall be at their designated work area on time and ready to work at the start of their shift. Employees shall remain at their work area, at work, except during lunch and rest periods, until the end of their shift, unless permission to leave is granted by the supervisor or the duties of the position require absence from the work area.
b. Where operations are continuous, employees are not to leave the work area until replaced by the next shift employee or until relieved by the supervisor.

c. Employees are required to follow all safety regulations to include the wearing of safety articles and the use of protective equipment. Employees are required to immediately report safety hazards, accidents or injuries to their supervisor.

d. Employees are responsible for and shall not misuse County property, records or other materials in their care, custody or control.

e. Employees are required to deal with the public, County officials and other County employees in a courteous and professional manner.

f. Employees are required to immediately report to their supervisor their inability to report to work and the reason thereof in accordance with the rules set forth in Chapter 9 - Sick Leave Reporting.

g. Employees are required to notify the Human Resources Department whenever there is a change in their personal data affecting their personnel or payroll records.

h. Employees shall not restrict or interfere with the work of others.

i. Employees are required to report for and remain at work only in a fit physical and mental condition which shall enable them to perform their regular duties.

j. Employees shall not engage in political activity while on duty. An employee shall at no time use their position title or represent their employment with the County in making political endorsements.

k. Employees shall not use their position for personal gain, to solicit or conduct personal business or to coerce others.

l. Employees shall not audio record any meeting without the knowledge and permission of all persons being recorded, in accordance with RCW 9.73.030.

3. **Dress and Grooming:** An important part of the image presented to citizens is the appearance of Kitsap County employees. It is the County’s policy to require staff members to dress and groom in a manner that inspires confidence and conveys professionalism to our citizens. The manner of dress may vary according to the amount and nature of public contact. It is the responsibility of the Employing Official to establish the appropriate dress standards for the positions under their supervision. It is the employee’s responsibility to maintain a neat and businesslike appearance.

**SECTION D PERFORMANCE EVALUATIONS (Amended 12-12-11)**

1. **Policy:** Employee performance evaluation is intended to promote productivity and strengthen employer/employee relations. The performance evaluation system provides employees and supervisors with a tool for establishing communication regarding performance standards and expectations, identification of problems and concerns, identification of training needs, and the provision of positive reinforcements for areas of excellence. Evaluations are used for wage step
increases, promotional considerations, employee discipline, reduction-in-force actions, and other employment decisions.

2. Evaluation System:

   a. The Director may develop and maintain performance evaluation systems for all groups of employees.

      i. The performance evaluation system should be based on standards related to an employee's individual work assignments.

      ii. The performance evaluation system provides the employee with an opportunity to submit a written response to the contents of his/her evaluation.

3. Performance Evaluation Process:

   a. Every new employee should be evaluated on or about the 90th and 180th calendar days of employment. Probationary employees may be evaluated at any time during their probationary period. A performance evaluation should be completed on a probationary employee prior to termination. Promoted probationary employees should be evaluated on or about the 90th calendar day after promotion. Every regular full-time or regular part-time employee should be evaluated annually prior to the month the employee is eligible for a step increment or the anniversary of the step increment date. Additional personnel evaluations may be used when deemed appropriate by the Employing Official. An employee may also request an additional evaluation if a work-related problem exists that may be resolved through the formal evaluation process. Evaluations are used as a factor in granting regular status, promotions, merit increases, transfers, demotions, layoffs and terminations. For further information on evaluation procedure, see the "Performance Evaluation Guidelines for Employees and Supervisors" in the Human Resources Department.

   b. The employee may file a rebuttal statement. The statement becomes a permanent part of the employee's personnel file.

   c. Employees are encouraged to be active participants in the evaluation process.

   d. The performance evaluation, together with related correspondence, is forwarded to the Human Resources Department for placement in the employee's official personnel file. A photocopy shall be provided to the employee upon request.

4. Score Requirements:

   a. **Seven-Step Scale:** For employees on a seven/eight step scale, an average score of 3 must be maintained to be eligible for advancement from Step one (1) through Step five (5), each year following their last advancement or date of hire and advancement from Step five (5) through Step eight (8) every two years following their last advancement or date of hire; Provided, the employee achieves the following scores on the last personnel evaluation within past 6 months to be eligible to advance to the next step: (Amended September 1, 2001)
b. **Six-Step Scale:** Employees on a six (6)-step scale are eligible for advancement from Step one (1) through Step four (4) each year following their last advancement or date of hire and advancement from Step four (4) through Step six (6) every two years following their last advancement or date of hire; Provided, the employee achieves the following scores on the last personnel evaluation to be eligible to advance to the next step:

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<th>Step Required Score</th>
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<tr>
<td>2-5</td>
<td>3.0</td>
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<td>6</td>
<td>3.5</td>
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<td>7-8</td>
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5. **Adjustments to Evaluation Eligibility Dates:** Periods in which an employee is on unpaid leave shall not be included and step increment eligibility dates shall be adjusted.

6. **Part-Time Employees:** Part-time employees shall advance as set forth above upon completion of the full-time equivalent number of hours.

7. **Retroactive Step Increases:** Step increases are retroactive to the date of eligibility if delays in granting of the step increases are due to the lack of a current evaluation or failure to submit to the Human Resources Department the required paperwork within designated time frames.

8. **Does Not Meet Score Requirements for a Step Increase:** If an employee receives an evaluation score that does not meet the score requirements to be eligible for a step increase, at the discretion of the Employing Official, the employee may be re-evaluated in 60-90 days. If the employee receives an evaluation score that meets the score requirements at a later date, the employee shall be granted the step increase effective on that date and their evaluation date shall be adjusted to the new date.

### SECTION E  HEALTH AND SAFETY

1. It is the policy of Kitsap County to provide safe and healthful work environments. This can be accomplished if every employee observes all rules for health and safety, which is both a protection for himself/herself as well as for co-workers and the public.

2. **Kitsap County Risk Management Guidelines:** The Kitsap County Risk Management Guidelines have been prepared to provide supervisors and employees of Kitsap County with written accident prevention program policies. Included in the Guidelines are such topics as: Accident Prevention and Safety; Fundamentals of Accident Prevention; Hazard Communication Program; Bloodborne Pathogens Control Program; Fire Safety; Bomb Threats; Security; and Fleet Risk Control Policies. A copy of the Guidelines is available in every County department.

3. **Orientation:** In addition to the Guidelines, all new employees receive a required orientation on many of the topics covered in the Guidelines. This training, along with a supervisory orientation, shall allow new employees to perform their new work responsibilities safely and efficiently.
4. **Responsibilities:** Employees are responsible for their own safety at Kitsap County. Questions regarding safety issues should be directed to the employee’s supervisor. Other resources for safety information include: the Risk Manager and members of the Risk Manager’s staff; the Central Safety Committee; Employing Officials, and department heads, managers, supervisors; and departmental safety teams. Check the County website or your department’s copy of the Kitsap County Risk Management Guidelines for more information on safety and accident prevention responsibilities.

5. **Procedure for Reporting Employee Injuries:** All occupational injuries must be reported to the employee’s supervisor and Risk Management within 24 hours.
   
a. The following items must be reported:
   
   i. Name of employee.
   
   ii. Date and time of accident or illness.
   
   iii. Nature of injury.
   
   iv. Did employee receive medical care?
   
   v. Was employee hospitalized?
   
   vi. Was the accident preventable?
   
   vii. Description in detail of how the accident occurred.
   
   viii. Did accident involve a third party?
   
   ix. Witnesses name, addresses, telephone numbers and a statement of what they witnessed.

6. Anytime an accident causes illness or injury requiring treatment by a health care provider, the employee must inform his/her supervisor and the following two forms must be completed:
   
a. Self Insurer Accident Report (SIF-2)
   
b. Supervisor’s Report of Accident
   
   These forms are available from the employee’s supervisor or from Risk Management, and are completed by the employee and his/her supervisor. For more information on completing these reports, refer to the Kitsap County Risk Management Guidelines.

**SECTION F  CONFLICT OF INTEREST**

1. **Purpose:** Public confidence of the citizens of Kitsap County in the operation of their County government is built on integrity. Accordingly, each employee must maintain high standards of personal conduct in his/her relationships with the public and with working associates.
2. **Confidential Information**: Many of the operations of the County are considered public information, but some are not. The confidential business of the County should not be discussed with anyone who does not need to be consulted with or made aware of the confidential information to further the County’s interests. Providing confidential information to unauthorized persons may be grounds for disciplinary action. If you are unsure, contact your supervisor.

3. **Loans, Gifts, Gratuities, Etc.**: Kitsap County employees must not directly or indirectly give or accept or agree to accept any compensation, gift, reward or gratuity in the course of their work responsibilities from any source other than Kitsap County.

4. **Outside Employment**:
   
a. Employees shall not directly or indirectly engage in any outside employment of financial interest which may conflict, in the County’s opinion, with the best interests of the County or interfere with the employee’s ability to perform his/her assigned County job. Examples include, but are not limited to, outside employment which:

   b. 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.

   c. Is conducted during the employee’s work hours.

   d. Utilizes County telephones, computers, supplies or any other resources, facilities or equipment.

   e. Is employment with a firm which has contracts with or does business with the County.

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

   g. An employee who chooses to have an additional job, contractual commitment or self-employment, may do so provided he/she obtains prior written approval from their Employing Official.

5. **Political Activities**: Kitsap County employees have the same right to campaign in support of, or in opposition to, a candidate or a ballot proposition as any other citizen. However, since the County receives federal funds, employees whose compensation is derived in part from those funds are subject to the Hatch Act, which places restrictions on their political activities. Public funds and facilities may not be used, nor may an employee campaign on County time or while representing the County in any way.

6. **Examples of prohibited activities include, but are not limited to**:

   a. Using County stationery, letterhead, postage or copying equipment to prepare and mail campaign literature.

   b. Publishing a statement supporting a candidate in the County newsletter or other departmental newsletters, or including such a statement on or with any utility billing.

   c. Campaigning by County employees on County time.
d. Using County telephones to make calls in support of a candidate at any time.

e. Using County vehicles to attend rallies, drop off mailers at a printer or distribute campaign materials.

f. Holding campaign meetings in any County building or office.

g. Wearing a County uniform or badge while campaigning.

7. **Employment of Relatives:** Employees’ relatives shall not be employed by the County under any of the following circumstances:

   a. Where one of the parties would have authority (or practical power) to supervise, appoint, remove, or discipline the other;

   b. Where one party would be responsible for auditing the work of the other;

   c. Where both parties would report to the same immediate supervisor;

   d. Where other circumstances might lead to potential conflict among the parties or conflict between the interest of one or both parties and the best interests of the County; or

   e. Where one of the parties is a policy level official of the County.

      i. “Relatives” include an employee’s parent, child, spouse, brother, sister, in-laws and step relationships.

   f. If two employees marry, become related or begin sharing living quarters with one another, and in the County’s judgment, the potential problems noted above exist or reasonably could exist, only one of the employees shall be permitted to stay with the County, unless reasonable accommodations, as determined by the Employing Official, can be made to eliminate the potential problem. The decision as to which relative shall remain with the County must be made by the two employees within thirty (30) calendar days of the date they marry, become related, or begin sharing living quarters with each other. If no decision has been made during this time, the County reserves the right to terminate either employee.

8. The use of County facilities for non-county business is prohibited.

**SECTION G WHISTLEBLOWER PROTECTION**

The Washington State Legislature has enacted legislation, referred to as the Whistleblower Act, to protect local government employees who, in accordance with the provisions of the Act, report improper governmental actions. Kitsap County has adopted a policy based on the provisions of the Whistleblower Act. For full details regarding the protections afforded by the County’s Whistleblower policy as well as the procedures to be followed when reporting improper governmental actions, employees should refer to the County Ordinance 151.
SECTION H  ELECTRONIC COMMUNICATIONS POLICY  (see Appendix F)

Kitsap County provides telephones, voice mail systems, e-mail, faxes, and access to the Internet for internal and external business communication purposes. Kitsap County’s electronic communications are for official business and are not to be used for employee personal gain or to support or advocate for non-County related business. The County reserves the right to monitor the use and content of electronic communications. Electronic communications are not private or confidential.

SECTION I  KITSAP COUNTY DRUG FREE WORKPLACE POLICY  (see Appendix E)

Kitsap County Government is obligated and committed to providing its employees and the citizens of Kitsap County with an alcohol and drug-free, healthful, safe, and efficient workplace. The Kitsap County Board of Commissioners has implemented a Drug-Free Workplace Policy.

SECTION J  PREVENTION OF WORKPLACE VIOLENCE POLICY  (see Appendix P)

Kitsap County is committed to protecting the safety of its employees and shall not tolerate acts or threats of violence which involve or affect its officers or employees. The Kitsap County Board of Commissioners has implemented a Prevention of Workplace Violence Policy.

SECTION K  TRAVEL POLICY  (see Appendix M)

The Kitsap County Board of Commissioners has adopted a policy for the reimbursement of expenditures incurred by employee while conducting business on behalf of Kitsap County.

SECTION L  SOCIAL MEDIA USE POLICY  (see Appendix X)

The Kitsap County Board of County Commissioners have adopted a policy for the use of Social Media. The policy applies to Kitsap County employees and contractors who create or contribute to social networks, blogs,wikis, or any other kind of social medium on and off the kitsap.gov domain for work purposes. Employees and contractors using social media are subject to County policies, standards, and procedures including but not limited to non-discrimination, personal use of County resources, public records retention and disclosure, electronic communications privacy and confidentiality, campaign activities and conduct unbecoming a County employee.  (Effective 8/22/11)

SECTION M  EXPECTATION OF PRIVACY

Although Kitsap County maintains a high degree of respect for the personal privacy of its employees, each employee should be aware that the following guidelines may affect their privacy in the workplace. The communication systems, as well as the equipment, data, messages, and files stored, are and remain at all times the property of the County. The County thus has the right to monitor their use.
The County reserves the right to review, audit, intercept, access and disclose all messages created, received or sent over the email system for any purpose. At any time and without prior notice, Kitsap County’s management reserves the right to examine any and all types of electronic communication methods provided by Kitsap County, including but not limited to email, personal file directories, and other information stored on its computers. Internet messages are public communication and are not private. All communications, including text and images, may be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver.

No employee should consider his or her messages or files to be private or confidential. It should be noted that even if a message is erased, it is still possible to retrieve and read that message. The use of passwords for security does not guarantee confidentiality. It is also possible for messages to be retrieved and viewed by someone other than the intended recipient. Aside from performance of normal job duties, employees are not permitted to modify, copy, remove, or destroy any County equipment, data, or files, unless specifically authorized or directed by the Information Technology Director or department Director.

PERSONAL USE

Equipment provided to employees by Kitsap County is County property and is provided for County business purposes. County property includes, but is not limited to, computers, phones, and office equipment (e.g., copiers, faxes, etc.), offices, lockers, desks, cars, and cell phones. Kitsap County employees should have no expectation of privacy in regards to County owned property. The County reserves the right to monitor and/or search the workplace with reasonable suspicion of workplace policy violation.

Email and Internet access through Kitsap County’s network are also provided for business purposes. Limited personal use is permitted; however, it must not interfere with County operations or with the individual employee’s job responsibilities, nor should it cause any harm or embarrassment to Kitsap County or its employees. Sending chain emails is strongly discouraged. Furthermore, personal use is subject to the appropriate use guidelines above.
CHAPTER 11 - WORKING CONDITIONS

This chapter covers work week definitions and special pay provisions for Kitsap County employees.

SECTION A WORK WEEK

1. The work week, unless otherwise agreed upon in writing by the Employing Official and the employee, begins on a Monday and ends on a Sunday.

2. The department has the ability to redefine the work week within the parameters of the Fair Labor Standards Act.

SECTION B WORK SCHEDULE

1. Effective January 1, 2002: The department may adjust an employee’s normal work schedule provided that the total scheduled work hours do not exceed 40 hours per week.

2. The department may accommodate the desires of the employees with respect to the assignment of shift and days off.

3. Office hours are determined by the Board of County Commissioners. Rest periods and meal breaks shall be coordinated so as to provide continuous service to the public during such office hours.

4. Flex hours, job sharing, or other alternative work arrangements may be made by mutual written agreement between the Employing Official and the affected employee.

SECTION C ATTENDANCE AND ABSENTEEISM

1. Punctuality and consistent attendance is an essential function of employment with the County. Tardiness and absenteeism cause low morale and reduces productivity. Tardiness and absenteeism may result in termination depending on the frequency and duration of the absence. Absences covered by Federal and State leave and disability laws shall not be counted in evaluating absenteeism. Accrued sick leave is a protection against risk and should be considered disability insurance designed to give an employee financial protection due to an extended illness.

2. Absenteeism: Absenteeism is the absence from work during a scheduled shift including failure to report to work, failure to report to work on time, leaving work before the end of the shift or absences from the work area during the day.
3. Degrees of Absenteeism:
   
   a. Occasional Absences: Absences that occur infrequently and are of a short duration.
   
   b. Excessive Absenteeism: Absences that occur frequently for valid or invalid reasons. Use of sick leave twelve (12) or more days per year and/or occurring in an established pattern such as the day before or after days off, holidays, scheduled annual leave, or weekends. Such absences may be grounds for disciplinary action including termination.
   
   c. Chronic Absenteeism: Absences that occur repeatedly for valid or invalid reasons. Use of sick leave of eighteen (18) or more days per year. Such absences may be grounds for disciplinary action.
   
   d. Controlling Absenteeism: Supervisors and Managers should enforce consistent and fair attendance/absenteeism standards within their work groups.
   
4. It is recognized that the nature of each position’s requirements need to be evaluated in determining these standards.
   
5. The Employing Official shall maintain and monitor records of absenteeism for all employees in the work unit.
   
SECTION D  AUTHORIZED ABSENCES

An authorized absence requires the employee to comply with all the reporting requirements specified in this Manual.

SECTION E  UNAUTHORIZED ABSENCES

1. If invalid reasons are given for an absence or an employee fails to personally notify the supervisor or designee of the reason for not reporting to work prior to or at the beginning of the work shift as established by the Employing Official, or if the employee leaves work during his/her shift without permission from a supervisor, the employee shall not be compensated for the absence. Such absences may be grounds for disciplinary action. An Employing Official may establish different notification standards for various work units.

2. Three consecutive work days of unauthorized, unjustified absence shall constitute job abandonment and the employee shall be terminated. Termination for job abandonment is not grievable.
SECTION F  REST PERIODS/BREAKS

The department shall provide each employee with a fifteen (15) minute paid rest break during the first four (4) hour period of the work day, and a second fifteen (15) minute paid rest break during the second four (4) hour period of the work day.

SECTION G  MEAL PERIODS

Employees scheduled to work 8 hours per day: The department shall provide each employee with an unpaid thirty (30) minute period for a meal between the third (3rd) and fifth (5th) hour of each shift.

SECTION H  ALTERNATIVE WORK SCHEDULES

Kitsap County recognizes that there are circumstances where alternative working arrangements can be of a benefit to both Kitsap County and the employee. Alternative work schedules may result in increased services to the public; it may increase employee morale and productivity, reduce commuter trips and eliminate work space congestion in County buildings.

1. Alternative work schedules are subject to the discretion of the Employing Official and shall be agreed upon, in writing, by the requesting employee and the Employing Official, or their designee. Alternative work schedules may include:

2. Flexible Work Schedule: Flexible work schedules are alternative work schedules with agreed upon work hours with different starting and quitting times for employees other than the standard work day.

3. Compressed Work Schedule: A compressed work schedule is an alternative work schedule that permits employees to increase the length of each work day so as to provide one day off every one or two weeks. (Examples include a 4/10 whereby the 40 hours in one-week period are scheduled in four 10-hour working days. Or, 9/80 whereby the 80 hours in a bi-weekly pay period are scheduled over nine working days.)

4. Telecommute Work Schedule: The use of telephones, computers, or similar technology to permit an employee to work from home, or alternative work location for one or more days per scheduled work week. (Refer to Appendix K)

SECTION I  JOB SHARING POLICY

Upon agreement by the Employing Official and the employee, a job-sharing arrangement may be established. All rights, terms and conditions of the job sharing agreement shall be in writing and agreed upon by the Employing Official and the employee.
SECTION J  EMERGENCY COUNTY FACILITY CLOSURE
(see Appendix D)

In the event of an official closure of county facilities and/or late opening due to severe weather conditions or other extraordinary events (earthquake, power outage, pandemic events, etc.), the closure or late opening shall be announced on the Kitsap County telephone information line on courthouse closure, specified radio stations and television channels, kitsapgov.com, and through the Kitsap Electronic Notification System for electronic alerts.

SECTION K  WORK/LIFE POLICIES AND PROGRAMS (see Appendix Q)

Kitsap County has developed Work/Life policies and programs with the knowledge that there is a direct connection between an employee’s personal and work responsibilities. Offering employees these opportunities assists them in balancing both their personal and work life, resulting in enhanced work performance and higher quality service to our community. Kitsap County government supports the concept that stronger employees create stronger families, and a healthier community.
CHAPTER 12 - DISCIPLINE AND TERMINATION

SECTION A DISCIPLINE

1. Employees shall accept personal responsibility for maintaining high standards of conduct and job performance, including adherence to rules, standards, and policies. Rules, standards, and policies are needed to help everyone get the job done efficiently, safely, and effectively. Disciplinary action may be required to enforce established rules, standards, and policies. The purpose of discipline is to provide the employee with information and guidance needed to make the required improvements to continue their employment with the County.

2. Employing Officials will consult with the Human Resources Department or the Civil Division of the Prosecutor’s Office for assistance and to maintain consistency in the discipline process throughout the County.

SECTION B CAUSES FOR DISCIPLINARY ACTION

The following is a non-exclusive list provided for illustration of "cause" for disciplinary action:

1. Failure to meet the requirements set forth in the job classification or failure to meet reasonable work performance standards.

2. **Neglect of Duty or Dereliction of Duty**: Engaging in any activity or personal business which causes the employee to neglect or be inattentive to his/her job responsibilities.

3. **Conduct Unbecoming a County Employee**:
   a. Discourteous treatment or offensive conduct toward the public or fellow employees.
   b. The use of indecent, obscene, coarse, vulgar or offensive language, including but not limited to racist or sexist slurs, directed toward or in the presence of the public or fellow employees.

4. Assault or threat directed toward the public or fellow employees.

5. Misuse or abuse of power when dealing with members of the public for personal gain.

6. Unauthorized Use of County Time, Property or Equipment.

7. Deliberately destroying, damaging or defacing County property or records.

8. Misappropriation or theft or the improper use of County property, funds or services; or the property/funds of co-workers in the workplace.

9. **Bribery**: Making a bribe, accepting a bribe, or soliciting a bribe in the course of County business.
10. **False Statements**: False or fraudulent statements or fraudulent conduct by an employee or such actions by others with his/her collusion. Falsifying records or reports.

11. **Violation of laws, regulations, ordinances, policies or rules**: Violation of State, County, or Departmental work rules, policies, safety rules or regulations.

12. **Solicitation of Illegal Acts**: The attempt to induce an officer or employee of the County to commit an illegal act or violate any lawful and reasonable departmental regulation.

13. **The Commission of a Crime**: Any felony or misdemeanor crime whether committed at or away from the workplace or during or outside of working hours, that is or may be work related which may impair the employee’s ability to perform his/her duties, or which is so disruptive to the work relationship between the County and the employee or the employee and their coworkers that the Employing Official feels compelled to terminate the employee rather than tolerate the disruptions and inefficiencies that continued employment may cause.

14. **Insubordination**: Disobedience, unwilling to submit to established authority, the refusal to perform assigned work unless such performance would constitute a safety hazard or illegal act.

15. **Absences Without Authorization**: Failure to report for work, failure to give actual reasons for an absence, leaving work during shift without permission, or failure to return to work upon the expiration of a vacation or authorized leave.

16. Chronic tardiness or excessive absenteeism.

**SECTION C PROGRESSIVE DISCIPLINE**

The following is a list of disciplinary actions in order of increasing severity. It is not intended to be an all-inclusive list, nor is there any intent that discipline necessarily starts at the lowest level and be sequential. The level and sequence of discipline should be commensurate with the problem.

1. **Oral Warning**: Inappropriate conduct or performance may initially be brought to the attention of the employee by oral discussion or reprimand. The Employing Official is to take reasonable precaution not to embarrass the employee before other employees or the public. The Employing Official is encouraged to keep a record of the date and subject of oral warnings. An oral warning is not subject to the notice and hearing requirement set forth below or the grievance procedure set forth in Chapter 13.

2. **Written Reprimand**: When inappropriate conduct or performance is continual, or when in the judgment of the Employing Official the severity of such conduct or performance warrants it, a written reprimand may be issued to an employee. A copy of the written reprimand shall be kept in the employee’s confidential file in the Human Resources Department. The employee may be issued a document outlining areas of improvement that are required with a designated time frame. The employee’s supervisor will closely monitor the employee’s work performance and/or work behavior which may require frequent performance evaluations. A written reprimand is not subject to the notice and hearing requirement set forth below or the grievance procedure set forth in Chapter 13.
3. **Suspension Without Pay**: The Employing Official may remove an employee from work without pay for a specific period of time for continuing inappropriate conduct or performance or any one severe offense.

   a. Employees who are exempt from the overtime laws are not subject to unpaid disciplinary suspensions except in increments of full work weeks unless the infraction leading to the suspension is for a violation of a safety rule of major significance.

4. **Forfeiture of Leave**: The Employing Official may charge an employee annual leave, in lieu of suspension without pay. In the event that an employee does not have enough annual leave available, an employee may forfeit sick leave.

5. **Demotion**: The Employing Official may demote an employee to a classification which has a lower salary range.

6. **Termination**: The Employing Official may terminate an employee for cause. Termination is the involuntary end of the employment relationship for cause. Instances which warrant termination without prior written notice or suspension may include, but are not limited to, conduct such as insubordination, assault, theft, dishonesty, being under the influence of alcohol or drugs, and illegal or destructive acts on the job.

   a. Terminated employees shall be paid all accrued annual leave and compensatory time.

### SECTION D DISCIPLINARY PROCESS

1. **Administrative Leave**: An Employing Official, or their designee, may place an employee on leave with pay pending the resolution of an administrative investigation, a investigation for alleged misconduct, a pre-disciplinary/pre-termination hearing or for business necessity. An employee placed on administrative leave shall be advised, in writing, of the reason for the leave.

2. **Hearing Required**: An Employing Official provides and arranges for a pre-disciplinary or pre-termination hearing prior to the imposition of a disciplinary action that may result in suspension without pay, demotion, forfeiture of leave, or discharge.

3. **Notice**: Notice of the hearing described above shall be initiated by the Employing Official by providing the employee with a written notice. The notice informs the employee of:

   a. The reasons for the disciplinary action or possible termination, including any specific policies and procedures which have been violated.

   b. A summary of the previous incidents or disciplinary actions, if applicable.

   c. The date, time, location of the hearing.

   d. The opportunity to respond to the reason discipline is being considered at the pre-disciplinary hearing.
4. **Pre-Disciplinary or Pre-Termination Hearing:** The hearing is informal. The purpose of the hearing is to allow the employee to present information which would assist the Employing Official in reaching a final determination.

5. **Final Disciplinary Action:** As a result of the pre-disciplinary or pre-termination hearing, the Employing Official shall issue a determination within a reasonable period of time and include the following:

   a. The discipline imposed, if applicable.

   b. The effective date and duration of the discipline imposed, if applicable.

   c. The required corrective action by the employee, if applicable.

6. **Placement in Personnel File:** It is recommended the employee acknowledge the disciplinary action by signature on the final notice of the disciplinary action. If the employee refuses to acknowledge the final disciplinary action notice, the Employing Official may fulfill this obligation by securing the signature of a witness. The disciplinary action notice is forwarded to the Human Resources Department for placement in the official Personnel file.
CHAPTER 13 - GRIEVANCE PROCEDURE

SECTION A PURPOSE

The purpose of this procedure is to provide an orderly method for resolving grievances. The employee must make a determined effort to settle any such differences at the lowest possible level in the grievance procedure.

SECTION B GRIEVANCE DEFINED

A grievance is a dispute or disagreement arising between the employee and the County in regard to the interpretation or application of County rules, policies, and procedures. Specifically excluded from further recourse to the grievance procedure are grievances that have been processed and decided and grievances not presented within the time limits established. Oral warnings, written reprimands, transfers, and job abandonment are not grievable.

SECTION C WHO MAY GRIEVE

Any employee who believes he/she has a grievable dispute as defined above which directly affects the employee has the right to file a grievance. Probationary employees do not have the right to grieve dismissal or the imposition of continued probation.

SECTION D TIME LIMITS

In order to maintain good employee relations and employee morale, it is important that grievances be handled promptly and fairly. If an employee fails to submit a grievance within the time schedule in the steps below, the employee waives his/her right to grieve. If the Employing Official fails to respond within the time limits established in the steps below, the next step in the grievance process shall apply. If mutually agreed upon, the time limits established in the steps below and any individual step in the grievance procedure may be waived. Where time limits are expressed in working days, “working days” means Monday through Friday, excluding holidays.

Note: The Employing Official should work with the Human Resources Department at Step 1 and Step 2 of the Grievance Procedure.

SECTION E PROCEDURE

Step 1 - Oral Discussion: Within 10 working days of the occurrence which gave rise to the grievance, or within 10 working days after the employee becomes aware of the situation giving rise to the grievance, the employee is required to discuss the grievance with his or her immediate supervisor. The immediate
supervisor shall notify the employee of his/her decision within 10 working days after the discussion with
the employee, or the grievance shall be deemed denied. The employee may elect to bypass step one, and
proceed directly to step two within 10 working days.

Step 2 - Written Grievance: If the employee believes the matter has not been settled or cannot be adjusted
to his/her satisfaction by the immediate supervisor, the employee is required to present his/her grievance
in writing to his/her Employing Official within ten (10) working days after the receipt of the response or
expiration of the time frame for response or if the employee elects to bypass step one. The written

grievance is to include the following:

a. The facts upon which the grievance is based.
b. Reference to the rules, policies, or procedures alleged to have been violated.
c. The remedy sought.

Upon receipt of the grievance, the Employing Official shall review the grievance along with all
documents and evidence provided, and may if deemed appropriate meet with the employee and
supervisor. The Employing Official shall provide a written response within ten (10) working days of
receipt of the employee's written grievance.

Step 3 - County Administrator: If the employee believes the matter has not been settled or adjusted to
his/her satisfaction by the Employing Official, the employee may grieve the matter to the County
Administrator. Provided, however, that in no case shall the County Administrator hear non-wage related
grievances brought by employees in Elected Official departments. The employee is required to submit a
written grievance to the County Administrator within ten (10) working days of the written response of the
Employing Official. The County Administrator shall set a mutually agreed upon date for the hearing
preferably within 15 working days of receipt of the grievance. The County Administrator shall hear the
grievance and receive all documentation submitted during the grievance process from both parties. In
addition, either party may submit oral or written evidence limited to the subject matter of the grievance as
originally filed. The County Administrator shall issue a written decision within ten (10) working days of
the hearing.

The County Administrator may appoint a hearing examiner to hear the grievance and render a decision on
his/her behalf.
CHAPTER 14 - TERMINATION FROM EMPLOYMENT

SECTION A RESIGNATION

Employees may voluntarily terminate their employment at any time. To resign in good standing, a regular employee shall give the employer at least two weeks notice of termination, and give notice of resignation in writing. Management and professional staff are requested to give 30 days notice. Regular employees who terminate without two weeks notice forfeit up to ten (10) days of accrued annual leave, unless the two weeks notice requirement is waived by the Employing Official.

SECTION B RETIREMENT – REGULAR or DISABILITY

Kitsap County employees are member of the Public Employees Retirement System (PERS) and the Washington State Department of Retirement Systems (DRS). Employees eligible to retire must file an application with the State. The application should be submitted at least 30 days prior to retirement date. Retiring employees and eligible dependents may have access to health coverage through COBRA or retiree plans. Contact Human Resources for more information.

SECTION C REDUCTION IN FORCE - LAYOFF

1. The employing department may declare a layoff in the event that a reduction in force is necessary due to lack of work, lack of funds or reorganization.
   
a. Procedure:
      
i. No regular employee shall be laid off while another person in the same classification within the department is employed in a probationary or extra-help status.
      
ii. In determining who, in an affected classification, is to be laid off, consideration is to be given to ability, special skills and seniority. When ability and special skills are substantially equal, seniority shall be the determining factor. Seniority, as used within lay off procedures, shall be defined as seniority within the affected classification. Ability shall be determined by the use of the employee’s performance evaluations within the last two years within the affected classification. Ability between affected employees shall be considered “substantially equal” if employees receive a satisfactory rating (3.0) and there is a one-half (1/2) rating point (or less) difference between two or more employees as measured by current performance evaluation system. Employees laid off shall be given two weeks notice in writing, or at the option of the Employing Official, two weeks severance pay.
      
iii. Laid off employees are eligible for recall or re-employment for a period of one year from their effective date of layoff.
2. **Recall Within Department of Layoff:**
   
a. When the County rehires in a department after a layoff has occurred, the County shall first attempt to rehire those employees who were laid off from the affected classification within the department in the reverse order of layoff. Laid off employees shall also be considered, if available for work, for positions at the same pay range or lower classifications. Laid off employees must meet the minimum qualifications for the position to be considered for recall.
   
b. Recalled employees shall return with credit for seniority at time of layoff.
   
c. Notification of recall shall be by registered mail and employee response is required within ten days of notification.
   
d. Laid off employees shall be eligible for recall for 12 months following the effective date of layoff.

3. **Re-Employment in Other Departments:**
   
a. Laid off employees may request to be considered for reemployment in other County Departments for positions at the same pay range or lower classifications. The laid off employee must meet the minimum qualifications for the position to be considered for reemployment.
   
b. Reemployed employees shall return with credit for seniority at time of layoff.
   
c. Laid off employees are required to complete a layoff form identifying positions they are potentially qualified for and to submit the form to the Human Resources Department.
   
d. Laid off employees shall be eligible for consideration for reemployment in other departments for 12 months following the effective date of layoff.
   
e. Re-employment in other departments is at the discretion of the Employing Official.

SECTION E  INVOLUNTARY TERMINATION OF EMPLOYMENT RELATIONSHIP

Employees may be involuntarily terminated. A Pre-Termination Hearing is required (see Chapter 12).

SECTION F  RETURN OF COUNTY PROPERTY

All employees terminating employment with the County whether by resignation, retirement, discharge, or layoff are required to turn in all County property to their supervisor on their last day worked or on a day mutually agreed upon with the supervisor.

SECTION G  FINAL PAYCHECK

The employee shall receive in their final paycheck, if applicable, pay for wages due, accrued and unused annual or general leave, unused floating holiday, accrued compensatory time earned, prorated longevity bonus, etc.. If an employee received an overpayment of wages and/or benefit contributions in a previous paycheck in error or the employee owes monies for any reason, the Kitsap County Auditor will provide, in writing to the employee,
notification of the overpayment and payment requirements pursuant to Washington State Law (RCW 49.48.200 and 49.48.210).

SECTION H INQUIRIES REGARDING CURRENT AND/OR SEPARATED EMPLOYEES

Verifications of employment must be referred to the Human Resources Department. Departments are asked not to complete forms prior to contacting the Human Resources Department. The County shall only verify an employee’s name, job title, salary, and employment dates, unless authorized in writing by the employee or required by federal law, state law, or a court order.

SECTION I UNEMPLOYMENT CLAIMS

1. There are very restrictive time limitations for responding to claims from any State Employment Security office. In order to guarantee that information is processed quickly and accurately, departments must immediately submit the information requested to the Human Resources Department.

2. Kitsap County is a self-insured employer and a lack of response may cause unnecessary expenditures.
CHAPTER 15 - RECORDS AND REPORTS

SECTION A PERSONNEL RECORDS AND FILES

The Human Resources Department shall establish and maintain a personnel records system, which are the County’s official records for each employee. Reporting procedures and forms are established by the Director. Information compiled and retained in the central personnel file consists of records and reports deemed pertinent which shall include, but is not limited to:

1. **Personal Data:** Legal name, mailing address, telephone number, date of birth; copies of Social Security Card, driver’s licenses (if required), certifications (if required); emergency contact information.

2. **Basic Employment Information:** Job title, department assignment, employees application, pay grade and step, dates of employment, benefit selection forms, retirement information.

3. **Personnel Actions:** Reports of personnel actions shall be reported to the Human Resources Department in writing in the manner, time, form and method as determined by the Director. Examples of personnel actions are:
   a. Appointments
   b. Transfers
   c. Promotions
   d. Demotions
   e. Resignations
   f. Dismissals
   g. Disciplinary actions
   h. Performance evaluations and other reports of work performance
   i. Commendations and Awards
   j. Leaves of absences
   k. Changes of pay grades and/or pay steps
   l. Temporary or permanent changes in an employee’s status
   m. Training records (optional)
   n. Employment history and other such records and reports as deemed pertinent

4. **Other Information:** Authorization to release information, and verifications of employment.

SECTION B CONFIDENTIALITY AND PUBLIC DISCLOSURE

1. Each employee’s personnel records will be kept confidential to the maximum extent permitted by law, and will not be open to inspection by any person other than the employee, the employee’s supervisor, Employing Official or designee and the Human Resources staff, unless the written
2. Although personnel files are considered confidential, the County may be obligated to release certain personnel information to labor organizations or to other entities or individuals making a valid request under state or federal law, (e.g., Washington State’s Public Disclosure Act--Chapter 42.17 RCW). Except for routine verifications of employment, no information from an employee’s central personnel file is released to the public, including the press, without a written request for specific information. The decision to release or not release information is made by the Director.

3. Other personnel records and files that are specifically exempt from public disclosure by statute, such as test questions, scoring keys and other materials used in the preparation and administration of employment examinations, addresses, telephone numbers, social security numbers, names of dependents, resumes, or applications for employment, shall generally be considered confidential and shall not be subject to public disclosure unless specifically designated as subject to public disclosure by the Director, or by law. Any employee who fails to maintain the confidentiality of personnel records and files shall be subject to disciplinary action.

4. Medical and financial information relating to employees shall be maintained in a restricted-access file separate from the employee’s personnel file.

SECTION C EMPLOYEE ACCESS TO PERSONNEL FILES

1. Each employee may review the contents of his/her own central personnel file. Requests for inspection of personnel files are made to the Human Resources Department. An authorized staff member shall set aside a time and place for the employee to review the file during normal and customary office hours.

2. Central personnel files are not to be removed from the Human Resources Department without prior specific approval from the Director.

SECTION D CHALLENGES TO THE PROPRIETY OF DOCUMENTS IN PERSONNEL FILES

An employee may challenge the propriety of any document in the personnel file. If, after discussion, the County retains the material in the file, the employee shall have the right to insert contrary documentation into the file. If the affected employee believes that a deficiency has been corrected by later action, he/she may request in writing to have a review of this action included in the file.

SECTION E DEPARTMENTAL WORKING FILES

Departments may create and maintain working files for the convenience of the department. Department working files are not a part of and may not substitute for the employee’s central personnel file.
KITSAP COUNTY ANNUAL LEAVE DONATION PLAN

PURPOSE

The purpose of the County's Annual Leave Donation Plan is to permit County employees to donate annual or general leave to eligible employees who would otherwise be in an unpaid status in excess of five (5) consecutive working days due to a catastrophic medical condition, illness, injury or impairment.

ANNUAL LEAVE DONATION PLAN

A. Overview of Plan

1. Donations are for specific designated persons and shall not be for a general pool.

2. All donations will be credited on an “as-needed” basis each pay period and only after the eligible employee has exhausted all paid leave.

3. All donations are non-refundable.

4. Donated annual leave hours are excluded from the annual leave payoff provisions contained in the Kitsap County Personnel Manual and relevant provisions of collective bargaining agreements.

5. For the purposes of this Plan, annual leave shall include general leave.

6. Annual leave donations are strictly voluntary. Employees are prohibited from offering and receiving monetary and any other forms of compensation in exchange for donating annual leave hours.

7. A donating employee donates annual leave at his/her hourly rate of compensation, and the receiving employee is credited with annual leave at his/her hourly rate of compensation.

8. Annual leave transferred under this section may be transferred from employees of one office, department, or fund, to an employee of the same or a different office, department or fund, with the approval of the affected elected official and/or department head(s). Annual leave will first be transferred from co-workers within the requesting employee’s department or office, and then, with approval, transferred from other departments/offices.
9. Annual leave transferred to and used by a receiving employee is compensation earnable for the receiving employee to the extent authorized by Chapter 41.40 RCW.

10. Nothing set forth in the plan shall constitute a promise or guarantee, and any policy outlined herein shall be subject to any subsequent decision by the Board of County Commissioners.

11. Any use of Donated Leave will be counted towards an employee’s Family and Medical Leave Act (FMLA) entitlement, if applicable.

12. As with all leave abuse, misuse and falsification of facts, any abuse, misuse or falsification of facts regarding Donated Leave may be grounds for disciplinary action, up to and including termination.

B. Definitions

1. Catastrophic medical condition, illness, injury or impairment means a physician-certified, death-eminent case or a medical condition, illness, injury which is of an extraordinary or severe nature and which has caused, or is likely to cause, the employee to:

   (a) Go on leave of absence without pay in excess of five (5) consecutive working days; or

   (b) Otherwise be required to terminate County employment due solely to the absence of any paid leave.

2. Immediate family for these purposes means the employee’s spouse, child (including foster child and stepchild), and/or parent.

C. Eligibility Requirements to Receive Donated Annual Leave

To be eligible for receipt of donated leave, the following requirements must be satisfied:

1. (a) The employee must suffer from or has an immediate family member who suffers from a catastrophic medical condition, illness, injury, or impairment which is of an extraordinary or severe nature, and which has caused or is likely to cause the employee to go on leave without pay status in excess of five (5) consecutive working days; or
Appendix B

(b) The employee must suffer from or has an immediate family member who suffers from an illness or injury resulting from a pregnancy with complications or child birth with complications.

2. The employee has successfully completed six months of employment with the County. The Employing Official may approve a request for donated leave from an employee with less than six months of service on a case-by-case basis, provided all other criteria of the policy are met. In these circumstances, the employee is deemed eligible to use his/her own annual leave for qualifying purposes, prior to accepting and using donated annual leave.

3. The employee has depleted his/her total of accrued annual, sick, compensatory time, holiday and/or other paid leave and is not able to return to work.

4. The employee has an acceptable history of leave use.

5. The employee is not eligible for workers’ compensation benefits under Chapter 51.32 RCW.

6. The employee may not carry over accrued and unused annual leave hours in excess of three hundred and sixty (360) hours from one calendar year to the next.

D. Eligibility Requirements to Donate Annual Leave

1. The donating employee must be a regular employee or benefit-eligible extra-help employee.

2. The donor must retain forty (40) hours of annual leave on the books after the time of donation.

E. Procedures

1. Upon exhaustion of all other available accrued benefits, the employee (or the employee’s guardian or legal representative in the event the employee is incapacitated or otherwise physically incapable of making the request for the leave) will submit a completed “Request for Donated Annual Leave Form” to his/her immediate supervisor.

2. The immediate supervisor will complete the department verification process, certifying that the employee meets the eligibility requirements for accepting donated leave. After completing the departmental verification process, the supervisor will forward the form to the
Appendix B

Personnel Division of the Department of Personnel & Human Services for review and completion.

3. The Personnel Division of the Department of Personnel & Human Services will verify that the employee meets the medical eligibility requirements for accepting donated leave. After completing the verification process, the Personnel Division will forward the request to the employee’s Employing Official.

4. Upon receipt of the Request Form, the Employing Official will approve or deny the employee’s request to receive donated leave. The Employing Official will have the discretion to approve or deny the donation of annual leave. The Employing Official may approve the employee’s receipt of donated leave within the employee’s own fund, department and/or Countywide. The Employing Official’s decision to approve, deny and/or limit the source of leave shall not be grievable.

5. Once an employee’s request to receive donated annual leave is approved, a designee of the employing department will post the completed “Request for Annual Leave Donation” Form.

6. Employees desiring to donate annual leave must submit a completed “Request to Donate Annual Leave” Form to their department head or elected official.

7. Donations of annual leave must be in one (1) hour increments.

8. The final completed form, signifying a request was approved or denied will be sent to the Personnel Division for retention.

9. The Director of Personnel & Human Services or designee will devise and make available to employees the forms detailed in this Plan.
Appendix C

AT-WILL EMPLOYEE

Definition
An employee whose continued employment with the County is at the discretion of the County Administrator, Elected Official, Board of County Commissioners, or a Department Director. At-will employees may have their appointments revoked at any time with or without cause and without right to appeal.

Application
At-will employment status, for employees within designated classifications, shall be effective upon the date that the Kitsap County Board of Commissioners approves and adopts the revised Personnel Manual. Provided, current employees serving in at-will classifications, who have not previously been designated as an at-will employee, shall maintain their current regular employee status and shall be covered by the Kitsap County Personnel Manual. Provided further that the regular employee status shall apply to the employee only during their continued employment within their current classification.

AT-WILL CLASSIFICATIONS BY OFFICES/DEPARTMENTS

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<tr>
<th>COUNTY COMMISSIONERS</th>
<th>Classifications</th>
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<td>Board of Commissioners</td>
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<td>Clerk of the Board/Assistant to BCC and</td>
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<td>Policy Analyst 3</td>
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<td>Communications and Volunteer Services Coordinator</td>
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<th>Administrative Services</th>
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<td>Purchasing Manager</td>
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<td>Public Defender Division Supervisor</td>
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<td>Public Defender 1 &amp; 2</td>
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<td>Public Defender Investigator</td>
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<td><strong>Community Development</strong></td>
<td>Director</td>
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<tr>
<td>Assistant Director/Building Official</td>
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<td>Fire Marshal</td>
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<td>Manager – Administrative and Permit Services</td>
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<td>Manager- Developmental Engineering</td>
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<td>Manager-Natural Res/Env Review</td>
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<td>Manager- DCD Policy &amp; Planning</td>
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| **Facilities and Information Services** | Director |
| Public Communications Manager |
| Computer & Network Services Manager |
| GIS Manager |
| Application Services & Project Manager |

| **Parks** | Director |
| Parks Superintendent |
| County Forrester |

| **Human Services** | Director |
| Human Services Manager – Aging & Long Term Care |
| Clinical Manager |

| **Human Resources** | Director |
| Human Resources Manager |
| Labor Relations Manager |

| **Public Works** | Director |
| Assistant Director, Public Works Roads |
| Assistant Director, Public Works Utilities |
| Senior Program Managers |
| Solid Waste Program Manager |
| Utility Asset Manager |
| Water Quality Manager |

| **Central Communications** | Director |
| Assistant Director |

| **Emergency Management** | Director |

| **Assessor** | Chief Deputy Assessor |

| **Auditor** | Chief Deputy Auditor |
| Financial Services Manager |
| Administrative Services Manager |
## Appendix C

Elections Manager

### Clerk
- Chief Deputy Clerk
- Court Finance Unit Supervisor
- Courthouse Facilitator

### Coroner
- Senior Deputy Coroner

### District Court
- Court Administrator
- Administrative Assistant

### Prosecutor
- Manager, Prosecutor’s Administrative Services
- All Deputy Prosecutor Classifications

### Sheriff
- Undersheriff
- Superintendent of Corrections
- Inspector
- Chief Civil Deputy
- Chief Criminal Deputy
- Administrative Secretary

### Superior Court
- Superior Court Administrator
- Director, Juvenile Services
- Detention Program Manager
- Court Services Manager - Juvenile
- Administrative Services Manager - Juvenile
- Court Reporter
- Law Clerk
- Administrative Services Supervisor
- Administrative Specialist
- Case Monitor
- Court Calendar Coordinator
- Drug Court Compliance Specialist
- Office Assistant III
- Program Specialist
- Treatment Court Manager

### Treasurer
- Chief Deputy Treasurer
- Investment Officer
Appendix D

POLICY REGARDING INCLEMENT WEATHER AND NATURAL DISASTERS PURPOSE

To establish guidelines for employees on reporting to work in the event of inclement weather, natural disaster and related conditions.

POLICY APPLICATION

Policy applies to all Kitsap County employees, except those who have been identified Emergency Essential. Emergency Essential is defined as employees who are designated by their Employing Officials due to requirements for public safety and health, maintenance and/or protection of critical County facilities, equipment and resources. Specifically excluded are the operations of CENCOM, Coroner, Emergency Management, Facilities Maintenance Division of Information Services Department, Sheriff, Juvenile Detention and Food Services Division of Juvenile Services Department, Public Works Department and Kitsap Recovery Center.

POLICY

County Facilities to Remain Open

1. Regardless of inclement weather, natural disasters, or related conditions, it is the intent of Kitsap County that all County facilities and activities shall be open and in operation to provide services to citizens during established business hours unless an emergency event renders the County facility unsafe or inoperable.

2. Employee(s) unable to report to work will be granted the option of utilizing any earned compensatory time or accrued annual leave. If no earned compensatory time or accrued annual leave is available, the employee shall be on unpaid leave during periods of absence. Sick leave cannot be used for time lost due to inclement weather, natural disaster and related conditions.

3. The Employing Official is responsible to ensure all essential services and operations are being performed and may require temporary re-assignment of duties of those employees who have reported to work or to require employees to report to work to perform reassigned duties.

When Closures Are Required

4. Closure of designated facilities or all County facilities will only be made in response to emergencies relating to natural disaster (including but not limited to fires, earthquakes, landslides, windstorms, snow/ice storms) and related hazards that prevents the opening or continued operations of County facilities and requires the suspension of services therein.

5. In the event of a delayed opening or early closure of County facilities, regular employees who reported to work, as instructed for the delayed opening or were at work when early closure decision was implemented, will be credited for the entire scheduled work day. Regular employees
who were unable to report to work will be granted the option of utilizing any earned compensatory time or accrued annual leave in lieu of receiving leave without pay.

6. In the event that County facilities are required to remain closed for periods in excess of one business day, the affected employing official may assign employees to alternative worksites or implement alternative work arrangements for the affected pay period (e.g. telecommute or flex schedules). Implementation of alternative work schedules must comply with provisions of applicable Collective Bargaining Agreements or Personnel Manual. In County operations where the employing official is unable to establish alternative worksites or implement alternative work arrangements, the employee may utilize earned compensatory time or accrued annual leave in lieu of leave without pay.

7. Announcements of delayed opening and closures will be provided on the County’s Web Site and the inclement weather telephone line (337-5775). Employees are also encouraged to monitor early morning radio reports on KOMO AM 1000 or KIRO AM 710/FM 97.3 to obtain any delayed opening or closure information.
October 2000 Kitsap County Personnel Manual
Drug-Free Workplace Policy (Adopted June 10, 1991)
RESOLUTION NO. 237-1991

KITSAP COUNTY

DRUG-FREE WORKPLACE POLICY

A RESOLUTION OF THE KITSAP COUNTY BOARD
OF COMMISSIONERS ENACTING A DRUG-FREE
WORKPLACE POLICY FOR ALL COUNTY
EMPLOYEES

WHEREAS, Kitsap County is committed to a drug-free working environment in accordance with the Drug-Free Workplace Act of 1988;

THEREFORE, BE IT RESOLVED by the Board of Commissioners of Kitsap County, State of Washington, that the following drug-free workplace policy be enacted:

Section 1. Legislative Findings.

a. County government is obligated to provide the citizens and employees of Kitsap County with an alcohol- and drug-free, healthful, safe and efficient workplace.

b. Kitsap County acknowledges the right of personal privacy that each employee has to choose the type of private lifestyle one sees fit to lead.

c. Kitsap County also recognizes that on- and off-the-job use of alcohol and drugs can adversely effect job performance and the work environment, including posing a hazard to the safety and welfare of the affected employee, other employees or the public. This policy is aimed at both the direct and indirect impact of alcohol and drug abuse.

d. Kitsap County expects its employees to report to work free from drug and/or alcohol impairment and to remain at work in a condition that enables them to perform their job duties in a safe, efficient, legal and professional manner.
e. Kitsap County recognizes that alcohol and drug abuse are conditions that can be successfully treated.

f. Kitsap County recognizes that its employees are its most important resource.

g. Kitsap County encourages any of its employees who may have an alcohol and/or drug abuse problem to voluntarily seek evaluation, professional counseling or other appropriate treatment services certified by the Division of Alcohol and Substance Abuse, Washington State Department of Social and Health Services, that will lead to successful rehabilitation.

h. Kitsap County will provide to its employees a confidential program for alcohol and drug treatment and rehabilitation through the County’s health insurance.

Section 2. Definitions

a. **Alcohol and/or Other Drug Abuse.** A condition in which the use of alcohol and drugs impairs the employee’s job performance.

b. **Controlled Substances.** Those substances whose dissemination is regulated by law including, but not limited to, opiates, narcotics, depressants, stimulants, hallucinogens, cannabis and alcohol. This definition includes both prescription and over-the-counter medications.

c. **Conviction.** An adjudication that includes a verdict of guilty by a jury, a finding of guilt by a judge or acceptance by a judge of a plea of guilty (including a plea of nolo contendere) in either federal or state courts.

d. **Drug.** Any substance which impairs an employee’s ability to perform job duties in any of the following ways: safely, efficiently, legally and/or professionally.

e. **Impairs/Impaired.** Behavior which may limit the employee’s ability to perform job duties in any of the following ways which are commonly expected of all Kitsap County employees:
Appendix E

i. efficiently

ii. safely

iii. legally

iv. professionally

f. **Workplace.** Any structure or portion thereof owned, leased, or rented and operated by or under the authority of Kitsap County, including motor vehicles.

**Section 3. Kitsap County Drug-Free Workplace Policy**

a. **Condition of Employees.** No person employed by Kitsap County shall report to work impaired by alcohol and/or drugs nor shall any Kitsap County employee remain at work while in an impaired condition.

b. **Possession or Use of Controlled Substances.** The possession, use, manufacture, distribution, transfer or offering for sale of controlled substances, including alcoholic beverages, at the workplace is prohibited.

i. **Exception.** The possession and use of medically-prescribed or over-the-counter drugs during working hours is permissible. Employees shall have no obligation to inform their supervisors of such usage unless the prescribed or over-the-counter drug may prevent the employee from performing his or her job safely or effectively. Drugs must be prescribed for the specific use of the employee by a licensed physician.

**Section 4. Penalties.**

Violations of Section 3 above by any employee may result in a referral for mandatory evaluation and satisfactory participation in and completion of the treatment program recommended in the evaluation report for alcohol and/or drug abuse, or may be cause for disciplinary action pursuant to any applicable collective bargaining agreement or county personnel policies, up to and including discharge from employment.
Appendix E

Section 5.  Treatment and Rehabilitation Program

a. **Individuals.** Any employee who may have an alcohol and/or drug abuse problem is expected to voluntarily seek evaluation, professional counseling and appropriate treatment services certified by the Division of Alcohol and Substance Abuse, Washington State Department of Social and Health Services. Any requests for assistance made to the Kitsap County Department of Personnel and Human Services will be treated confidentially. Kitsap County will extend the same consideration and assistance, including insurance and sick leave benefits, to those employees suffering from alcohol and/or drug abuse as is extended to employees having any other condition. The department will provide assistance in locating appropriate agencies to address the problem of alcohol and/or drug abuse.

b. **Supervisors.** Supervisors concerned that an employee may have an alcohol and/or drug abuse problem may confidentially request assistance from their immediate supervisor unless the immediate supervisor is the person of concern. In that instance, employees shall take their concerns to the next highest supervisory level.

c. **No Special Privileges.** This policy will not result in any specific privileges or exemptions being granted, nor will it release any employee from the responsibility of meeting acceptable job performance standards.

Section 6.  Training Program.

Training will be made available to supervisory personnel to enable them to accurately identify employee alcohol and/or drug abuse and to assist those employees in obtaining an evaluation, professional counseling and appropriate certified treatment services that will rehabilitate them.

Section 7.  Alcohol- and Drug-Free Awareness Program

An alcohol- and drug-free awareness program shall be developed to inform employees about:

a. the dangers of alcohol and drug abuse in the workplace;
Appendix E

b. Kitsap County’s policy of maintaining an alcohol- and drug-free workplace;

c. The availability of certified alcohol and drug abuse counseling, rehabilitation and employee assistance programs to combat alcohol and/or drug abuse;

d. The penalties that may be imposed upon employees for alcohol and/or drug abuse violations occurring in the workplace; and

e. The effect of alcohol and/or drug abuse on individuals and families.

Section 8. Federal Contractors or Grant Recipients

a. **Conditions of Employment.** Pursuant to the Drug-Free Workplace Act of 1988, any employee involved with the federal government by working in a program receiving direct federal contracts of $25,000 or more or receiving direct federal grants of any amount is notified that as a condition of employment, the employee shall:

i. Abide with the Kitsap County Drug-Free Workplace Policy; and

ii. Notify the Director of the Kitsap County Department of Personnel and Human Services in writing of any criminal drug statute conviction for a criminal violation occurring in the workplace no later than five (5) days after such conviction.

b. **Elected Officials/Department Head Duties.** Elected officials/department heads who directly receive federal funds as specified in Section 8 of this policy shall be responsible for notifying all department employees that they are subject to the provisions of the federal Drug-Free Workplace Act of 1988 and the related provisions of this policy. The elected official/department head shall also be responsible for ensuring that all department employees read and understand the related provisions of this policy and for providing all new employees, regular, part-time and temporary employees, with a copy of this resolution.
Appendix E

Section 9. Notice of Policy. Each regular, part-time or temporary employee of Kitsap County shall receive a written copy of this Resolution, the Kitsap County Alcohol and Drug Policy.

Section 10. Severability. If any provision of this resolution or its application to any person or circumstance is held invalid or unconstitutional, the remainder of the resolution or its application to other persons or circumstances shall not be affected.

Section 11. Effective Date. This resolution shall take effect immediately on the below indicated date in order to promote the public health and safety and to comply with the federal Drug-Free Workplace Act of 1988.

ADOPTED this 10th day of June, 1991.

BOARD OF COUNTY COMMISSIONERS

KITSAP COUNTY, WASHINGTON

/s/Billie Eder
BILLIE EDER, Chairman

/s/Win Granlund
WIN GRANLUND, Commissioner

/s/John Horsley
JOHN HORSLEY, Commissioner

ATTEST:

/s/Holly Anderson
HOLLY ANDERSON
Clerk of the Board
A RESOLUTION of Kitsap County establishing a policy regarding the use of electronic communications.

WHEREAS, Kitsap County recognizes that electronic communications facilitate the timely and efficient conduct of County business;

WHEREAS, employees, acting in course of County business, represent the County and should act professionally and appropriately when using electronic communications;

WHEREAS, it is necessary to set forth the County’s policy regarding electronic communications; NOW, THEREFORE,

BE IT RESOLVED by the Board of Kitsap County Commissioners that an express policy regarding the use of Kitsap County’s electronic communications is hereby adopted.

ADOPTED by the Board of Kitsap County Commissioners on the 27th day of January, 1997.

KITSAP COUNTY BOARD
OF COMMISSIONERS

/s/Phil Best
PHIL BEST, Chairman

/s/Chris Endresen
CHRIS ENDRESEN, Commissioner

/s/Holly Anderson
HOLLY ANDERSON
Clerk of the Board

/s/Charlotte Garrido
CHARLOTTE GARRIDO, Commissioner
KITSAP COUNTY ELECTRONIC COMMUNICATIONS POLICY

I. Statement of Purpose

The primary purpose of Kitsap County’s electronic communications systems is to facilitate the effective and efficient conduct of County business. This includes encouraging and facilitating the free exchange of business-related communications, ideas, and information between employees, and providing, exchanging, and searching for information for county residents, businesses and other governmental agencies.

This policy applies to anyone using electronic communications systems owned by Kitsap County, and is intended to ensure that the use of electronic communications is consistent with County policies, all applicable laws, and the individual user’s job responsibilities.

II. Definitions.

A. **Electronic Communications.** Electronic communications are defined to include, but are not limited to, telephones, voice mail, facsimile communications, electronic mail systems (e-mail), Internet, Intranet, and electronic media that generates, stores, transmits, receives and/or displays communications over Kitsap County-owned equipment.

B. **Internet.** A worldwide collection of computers, ranging in size from palm organizers, to desktop computers, to the largest mainframes, all connected to one another via telecommunications systems. This web of computers offers information or computer software that can be downloaded onto the user’s computer. The Internet represents global access.

C. **E-mail.** Using a computer and the Internet, a user can compose a message, transmit, deliver it to someone, and have it delivered electronically.

D. **Intranet.** Similar to the Internet in terms of computers and data connection links, and limited to internal/corporate accessibility.

E. **Department Head.** Elected Official or Department Head.

F. **User.** Anyone using electronic communications systems owned by Kitsap County.

G. **Qualified Education Programs (QEP).** Education programs that receive institutional accreditation or specialized accreditation. The accrediting agency must be recognized as such by the U.S. Department of Education, Accrediting Agency Evaluation Branch or the Commission on Recognition of Post-secondary Accreditation (CORPA).

III. Electronic Communications are for Business Use.
Appendix F

Electronic communications are a form of business communication. Except as described in Section VI of this policy, electronic communications may only be used in connection with matters that are reasonably related to County business, and in accordance with business decorum. Electronic communications may not be used for employee private benefit or gain or to support or advocate for non-County related business. The County reserves the right to monitor the use and content of all electronic communications.

IV. Electronic Communications are not private.

Electronic communications are the property of Kitsap County. Electronic communications are not personal or private. Any message sent through voice mail or e-mail can be forwarded on to anyone else on the system. Even after deleting e-mail, it is possible to retrieve and read it. Telephone calls can be tracked; E-mail, Internet and Intranet activity can be tracked and monitored. Many electronic communications constitute public records. The County may monitor, read, use, and disclose electronic communications, user accounts, workstations, and file server space. A user’s use of the County’s electronic communications shall constitute consent to the County’s monitoring, reading, using, and disclosing of any use by a user of the County’s electronic communications system.

V. Electronic Communications Decorum and Content.

Kitsap County is a public agency, and use of the County’s electronic communications systems reflects upon the County. As a result, communications must be in accordance with business decorum, and appropriate to the County’s business setting.

VI. Use of Electronic Communications.

Kitsap County is obligated to conserve and protect County-owned resources for the benefit of the public interests, not private interests. When use of electronic communications furthers Kitsap County governmental operations, then such use does not violate the County’s obligation to conserve and protect County resources.

An employee’s use of electronic communications must be reasonable, responsible, and accountable. County employees may not use electronic communications for private benefit or gain of the employee or other person. This prohibition does not apply to the use of electronic communications to benefit another person as part of the employee’s official duties.

A County employee may make occasional but limited use of County-owned resources only if:

- There is no cost to the County; and
- The use of County resources does not interfere with the performance of the employee’s official duties; and
- The use is brief in duration and does not disrupt or distract from the conduct of County business due to volume or frequency; and
- The use does not compromise the security or integrity of County information or software; and
- The use promotes organizational effectiveness or enhances the job-related skills of a County employee.
- In those rare instances where there are costs, such as long distance phone charges or supply charges, the user shall reimburse the county.
Appendix F

For examples of proper and improper use of electronic communications, refer to WAC 292-110-010.

Unless Information Services and the Department Head approve an exception, access to the Internet is allowed only via the County’s centralized Internet connection. Department Heads determine which sites are appropriate.

Users may not use the e-mail to send a message to “All” (Go to Address Book, Select “All” option) except in the following circumstances:

- Public safety, when immediate notification is needed;
- Health and welfare, when immediate notification is needed;
- Computer, network, or telephone system disruptions; or
- Messages approved by Department Head.

Users may post community and County event announcements on the County’s Intranet. Department Heads approve Intranet and Internet content. Kitsap County may establish links to non-County sites that are non-partisan, non-profit and beneficial to the County.

VII. Misuse of Electronic Communications.

The following are examples of unacceptable uses of electronic communications. The prohibition includes possession, use, transmission, or access to prohibited material. This list is not all-inclusive:

- Aliases - Use of an alias/another employee name while using e-mail, or sending anonymous messages, misrepresenting an employee’s job, job title, job description, or position within the County.
- Audio/Video – Download audio and/or video entertainment not related to County business.
- Confidential or Misinformation - Release of misleading, distorted, untrue, or confidential materials regarding County business, views, or actions.
- Copyright Violations - Use that violates copyright laws.
- Costs Incurred by County - Accessing any site that charges a fee unless pre-authorized in writing. If visited by mistake, do not give out any billing information such as credit card or business telephone. If asked for billing information, cancel out of the screen immediately.
- Discriminatory - Material that is discriminatory towards a gender, race, religion, ethnicity, or disability.
- Games and Entertainment - Entertainment, sports, or games unless related to County business.
- Harassment - Harassing of employees, vendors, customers, members of the public and others.
- Obscenities - Pornographic, profane, or sexually explicit material.
- Political - Use for political purposes, including browsing political websites (those representing a political viewpoint, party, issue, or candidate), or partisan campaigning.
- Purchases – Purchases of personal items. County purchasing policies apply for County business purchases.
- Religious - Religious material or activities.
Appendix F

- Solicitation - Use that promotes monetary or business gain for the employee and/or the employee’s family.
- Software - Download unauthorized software.
- Union Activities – Use for union purposes including communicating with membership.

The Department Head reserves the right to make final determinations as to what is considered acceptable in all cases of Internet use.

VIII. Harassment or Criminal Activity through the Internet.

If you believe that you are or someone else is the victim of harassment or believe that criminal activity is taking place, please follow these procedures:

- Do not delete the message;
- Do not respond to the message; and
- Notify your supervisor, elected official/department head, Personnel Division, or appropriate designee.
- Notify Sheriff's Office.

IX. Employees May Use Electronic Communications for Qualified Education Programs.

Employees may use County electronic communications, hardware, software and peripherals for QEP that enhance their job skills when:

- The supervisor and Department Head pre-authorizes participation;
- The employee uses his or her own paper and supplies;
- It occurs only during times authorized by the Department Head; and
- It does NOT require any additional hardware, software or peripherals

Employees authorized for QEP may have curriculum-related software loaded onto County hardware by Information Services. Loading personal software not related to the QEP is prohibited.

XI. Confidential Electronic Communications.

Certain electronic communications are confidential and may not be accessed, used, or disclosed without authorization of the Department Head. Examples of confidential records appear in the list of public records exempt from public disclosure, at RCW 42.17.310 et seq. Confidentiality may also depend on the nature of the record and the particular policies of the office or department where it is maintained.

Employees may not access, use and disclose confidential information without authorization of the Department Head.

XII. Retaining E-mail for Recordkeeping.
Appendix F

E-mail is primarily a communication system, not a recordkeeping system. E-mail messages may constitute public record material with legally mandated retention requirements, or may be information with no retention value. E-mail messages are public records when they are created or received in the transaction of public business and retained as evidence of official policies, actions, decisions or transactions. E-mail that has valuable informational content may also be a public record. E-mail messages that are public records must be identified, scheduled and retained just like records in other formats.

Public records should be retained in e-mail format only as long as they are being worked on or distributed. To assure appropriate management of public records with assigned retention periods generated or received through an e-mail system, transfer messages to paper, disk, or PC hard drive and file and retain according to the legal retention required for the informational content of each message. For public records with retentions of more than three years, producing a paper copy for filing purposes is recommended to eliminate possible migration problems.

E-mail messages, which are usually public records and must meet state records retention requirements include:

- Policy and Procedure Directives
- Correspondence or memoranda related to official public business
- Agenda and minutes of meetings
- Documents related to legal or audit issues
- Messages which document agency actions, decisions, operations and responsibilities
- Documents that initiate, authorize or complete a business transaction
- Drafts of documents that are circulated for comment or approval
- Final reports or recommendations
- Appointment calendars
  - E-Mail distribution lists
  - Other messages sent or received that relate to the transaction of state government business

Department Heads will set up procedures to identify, print and store voice mail and e-mail messages.

E-mail messages that are usually not public records, and may be destroyed when no longer needed include:

- Personal messages and announcements not related to official business
- Information-only copies, or extracts of documents distributed for reference or convenience, such as announcements or bulletins
- Phone message slips that do not contain information that may constitute a public record
- Copies of published materials
- Extra copies
- Preliminary drafts
- Request for information (but not Public Disclosure Requests)
- Routing slips
- Transmittal memos

The County keeps electronic e-mail backups for three months (effective January 1,
2002). The County keeps Internet access records for one year.

XIII. Disciplinary Action.

If a user violates a provision of this Electronic Communications policy, the user may be subject to one or more of the following disciplinary actions:

- Restriction of electronic communication privileges
- Removal of electronic communication privileges
- Oral Warning
- Written reprimand
- Suspension
- Demotion
- Termination.
KITSAP COUNTY FAMILY AND MEDICAL LEAVE (FMLA) POLICY

ELIGIBILITY

The federal Family and Medical Leave Act (FMLA) provides eligible employees up to twelve (12) work weeks of unpaid job protected leave per 12-month period. In order to be eligible for FMLA, the employee must have:

1. Been employed by the County for twelve months (not necessarily consecutively) AND

2. Have actually worked at least 1,250 hours during the twelve month period immediately preceding the commencement of FMLA leave AND

3. Require leave for any one or more of the reasons listed below.

BASIC LEAVE ENTITLEMENTS

1. The birth of a son or daughter, and to care for a newborn child;

2. The placement with the employee of a son or daughter for adoption or foster care;

3. To care for the employee's spouse, son, daughter, or parent with a serious health condition; and

4. Because of the employee's own serious health condition that makes the employee unable to perform the essential functions of his/her job.

MILITARY FAMILY LEAVE ENTITLEMENTS

Leave for Military Qualifying Exigencies

For a “qualifying exigency” arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member (including those in the Armed Forces, the National Guard, or the Reserves) who is on active duty in, or has been notified of an impending call to, deployment with the Armed Forces to a foreign country. Qualifying exigencies are generally activities related to the active duty or call to duty, including attending certain military events, arranging for alternative childcare, addressing certain financial and/or legal arrangements, attending counseling sessions and attending post-deployment reintegration briefings.

Military Caregiver Leave

An eligible employee may take up to 26 weeks of leave during a single twelve (12) month period to care for an injured service member who is the employee’s spouse, parent, child or next-of-kin. The combined leave total for all purposes described in this policy may not exceed
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26 weeks in the applicable leave year for employees who are eligible for both Military Caregiver leave and other qualifying FMLA leave.

PREGNANCY DISABILITY

When an employee is disabled during pregnancy or following childbirth, she is entitled to unpaid pregnancy disability leave under Washington state law, regardless of FMLA eligibility. She may also be eligible for additional leave under the Washington State Family Leave Act (WFLA). Eligible employees may also be entitled to leave to care for a registered domestic partner under the WFLA. Please see the section on interaction of pregnancy disability leave, WFLA, and FMLA later in this policy.

All FMLA leave will be administered in accordance with the federal statute and FMLA regulations. To the extent particular mandatory FMLA eligibility, certification, or other issue is not specifically addressed in this Policy, Kitsap County will follow the law and regulations.

DEFINITIONS

A. 12 Month Period: Kitsap County calculates the FMLA 12 month period based upon the date the employee’s first FMLA leave begins. For example, if the first FMLA leave started March 1, that employee’s “FMLA year” would be from March 1 through April 30 each year.

B. Child: means a dependent child under 18 years of age, or 18 years of age or older who is incapable of self care because of a mental or physical disability. An employee’s “child” is one for whom the employee has actual day-to-day responsibility, and includes biological, adopted, foster, or step-child.

C. Continuing Treatment: means:

1. Two or more treatments by a health care practitioner on referral from or under the direction of a health care provider; or:

2. A single visit to a health care provider that results in a regimen of continuing treatment, such as treatment for cancer, diabetes, kidney disease, heart disease, stroke, severe respiratory illness, for example. *A regimen of taking over-the-counter medications, bed rest, drinking fluids, exercising, and other similar activities do not constitute a continuing care regimen; or:*

3. In the case of a serious, long-term, or chronic condition or disability that cannot be cured, continuing care can include being under the ongoing supervision of, but not necessarily being actively treated by, a health care provider.

D. Covered Service Member: For the purposes of Military Caregiver Leave, refers to a current member of the Armed Forces, including National Guard or Reserve Members, who has a serious injury or illness incurred or aggravated in the line of active duty that may render the
service member medically unfit to perform his or her duties. The service member may be undergoing medical treatment, in recuperation or therapy, in outpatient status, or on a temporary disability retired list. Covered service members also include veterans who are undergoing medical treatment, recuperation or therapy for serious injuries or illnesses incurred or aggravated in the line of active duty.

E. Health Care Provider: Licensed doctors of medicine or osteopathy, podiatrists, clinical psychologists, clinical social workers, optometrists, chiropractors (only when providing manual manipulation of the spine to treat a serious health condition), nurse midwives, nurse practitioners, health care providers who are listed on any of the County’s group health plans, and registered Christian Science practitioners.

F. Parent: a biological parent or an individual who stands or stood in loco parentis to an employee when the employee was a child. This includes a stepparent who is a same-sex spouse of the employee’s parent. This does not include parents-in-law.

G. Next of Kin (see Leaves for Qualifying Military Exigencies or Military Caregiver): The next of kin of a covered servicemember is the nearest blood relative (other than the servicemember’s spouse, parent, son or daughter) in the following order of priority: blood relatives who have been granted legal custody of the servicemember, siblings, grandparents, aunts and uncles, and first cousins, unless the servicemember has designated in writing a different blood relative for purposes of military caregiver leave.

H. Serious Health Condition: An illness, injury, impairment, or physical or mental condition that:

1. Requires inpatient care

2. Absence plus treatment; Any period of incapacity of three or more consecutive calendar days that also involves:

   a. Two or more treatments by a health care provider; or:

   b. One treatment followed by a regimen of continuing care.

   c. Continuing care by a health care provider for a chronic or long-term health condition that is incurable or which, if left untreated, would likely result in a period of incapacity of more than three consecutive calendar days; or:

   d. Prenatal care by a health care provider, or any period of incapacity due to pregnancy.

G. Spouses (both employed by Kitsap County): Following the birth or placement for adoption or foster care of a child or to care for a sick family member: married employees may take a combined leave limited to twelve work weeks. If either spouse uses FMLA leave for his or her own serious medical condition, each spouse remains eligible for the remainder of the twelve week FMLA leave entitlement, excluding time take to care for a family member or
for the birth/placement of a child. (Note: under the aforementioned circumstances, the County may limit the time off work to one spouse at a time, so both would not be off work at the same time).

**LEAVE RIGHTS AND REQUIREMENTS**

A. Prior to entering into FMLA Leave without pay status, the employee must exhaust all paid leave including compensatory time, floating personal holiday, accrued annual and sick leave. Nothing in this policy requires the County to give the employee more than 12 total workweeks of FMLA leave, including both paid and unpaid leave during the twelve-month period following the date the employee's first FMLA leave begins. **Exception:** employees on leave for work related injuries are not required to exhaust all paid leaves before going in to leave without pay status.

B. An employee must provide the County at least 30 days advance written notice before the FMLA leave is to begin if the need for the leave is foreseeable, such as an expected birth, placement for adoption or foster care, or planned medical treatment for a serious medical condition of the employee or of a qualifying family member. If the need for leave is not foreseeable, notice must be given as soon as practicable. Failure to give proper notice may mean that the FMLA leave may be denied or delayed.

C. If leave is taken for a FMLA qualifying reason about which the County was unaware, and the employee desires that the leave be counted as FMLA leave, then the employee must notify the County within two business days after returning to work. If an employee does not provide the County with notice and certification of an FMLA-qualifying reason for the leave within fifteen (15) calendar days, the leave may be denied or the employee may not subsequently assert FMLA protections for the absence.

D. Even if the employee and/or his/her family members experience an FMLA qualifying event, for which the employee requires leave, the employee has the option of declining to designate their leave as qualifying FMLA leave. The employee may affirmatively decline to use FMLA leave, even if the underlying reason for seeking the leave would have invoked FMLA protection. The employee must affirmatively decline to use FMLA leave in writing, either by so designating on the Leave Request Form or providing a written statement declining to designate leave as FMLA.

E. While on FMLA leave, the employee is entitled to the same health, dental and vision benefits that the employee would have had if the employee had not been on leave.

1. For the duration of the FMLA Leave, the County will continue to pay the employer contributions for any health, dental, basic life, vision and disability insurance at the identical level that the employee received prior to going on FMLA. The employee is responsible for paying the employee share of the contributions. If the employee is using accrued balances and is in full paid status, the employee portion of contributions will be deducted from the employee’s paycheck like usual. If the employee is in leave without pay status, the employee must remit payment for the employee share of
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contributions timely. County payroll will notify the employee of the amount and date(s) due.

2. If the employee does not return to work within one calendar month following a continuous (not intermittent) FMLA leave, the employee shall reimburse the County for the County's cost in maintaining medical benefits unless the reason for not returning to work is beyond the employee's control.

F. Upon returning to work from FMLA leave, an employee:

1. Is entitled to the same position held by the employee when the FMLA leave commenced or an equivalent position.

2. Has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

3. Who fails to return to work on the established ending date of the FMLA leave without a qualifying reason may be precluded from returning to full-time employment with the County.

G. Leave for birth, adoption or foster care must be completed within 12 months of the birth, adoption or placement into foster care.

REQUESTING FMLA LEAVE

A. When an employee requests an FMLA leave or when the County becomes aware that an employee’s absence may be for an FMLA qualifying reason, Kitsap County Human Resources will issue an FMLA Packet to the employee within five (5) business days, barring extenuating circumstances. The contents of the packet may be sent electronically, mailed, or handed to the employee.

B. The FMLA Packet consists of:

1. FMLA Notice of Rights and Responsibilities

2. Employee FMLA Request Form

3. Medical Certification

4. Job Description/Class Specification that includes the essential functions and requirements of the job

C. The employee must provide a completed and signed FMLA Request Form as soon as possible in order for the FMLA leave request to be considered timely.
D. The employee must provide the completed Medical Certification within fifteen (15) calendar days of receipt of the FMLA Packet unless it is not practicable under the particular circumstances to do so despite the employee’s diligent good faith efforts. A reasonable extension of this deadline may be granted provided a request is made prior to the Medical Certification submission deadline and the employee notifies Human Resources of the status of the required documentation. The Medical Certification must be complete, responsive, and sufficient to determine the eligibility for leave, and the leave’s duration and frequency. Insufficient medical certification may delay or deny FMLA leave until and unless the Medical Certification is remedied within fifteen (15) calendar days from the date the employee is notified of the insufficient certification.

INTERMITTENT OR REDUCED WORK SCHEDULE LEAVE

An employee may take leave intermittently in separate blocks of time, or on a reduced work/leave schedule to care for an immediate family member with a serious health condition or because of the employee’s own serious health condition when “medically necessary”.

Employees must request intermittent leave or temporary reduced work schedule leave on an FMLA Employee Leave Request form, and must provide Medical Certification that specifies anticipated duration frequency, and/or necessary schedule. Forms must be provided within the time frames specified above.

An employee may take intermittent leave or may reduce the usual number of hours worked per day or workweek. Intermittent or reduced leave schedules are subject to the County's approval unless medically necessary. Under these circumstances, at the option of the County, the employee may be required to transfer temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position.

RECERTIFICATION

A. For conditions lasting beyond a single leave year, medical certification will be required in each subsequent leave year.

B. The County will require recertification if the circumstances of the leave change significantly (the duration of leave, the frequency with which leave is needed, etc.).

C. Medical recertifications, like initial certifications, must be complete and sufficient.

D. If the County identifies possible patterns of leave abuse, such as frequent absences before and after scheduled days off, the County may require recertification that asks the pattern of absences and requests the health care provider to answer whether the patterns of absence are consistent with the serious health condition and the need for FMLA leave.
E. Employees must provide required medical recertifications within fifteen (15) calendar days after notification, unless it is not practicable under the particular circumstances to do so despite the employee’s diligent, good-faith effort. Employees must request extended deadlines in writing before the expiration of the original deadline. Failure to do so may result in denial of FMLA leave.

F. Medical Certifications and re-certifications shall be obtained at the employee’s expense.

**RETURNING TO WORK FROM FMLA LEAVE**

Whenever an employee takes FMLA leave in excess of consecutive 45 calendar days because of a serious health condition that renders the employee unable to perform the essential functions of his/her job, the employee must submit a Return to Work certification from the treating health care provider that states that the employee is able to perform the essential functions of the job with or without accommodation and therefore can return to work. The Return to Work Form must be submitted to the County before the employee may return to their job.

**INTERACTION OF PREGNANCY DISABILITY LEAVE (PDL), WASHINGTON FAMILY LEAVE ACT (WFLA) AND THE FEDERAL FAMILY AND MEDICAL LEAVE ACT (FMLA)**

**Pregnancy Disability Leave (PDL)**

In addition to leave under FMLA, Washington state law provides additional leave rights in connection with pregnancy-related disability. Regardless of eligibility for FMLA leave, an employee is entitled to Pregnancy Disability Leave for the period of time temporarily disabled because of pregnancy or childbirth. A pregnant employee is eligible for pregnancy disability leave immediately upon employment with no waiting period. However, medical certification is required to confirm the need for leave.

Kitsap County allows employees to exhaust balances while on PDL before FMLA/WFLA commences.

Pregnancy Disability Leave can be unpaid (unless the employee is using paid accruals). Health benefits are not automatically continued unless the employee is using balances to remain in paid status.

**Washington Family Leave Act (WFLA)**

The WFLA largely mirrors the FMLA, with the same eligibility requirements and entitlement to twelve (12) weeks of leave for family and medical reasons.

The most significant difference is that the WFLA provides eligible employees additional leave benefits to care for a newborn. In most situations WFLA runs concurrently with FMLA. However, WFLA does not run concurrently with Pregnancy Disability Leave (PDL). This entitles
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an employee to up to twelve (12) weeks of leave to care for a newborn after the employee has
recovered from pregnancy disability (during which time she used PDL, but not WFLA).

Example 1:
Pregnant Employee A has worked for the County for 11 months when she gives birth. Her
physician certifies that she is disabled due to recovering from pregnancy for eight (8) weeks.
She is not eligible for WFLA or FMLA because she has not worked for the County long
enough. However, she is eligible for Pregnancy Disability Leave.

She will take eight (8) weeks off protected by PDL, and will then return to work. If
Employee A wishes to continue health benefits, she must pay the full premium because her
leave does not qualify for FMLA.

Example 2:
Pregnant Employee B has worked full time for the County for five (5) years. She is eligible
for FMLA, WFLA and PDL. Her doctor certifies that she is disabled due to pregnancy for one
(1) week prior to giving birth, and eight (8) weeks after giving birth. Employee B has
adequate leave balances (annual leave, sick leave, compensatory time) to remain in full paid
status during this nine (9) week period, so her health insurance has remained intact as if she
were at work, and the employee portion of her health insurance premium has been
deducted from her paycheck like usual.

Kitsap County allows FMLA to commence after all paid leaves have been exhausted during
PDL. So, at the end of Employee B’s nine weeks of PDL (for was fully paid due to her use of
balances), she is also eligible for an additional twelve (12) weeks leave under FMLA/ WFLA
to care for her newborn. FMLA and WFLA run concurrently.

Pregnant Employee B is on leave for a total of 21 weeks: 9 weeks PDL (using paid balances)
plus 12 weeks FMLA/WFLA. At the end of the twelve week FMLA/WFLA period, Employee B
will not be eligible for more FMLA leave until her “FMLA year” renews.

FMLA RECORDS

In order to comply with the record keeping requirements of the Family and Medical Leave Act
and the Americans with Disabilities Act the following procedures shall be followed:

- Requests for FMLA leave shall be in writing using the County forms. Copies of the
  Employee FMLA Request Form, Medical Certification, and other documents
  pertinent to the leave must be placed in the Employee’s confidential medical file,
  which will be securely housed in Human Resources.
KITSAP COUNTY POLICY PROHIBITING DISCRIMINATION AND HARASSMENT

STATEMENT OF PHILOSOPHY

Kitsap County strives to provide a collegial work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal opportunities and prohibits discrimination based on race, color, national origin, religion, sex, sexual orientation, age, genetic information, veteran or military status or disability.

DISCRIMINATORY PRACTICES

Kitsap County prohibits discrimination based on race, color, national origin, religion, sex, sexual orientation, age, genetic information, veteran or military status, or disability in any aspect of employment, including:

- job advertisements and recruitment;
- testing;
- hiring and firing;
- compensation, assignment, or classification of employees;
- transfer, promotion, layoff, or recall;
- training and apprenticeship opportunities;
- fringe benefits;
- use of county facilities and equipment;
- other terms and conditions of employment.

Kitsap County’s prohibition of discriminatory practices also includes:

- harassment on the basis of race, color, national origin, religion, sex, sexual orientation, age, genetic information, veteran or military status or disability;
- retaliation against an individual for filing a charge of discrimination, participating in an investigation, or opposing discriminatory practices;
- employment decisions based on stereotypes or assumptions about the abilities, traits, or performance of individuals of a certain race, color, national origin, age, religion, sex, sexual orientation, or with disabilities.

HARASSMENT IS A FORM OF DISCRIMINATION

Harassment that creates a hostile work environment and occurs because of person’s race, color, national origin, religion, sex, sexual orientation, age, genetic information, veteran or military status, or disability is a form of discrimination. Hostile work environment harassment consists of unwelcome statements or actions that are sufficiently severe or pervasive so as to interfere with an individual’s work performance or create an intimidating, hostile, or offensive work environment based on race, color,
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national origin, religion, sex sexual orientation, age, genetic information, veteran or military status or disability.

Throughout this policy, use of the word “discrimination” is intended to include harassment that occurs because of person’s race, color, national origin, religion, sex, sexual orientation, age, genetic information, veteran or military status or disability.

SEXUAL HARASSMENT

For purposes of this policy, sexual harassment is defined as unwelcome or unwanted advances, requests for sexual favors and any other verbal, visual, or physical conduct of a sexual nature when: (1) submission to or rejection of this conduct by an individual is used as a factor in decisions affecting hiring, evaluation, retention, promotion or other aspects of employment; or (2) this conduct substantially interferes with an individual's employment or creates an intimidating, hostile or offensive work environment.

Examples of sexual harassment may include, but are not limited to: unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; threats and demands to submit to sexual requests in order to obtain or retain any employment benefit; verbal conduct such as epithets, derogatory or obscene comments, slurs or sexual invitations, sexual jokes, propositions, suggestive, insulting, obscene comments or gestures or other verbal abuse of a sexual nature; graphic, verbal commentary about an individual's body, sexual prowess or sexual deficiencies; flirtations, advances, leering, whistling, touching, pinching, assault, blocking normal movements; visual conduct such as derogatory or sexual posters, photographs, cartoons, drawings or gestures or other displays in the work place of sexually suggestive objects or pictures; conduct or comments consistently targeted at only one gender, even if the content is not sexual; retaliation for having reported or threatened to report sexual harassment.

HARASSMENT BASED ON RACE, NATIONAL ORIGIN, COLOR, RELIGION, SEXUAL ORIENTATION, GENETIC INFORMATION, VETERAN OR MILITARY STATUS, OR AGE

For purposes of this policy, harassment targeted at a person because of his or her race, ethnicity, color, religion, sexual orientation, age or disability is strictly prohibited.

Examples of harassment may include, but are not limited to: slurs, innuendo, taunting, mocking, jokes, epithets, cartoons, drawings or gestures, derogatory comments and other forms of obnoxious conduct motivated by a person’s race, color, national origin, religion, sexual orientation, genetic information, veteran or military status, or age.

Genetic information includes information about an individual’s genetic tests and genetic tests of an individual's family members, as well as information about the manifestation of a disease or disorder in an individual's family members (e.g. family medical history).

DISCRIMINATION BASED ON DISABILITY
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An individual with a disability is a person who has or had any sensory, physical or mental abnormality, or has a record of such an abnormality, or is regarded as having or having had such an abnormality, and the abnormality has or had a substantially limiting effect upon the employee’s ability to perform his or her job.

Kitsap County prohibits discrimination against qualified employees or applicants with a disability. A qualified individual with a disability is someone who satisfies skill, experience, education, and other job-related requirements of the position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of that position.

An employer is required to make a reasonable accommodation to a qualified individual with a disability unless doing so would impose an undue hardship on the operations of the County.

DISSEMINATION OF POLICY

This policy will be disseminated to all employees, and its existence will be displayed prominently in each department and/or division in the County. A copy will be maintained in the County’s Personnel Manual. All supervisors shall be responsible for knowing of its existence and substance, and are responsible for its implementation. The Human Resources Director and designated Human Resources staff will be available to answer all questions about the policy and its implementation.

INDIVIDUALS AND SITES COVERED UNDER THE POLICY

This policy covers all individuals in the workplace. Kitsap County will not tolerate, condone or allow discrimination whether engaged in by fellow employees, supervisors, managers, elected officials, volunteers, or by outside clients, vendors, contractors, or other non-employees who conduct business with Kitsap County. Kitsap County encourages reporting of all incidents of discrimination, regardless of who the offender may be, or of the offender’s relationship to Kitsap County.

Discrimination is unacceptable in the workplace itself and in other work-related settings such as on business trips and at business-related social events.

NOTIFICATION OF APPROPRIATE STAFF

Individuals who believe they have been subjected to discrimination, or who have witnessed discriminatory conduct toward another, should report the incident to any of the following individuals:

- a supervisor in your department;
- the director of your department;
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- the elected official who oversees your department or office;

- the County’s Human Resources Director, whose address is 614 Division Street, MS-23 A, Port Orchard, WA  98366, telephone number (360) 337-7185;

- the Kitsap County Administrator, whose address is 614 Division Street, MS-4, Port Orchard, WA  98366, telephone number (360) 337-7146.

**ACTION FOLLOWING NOTIFICATION**

Upon being notified of a complaint of discrimination, the complainant will be made aware of a range of options, including:

- the complainant may meet informally with any of the above-listed individuals in an attempt to resolve the matter informally;

- the complainant may choose to discuss the complaint with the person accused, with the option of having any of the above-listed individuals present;

- at the request of the complainant the person who received the complaint may choose to discuss the complaint with the accused; or

- the complainant may file a formal complaint.

The complainant may have a representative, such as a co-worker, union representative or attorney, present at a meeting held to address or resolve the complaint.

**INFORMAL COMPLAINT PROCESS**

Kitsap County encourages individuals who believe they are being harassed to firmly and promptly notify the offender that his or her behavior is unwelcome.

If a complaint is resolved informally to the complainant's satisfaction, the supervisor or department director (if they have been notified by the complainant) must file a confidential report with the Human Resources Director about the complaint and resolution so that the employer will be aware of any pattern of discrimination by a particular individual and will also be aware of all complaints on an employer-wide basis.

If the supervisor or department director does not successfully resolve the complaint informally to the complainant’s satisfaction, a written report must be made to the Human Resources Director within one work day. A supervisor is strongly encouraged to consult with the Human Resources Director before taking action.
FORMAL COMPLAINT PROCEDURE

The County also recognizes that power and status disparities between an alleged harasser and a target may make informal resolution impossible. In the event that informal, direct communication between individuals is either ineffective or impossible, the following steps should be followed in reporting discrimination.

The complainant, or someone on the complainant’s behalf, may file a formal written complaint with the Human Resources Director or the County Administrator.

1. DESCRIPTION OF MISCONDUCT

An accurate record of objectionable behavior or misconduct is needed to resolve a formal complaint. Verbal reports of discrimination must be reduced to writing by either the complainant or the individual(s) designated to receive complaints, and must be signed by the complainant. Individuals who believe that they have been or are currently being discriminated against or harassed, should maintain a record of objectionable conduct in order to prepare effectively and substantiate their allegations.

2. TIMEFRAME FOR REPORTING COMPLAINT

Kitsap County encourages a prompt reporting of complaints so that rapid response and appropriate action may be taken. This policy not only aids the complainant, but also helps to maintain an environment free from discrimination for all employees. A complainant’s formal complaint of discrimination or harassment must be submitted to the Human Resources Director or County Administrator within 90 days of the alleged incident of harassment.

3. INVESTIGATING THE COMPLAINT

Following filing of a formal complaint, a formal investigation will begin promptly. The Human Resources Director or County Administrator will select an impartial investigator.

Knowingly false accusations of discrimination will not be tolerated, and may result in discipline up to and including termination.

4. CONFIDENTIALITY

To the extent practical and appropriate under the circumstances, and to the extent permitted by law, the proceedings will be conducted to protect the confidentiality interests of both parties and afford the accused a full opportunity to respond to the allegations.
5. INVESTIGATION PROCESS

The impartial investigator assigned to formally investigate the allegations of discrimination and/or harassment will timely:

- Confirm name of the complainant, and will determine the complainant's full account of the circumstances and facts of the complaint.
- Identify employee(s) accused of harassing or discriminatory behavior
- Thoroughly ascertain the facts by interviewing all pertinent parties and witnesses.
- Interviews will be conducted impartially and fairly for all parties.

When the impartial investigation is concluded, the investigator will prepare a written record and report of the process and results. The investigative report will include:
- A written conclusion about whether a violation of this policy has occurred, based upon all the facts and circumstances and context in which the alleged incidents occurred.
- Recommendations of what, if any, corrective and/or preventive measures need to be taken to remedy the situation and ensure no further violations.

6. RESOLVING THE COMPLAINT

The investigator will make every reasonable effort to issue written findings and a recommendation to the Human Resources Director or County Administrator within 60 days of the filing of a formal complaint. The complainant will be notified if additional time is needed to complete the investigation.

If discrimination occurred
- The person violating this policy will be subject to appropriate disciplinary action, as listed below.
- The Human Resources Director or County Administrator will consult with the director or elected official where the complaint arose for a decision concerning discipline, other corrective action, and/or training needed. The complainant will be informed of the action taken to correct the issue.

If no violation of this policy has occurred, this finding will be communicated to the complainant in an appropriate manner.

If the Human Resources Director or County Administrator cannot determine whether discrimination has occurred, this finding will be communicated to the complainant and the alleged violator of this policy, and the matter will be recorded as unresolved. Both the complainant and the alleged violator of this policy will be informed again of
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the procedures set forth in this policy, including the appeal process contained below. In the event that no resolution satisfactory to both parties can be reached based on the initial investigation, the matter shall be referred to the Chair of Board of County Commissioners or the County Administrator. If the initial complaint was submitted to the County Administrator, the appeal should be made directly to the Chair of the Board of County Commissioners. See “Appeal Process” below.

7. SANCTIONS

The elected official or department head, in consultation with the Human Resources Director or County Administrator, will determine appropriate sanctions to be taken against employee(s) whose actions are in violation of this policy.

Depending on the nature and severity of the violation, sanctions may include but are not limited to:
- Oral Reprimand
- Written Reprimand
- Suspension without pay
- Demotion
- Termination

Employees whose actions are found to be in violation of this policy may also be referred to mandatory training. If systemic issues come to light, mandatory training may be required of entire units or departments.

The employer's ability to discipline a non-employee violation of this policy (e.g. vendor, contractor, member of the public, public official, or client) may be limited by the degree of control, if any, that the employer has over the alleged violator of the policy. Nevertheless, any employee who, during the course of his/her employment, alleges discrimination or harassment on the part of an outside source may use the same reporting procedures listed under the Informal or Formal Complaint Procedure sections of this document.

8. APPEAL PROCESS

If any party directly involved in an investigation is dissatisfied with the outcome or resolution, that individual has the right to appeal the decision. Within 10 days following the receipt of notice of the decision, the dissatisfied party must submit a written request for review to the Chair of the Board of County Commissioners or the County Administrator.

9. REVIEW BY THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS OR THE ADMINISTRATOR

Upon receipt of a request for review of a decision concerning the outcome or resolution of a complaint of discrimination or harassment, the Chair of the Board of County Commissioners (Chair) or the County Administrator will review the complaint. The Chair or the County Administrator will: gather evidence and take whatever steps deemed necessary and appropriate to ensure that all facts have been fully
investigated, presented and considered; provide the participants with an opportunity to present evidence and information and to comment on evidence and information presented to others; and issue written findings of facts and a decision. Chair or the County Administrator may sustain, overturn, or modify the results of the investigation and/or resolution.

PROTECTION AGAINST RETALIATION

Retaliation means to take adverse employment action against an individual because he/she has exercised his/her rights protected by law by complaining in good faith about discrimination, harassment, and/or retaliation, or has assisted or participated in an investigation of such allegations.

Kitsap County will not tolerate retaliation in any form against an individual who makes a complaint of discrimination, harassment or retaliation, or against any participant in the investigation. Retaliation is a serious violation of this policy and is considered misconduct subject to disciplinary action up to and including termination of employment with Kitsap County.

FORMAL LEGAL PROCEEDINGS

The procedures in this policy refer to complaints submitted internally to Kitsap County. If a formal charge has been filed with the Equal Employment Opportunity Commission (EEOC) or the Washington State Human Rights Commission, or if the complainant has filed a suit in civil court, all such charges, complaints, and notices must immediately be delivered to the Human Resources Director or the County Administrator. The Human Resources Director or County Administrator, in cooperation with counsel, will investigate, if appropriate, and respond to all formal complaints submitted to outside agencies or civil court.

CONCLUSION

Kitsap County has developed this policy to ensure a work environment free from discrimination and harassment.
RESOLUTION NO. 075-1998

A Resolution Adopting a Telecommuting Work Policy for Employees of Kitsap County

WHEREAS, the Washington Clean Air Act, chapter 70.94 RCW, requires counties to adopt, and implement plans to reduce single-occupant vehicle commute trips;

WHEREAS, the Washington Clean Air Act requires that commute trip reduction plans adopted by counties must require major employers and employers at major worksites to implement programs to reduce single-occupant vehicle commuting by employees at major worksites;

WHEREAS, Kitsap County adopted Ordinance No. 149-1993 which establishes the Kitsap County Commute Trip Reduction Plan;

WHEREAS, Kitsap County is a "major employer" and maintains a "major worksite" as the Washington Clean Air Act defines those terms;

WHEREAS, the Washington Clean Air Act authorizes programs that permit employees to work part or full time at home or at an alternative worksite closer to their homes as one measure that employers may use to achieve commute trip reduction goals; and

WHEREAS, Kitsap County wants to adopt a policy authorizing supervisors of County employees to consider telecommuting arrangements if the telecommuting arrangement does not have a negative impact upon public service or impede the organizational unit from accomplishing its mission in an efficient and cost effective manner.

NOW, THEREFORE, THE KITSAP COUNTY BOARD OF COMMISSIONERS adopts the attached Kitsap County Telecommuting Policy.

DATED this 20th day of April, 1998

BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY, WASHINGTON

/s/Chris Endresen
CHRIS ENDRESEN, Chair

/s/Charlotte Garrido
CHARLOTTE GARRIDO, Commissioner

/s/Phil Best
PHIL BEST, Commissioner

ATTEST:

/s/Holly Anderson
HOLLY ANDERSON
Clerk of the Board
Kitsap County Telecommuting Policy Guide

Acknowledgements

During the Fall of 1997, the Kitsap County Board of Commissioners recognized the many new challenges facing our workplace and authorized the formation of a committee to explore the development of this Telecommuting Policy for Kitsap County employees. We greatly acknowledge their action and support.

Commissioner Chris Endresen
Commissioner Charlotte Garrido
Commissioner Phil Best

The development of this policy required a commitment in principle, and an investment in time from our Department Heads and employees. We gratefully acknowledge their participation in this process.

Barbara Razey, Kitsap County Risk Manager
Jacquelyn Aufderheide, Prosecuting Attorney’s Office
Karen Flynn, County Auditor
Randy Casteel, Director of Public Works
Penny Starkey, Personnel
Dick Harty, Information Services
Madelyn Botta, Superior Court
Marlene Barber, Kitsap County Sheriffs Office
Vicki Keanu, Assessor’s Office
Bill Zupancic, ETCICTR Administrator
John Vodopich, Department of Community Development
Lisa Moses, Public Works Network Administrator
Gloria Masters, County Clerk’s Office
Ed Orr, Financial Services Manager

Developing this program was made easier with the guidance and assistance of Scott Decker, a Telecommuting Specialist with Washington State University's Cooperative Extension Energy Program
Kitsap County
Telecommuting Policy

A. Introduction

In an effort to reduce automobile-related air pollution, energy consumption and traffic congestion, the Washington State Legislature passed the Commute Trip Reduction Law. The law was made part of the Washington Clean Air Act (RCW 70.94.524-551), and calls for cities and counties to adopt commute trip reduction ordinances detailing requirements for employers. Ordinance No. 149-1993 established the Kitsap County Commute Trip Reduction Plan. As an employer, Kitsap County must implement commute trip reduction programs, consistent with state law and local ordinances to reduce the number of trips and miles employees commute alone to work. RCW 70.94.531 (2) (xiii) lists telecommuting as one of the alternatives that employers have available to achieve the applicable commute trip reduction goals.

Certain requirements for all telecommuting arrangements are set forth in this policy statement, and are intended to ensure that such arrangements comply with all applicable laws, and to prevent losses and claims. Aside from these requirements, and with the caveat that careful consideration must be given to the issues presented in this policy statement, the intent is to allow County departments and their managers discretion in designing their own telecommuting programs.

Employees who will work at least part time at an alternate work place on a regular basis over a period of time must complete and sign a written telecommuting agreement provided by the employee's supervisor regarding the employee's work arrangement away from the regular office. The employee's Department Head and/or Director must also sign the written agreement.

Telecommuting - The use of telephones, computers, or similar technology to permit an employee to work from home, or alternative work location. Telecommuting means working arrangements in which the workplace is located at least part time at an alternate location, such as the employee's home, or a satellite office located closer than the regular office to the employee's residence. A telephone may be the only equipment needed; however, in some cases employees may use special telecommunications equipment such as telephone answering devices, computers, and modems.

B. Policy Statement

To reduce traffic congestion, conserve petroleum resources, protect air quality, increase the availability of public parking around the Courthouse Campus, and reasonably meet the needs of Kitsap County employees, Kitsap County will give consideration to telecommuting work arrangements. These arrangements will be considered providing they do not have a negative impact upon public service nor impede the organizational unit from accomplishing its mission in an efficient and cost effective manner.

C. Statement of Philosophy

In Kitsap County Offices, telecommuting may be used:
Appendix K

To reduce office operation costs, and reduce travel costs for employees who work in the field.

To reduce courthouse parking space requirements and enhance opportunities for 'shared' office space.

To enhance employee productivity, creativity and satisfaction.

As a mutually agreed upon work alternative between supervisor and employee, rather than a reward or a job requirement.

If clear communication exists between supervisor and employee, and between telecommuter and the rest of the office.

If the practice is transparent to the public.

If standard business practices are maintained.

If consistent criteria for participant selection is employed.

If structured time policies are used to ensure attendance at meetings, agency events, etc.

D. Management Responsibilities and Considerations

Elected Officials and Department Heads who choose to allow telecommuting in their departments shall take the following steps before implementing a telecommuting program.

Formulate and communicate a comprehensive department specific telecommuting policy for employees.

Develop fair performance evaluation criteria before implementing telecommuting.

Ensure that department policy provides for fair and equitable treatment of employees regardless of telecommuting status.

Establish individual employee agreements for arrangements based upon the comprehensive policy.

Establish a procedure for the periodic review of individual employee telecommuting agreements and arrangements.

Arrange for filing and maintenance of telecommuting agreements within the department.

Jobs which lend themselves to telecommuting are positions in which:

Clear work objectives can be set.

Work flow can be controlled.
Appendix K

- Tasks on telecommuting days can be clearly defined.
- Projects where quiet or uninterrupted time would increase employee productivity.

A determination whether to allow an employee to telecommute should be based on an employee's past performance. Only employees who meet the following criteria should be considered as candidates for telecommuting:

- Self-motivated.
- Results oriented.
- Able to work independently.
- Familiar and comfortable with their job requirements.
- Knowledgeable about necessary procedures.
- Successful in current position.
- Effective communicator who is adaptable.

E. Telecommuting Rules

1. Telecommuting is not a universal employee benefit, and an employee's participation in a telecommuting program is entirely voluntary. Telecommuting is strictly within the discretion of the Elected Official or Department Head and may be revoked at any time.

2. Telecommuting arrangements for employees represented by a union must be approved by the union. Unions may provide approval for represented employees in general, rather than separate approval for each employee.

3. Employee salary, benefits, workers' compensation, sick leave, annual leave, and other employee insurance shall not change due to telecommuting. Likewise, the duties, obligations, and responsibilities of telecommuting employees remain unchanged.

4. Performance evaluation requirements for telecommuting shall not differ from those of non-telecommuters.

5. Total hours worked on a telecommuting day must cover the department's established core hours of 8:00 a.m. to 4:30 p.m., including specific core hours of phone accessibility. The specific day(s) and work hours will be identified in a separate Telecommuting Agreement.

6. Each incidence of overtime must be expressly approved by the Elected Official or Department Head.
7. Telecommuting is not a substitute for dependent care. Telecommuters must make and maintain dependent care arrangements.

5. It is the telecommuter’s responsibility to ensure that time sheets and other periodic reporting forms are turned in by the required deadlines.

9. In the event circumstances such as illness, power failure or equipment failure prohibit the telecommuter from performing his/her duties while working at the alternative worksite, the telecommuter shall immediately contact his/her supervisor for further instructions. These instructions may include requiring the employee to report to the courthouse Campus or other worksite.

10. Kitsap County makes no representation as to whether a telecommuter's alternative work station is a tax deduction for the telecommute. Telecommuters should contact a tax expert for independent advice on this issue.

11. A telecommuter is responsible for conforming to Kitsap County Resolution 009-1997. This resolution establishes the County’s policy regarding electronic communications.

F. Communications

Effective communication is key to the success of telecommuting. From the perspective of professionalism and productivity, telecommuters must strive to ensure that telecommuting has no negative impacts, especially on anyone outside the Department offices.

1. Telecommuters are responsible for maintaining effective communication and work flow with their supervisor and co-workers.

2. Each telecommuter must devise an appropriate strategy for communication which is approved by their supervisor. This must include clear, consistent communication with their immediate supervisor about telecommuting days. The telecommuter's alternative work station telephone number must be known so that he/she can be reached by co-workers or supervisors.

G. Alternate Work Locations

1. The Elected Official and/or Department Head shall have the discretion to inspect and approve an employee's home as an alternate work location for telecommuting. When the employee's home workplace is considered an extension of the office workplace, the employee may be covered by workers' compensation laws and regulations for accidents that occur while performing work on behalf of the County and during the understood and approved work schedule. Workers’ compensation shall NOT apply to non-job related injuries that occur in the home.

2. All approved work locations must be maintained by the telecommuter in a clean, professional, and safe condition.

3. At mutually agreed-upon times, the County shall have the right to make on-site inspection of the work area and County-owned equipment, to ensure that safe working conditions exist.
4. Except for local calls, the County will reimburse the employee on a case-by-case basis for job-related telephone expenses incurred by the employee at home. The employee must present an itemized copy of the telephone bill for reimbursement. The County will not be responsible for any basic phone service.

5. The public will not be given a telecommuter's home phone number.

6. Any hardware or software purchased by the County remains the property of the County and will be returned to the County when the telecommuting agreement is terminated.

7. For security purposes, only Kitsap County software may be installed on County-owned equipment.

8. Restricted-access materials (such as payroll and personnel files) may not be removed from County offices or accessed through computers from a remote location without the written permission of the Elected Official or Department Head.

9. County equipment located at an alternate worksite may not be used for personal purposes.

10. Supplies required to complete assigned work at the alternate work location should be obtained during one of the telecommuter's in-office work periods. Out-of-pocket expenses for materials and supplies normally available through the County, such as computer paper, floppy disks, etc., will not be reimbursed.

11. Kitsap County shall not be liable for loss, damage, or wear and tear of employee-owned equipment or supplies used in telecommuting.

H. Software - The programs, routines, and symbolic languages that control the functioning of the hardware and direct its operation.

1. While working at home performing County functions, employees must conform to software standards established by the County Department of Information Services. Under most circumstances employees will be allowed to run a copy of County standard software on the PC they have at home based on the various manufacturer's licensing agreements. It will be the telecommuter's responsibility to contact Information Services to ensure that the software they plan to use conforms to this agreement.

2. No County software is to be copied and used off-site without the written approval of the Department Head and/or Information Services.

3. Telecommuters using County software must adhere to the manufacturer's licensing agreement.

I. Hardware
1. With some minor departmental exceptions, employees who desire to telecommute on a continuing basis must utilize their own equipment. A minimum configuration standard will be established by Information Services.

2. Employees using County equipment at an alternate work place are responsible for taking care of the equipment to protect it from damage or theft. Employees must take reasonable measures to protect against computer viruses.

3. Incidents of damage or theft will be examined to determine whether loss resulted from employee gross negligence, intentional misuse, or violation of rules and procedures employee has agreed to follow.
TELECOMMUTING AGREEMENT

I have read and understand the attached Telecommuting Policy, and agree to the duties, obligations, responsibilities and conditions for telecommuters expressed in that document, in addition to my normal duties, obligations and responsibilities as a Kitsap County employee.

I agree to participate in evaluation activities undertaken as part of the telecommuting arrangement.

I agree that, among other things I am responsible for establishing specific scheduled telecommuting work hours, furnishing and maintaining my designated work space in a safe manner, employing appropriate telecommuting security measures and protecting Kitsap County assets, information, and information systems.

I agree to keep my supervisor informed of my progress on assignments worked on at home. I also agree to keep my supervisor informed of any problems which I may experience while telecommuting.

I understand telecommuting is a mutually agreed upon work alternative between myself and my supervisor subject to approval by my Department Head and/or Director. I understand that I, my supervisor or Department Head may end my telecommuting arrangement at any time. I also understand that Kitsap County may at will, at any time, change any or all of the conditions under which I am permitted to telecommute.

I understand and accept the special responsibility I have as a telecommuter to facilitate communication to ensure that telecommuting has no negative impacts, especially on anyone outside the Department offices.

Employee Signature ___________________________ Date __________

Department Head/Director ___________________________ Date __________
KITSAP COUNTY RESOLUTION

Resolution 009 - 1997

A RESOLUTION of Kitsap County establishing a policy regarding the use of electronic communications.

WHEREAS, Kitsap County recognizes that electronic communications facilitate the timely and efficient conduct of County business;

WHEREAS, employees, acting in course of County business, represent the County and should act professionally and appropriately when using electronic communications;

WHEREAS, it is necessary to set forth the County's policy regarding electronic communications; NOW, THEREFORE,

BE IT RESOLVED by the Board of Kitsap County Commissioners that an express policy regarding the use of Kitsap County's electronic communications is hereby adopted.

ADOPTED by the Board of Kitsap County Commissioners on the 27th day of January, 1997.

KITSAP COUNTY BOARD OF COMMISSIONERS

/s/Phil Best
PHIL BEST, Chairman

/s/Chris Endresen
CHRIS ENDRESEN, Commissioner

ATTESTED TO:

/s/Holly Anderson /s/Charlotte Garrido
HOLLY ANDERSON CHARLOTTE GARRIDO, Commissioner

Clerk of the Board
INTRODUCTION

The primary purpose of Kitsap County's electronic communications is to facilitate the timely and efficient conduct of County business. The communications are also provided to encourage and facilitate the free exchange of business related communications and ideas between employees. This policy defines the use of electronic message systems and communications media by employees of Kitsap County. This includes, but is not limited to, telephones, electronic mail systems (e-mail), voice mail systems, faxes, Internet and other electronic media that generate, store, transmit and display correspondence for internal and external business communication purposes. All electronic data are the property of Kitsap County and may be public records under the Public Disclosure Act (RCW 42.17).

POLICY

This policy applies to all individuals who are provided access to Kitsap County's electronic communications, thus all communications shall be professional and appropriate.

All system users are prohibited from using electronic communications for the solicitation of funds, political messages, harassing messages, and other such messages as specifically prohibited. Users who are terminated or laid off have no right to the contents of the County electronic communications and will not be allowed access except pursuant to a public disclosure request. The misuse of electronic communications may subject the employee to disciplinary actions up to and including termination, in accordance with the applicable Personnel Manual or collective bargaining agreement.

ELECTRONIC COMMUNICATIONS

I. Electronic Communications Defined. Electronic communications is defined as including, but not limited to, telephonic communications including voice mail, facsimile (fax) communications, and e-mail.

II. Electronic Communications are for Business Use. Kitsap County's electronic communications are for official business. The systems are not to be used for employee personal gain or to support or advocate for non-county related business. The County reserves the right to monitor the use and content of electronic communications.

III. Electronic Communications are Not Private. Electronic communications are not private or confidential. The telephone logs are public records. Any message you send through voice mail or e-mail can be forwarded on to anyone else on the system. Even after voice mail or e-mail has been deleted, it can still be possible to retrieve it and read it. All messages are Kitsap County records and are the property of Kitsap County. Kitsap County reserves the right to read, use and disclose electronic communications. For these reasons, you should not use the County's electronic communications for any information you consider personal or private.
III. **Electronic Communications Decorum and Content.** When using the County’s electronic communications systems, keep in mind that you are using Kitsap County property. As a result, your comments must be appropriate to our business setting.

**INTERNET**

I. **Internet is for Business Use.** Access to the Internet is strictly for county related business, and is only allowed via the County’s centralized Internet connection. Alternate methods of Internet access, such as using a modem to access America On-Line, would compromise the County’s network security exposing it to potential harm from computer hackers. Requests for exceptions must be reviewed and approved by Information Services. Any costs incurred while accessing the Internet are the responsibility of the employee unless approved in advance by the supervisor or elected official/department head.

II. **Internet Access.** Access to the Internet will be based on the advice of the Data Processing Users’ Committee which is composed of Elected Officials and Department Heads. The Information Services and Purchasing Manager will only connect those users approved by the Elected Officials and Department Heads or their designees.

III. **Internet Use is Not Private.** When sites are accessed Internet Protocol addresses are recorded. Comments are not anonymous, and any electronically stored communication sent or received may be retrieved. Kitsap County reserves the right to review user accounts, workstations and file server space in order to determine whether specific uses of information systems are appropriate.

IV. **Unacceptable Internet Use or Site.** The following are examples of unacceptable uses and sites and are not intended as an all inclusive list:
   a. Pornographic sites.
   b. Religious, partisan political, sports or games unless related to county business.
   c. Any site that charges a fee. Visiting such a site must be pre-authorized in writing. If you do visit such a site by mistake do not give out any billing information such as credit card or business phone. If you are asked billing information, cancel out of the screen immediately.
   d. Vendor sites to purchase personal items. Business purchasing must exclusively go through the contract review process or purchasing.

Management reserves the right to make final determinations as to what is considered appropriate in all cases of Internet use.

V. **Harassment through the Internet.** If you believe that you are the victim of harassment, please follow these procedures:
   a. Don't delete the message
   b. Don't respond
   c. Notify your supervisor, elected official/department head, Personnel Division, or appropriate designee.
TRAINING POLICY (Revised June 2001)

1. **Purpose:** Kitsap County recognizes that its employees are its most important resource. The purpose of training is to promote the development of County employees in order to:

   a. Improve the quality of services rendered to the citizens of Kitsap County.

   b. Provide for career advancement within the County service.

   c. Provide greater organizational stability and flexibility to adapt to changing demands and technological requirements.

   d. Maximize the use of internal resources and capabilities.

   e. Provide the County with a more skilled, competent and motivated workforce.

2. **Priorities:** The priorities for committing resources toward training activities are:

   a. Meeting mandatory training requirements established by regulating agencies or authorities, (e.g. OSHA, State regulations, County policies, Federal regulations, etc.)

   b. Developing specific skills necessary to perform job assignments safely and effectively.

   c. Developing skills necessary to provide operation flexibility.

   d. Career development.

3. **Meeting Training Needs:** Training needs should be met first through participation in the Kitsap County Employee Associations and the on-campus training sponsored by Training Services. When training needs cannot be met through existing internal systems, other providers and sources shall be considered. Location, accessibility, and cost are factors in identifying primary locations and activities. Training opportunities and associated travel cost should be pursued within the State of Washington or other locations within the region of equivalent distance and cost. Exceptions shall be considered for programs that are not available within those areas, long distance travel that is less costly than regional travel or to allow senior managers and Elected Officials to participate in the national programs of their respective professional associations. The authorization for travel rests with the Employing Official. Travel and training is not a guaranteed benefit.

4. **Budgetary Guidelines:** Budget proposals and expenditures for travel and training shall be considered in the context of competing demands for expenditures in other areas including personnel and equipment, capital improvements, etc.

5. **Approval Procedures:**

   a. Employing Officials are responsible for determining training needs and approving both internal and external training programs or classes for their employees. All planned travel and training expenditures must be approved in advance by the Employing Official or his/her designee.
b. Only Elected Officials or their designee may authorize out-of-state travel by employees, and such approval must be obtained in advance of the travel.

6. **Tuition Reimbursement:** The County shall not reimburse for tuition in situations where the employee is working towards a college degree. The County may reimburse for tuition for courses taken at colleges, technical/vocational schools that are job related or improve job related skills, if approved by the Employing Official. To receive reimbursement, proof of successful completion of the course must be submitted with the reimbursement request. (Successful completion requires a grade of “B” or better, or a passing mark from those institutions where traditional rating systems are not used.)

   For courses which include a combination of personal enrichment, career development, and job related skill development, the employee may be required to pay a portion of the course fee and/or attend on the employee’s personal time. The Employing Official shall determine which courses meet this criteria.

7. **Employee & Volunteer Eligibility:** All Kitsap County regular, full-time and extra-help employees and Kitsap County volunteers are eligible to participate in training opportunities offered by Kitsap County. Regular full-time and part-time employees receive priority for class space; extra-help employees and volunteers register on a space available basis.

8. **Registration Fee:** The sponsoring department is responsible for paying registration fees for employees and volunteers who participate in Training Services sponsored training activities. The course registration fee will be assessed via inter-fund billing.

   Computer software registration fees will not be assessed to General Fund departments for employees participating in computer software training. Computer software registration fees will be assessed to non-General Fund departments for employees participating in computer software training. The software training registration fee for non-General Fund employee participation will be assessed via inter-fund billing.

9. **No Show Fee:** Failure to cancel registration for in-house courses by the published RSVP date will result in assessment of a no show fee equivalent to the regular, non-subsidized, course registration fee. The No Show Fee applies to both General Fund and non-General Fund departments.
RESOLUTION NO. 232-2005


WHEREAS, a need exists to revise County policies and procedures for reimbursement of expenses incurred by officers, employees, and volunteers for transportation, lodging, meals, and travel.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS RESOLVES AS FOLLOWS:


Section 2. The following policy is hereby adopted for the reimbursement of expenses incurred by county officers, employees, and volunteers for transportation, lodging, meals, and travel:

1. **Reimbursement of Meals.** Reimbursement will be made for meals consumed by individual officers, employees, and volunteers while conducting business on behalf of Kitsap County if the claim for reimbursement meets the following criteria:

   1.1 The meal must be consumed while the officer, employee, or volunteer is conducting official County business as required by the employee’s or volunteer’s job duties and approved by the employee’s or volunteer’s supervisor.

   1.2 The officer, employee, or volunteer must have consumed the meal outside of their normal work area. For example, an employee who works in Port Orchard will not be reimbursed for meals consumed within or in close proximity to Port Orchard; however, if this employee consumes a meal in Bremerton, the expense will be reimbursed.

   1.3 Reimbursement may be made for actual expenses incurred, or, in the case of overnight travel, on the allowable per diem rate established by the Internal Revenue Service.

      1.3.1 Reimbursement for meals that do not involve overnight stay will be reimbursed for actual expenses incurred only when accompanied by a receipt up to the per diem rate.

      1.3.2 Reimbursement for meals that involve overnight stay may be reimbursed without receipt based on the allowable per diem rate established by the
Internal Revenue Service. The rate will be adjusted accordingly as the rate established by the Internal Revenue Service changes. The current rates, including tips (tips should not exceed fifteen percent), are obtainable from County and Internal Revenue Service websites or the Financial Services Division of the Auditor’s Office. The following percentages will be used where only a portion of the per diem is claimed:

<table>
<thead>
<tr>
<th></th>
<th>Breakfast</th>
<th>Lunch</th>
<th>Dinner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent</td>
<td>20%</td>
<td>26%</td>
<td>54%</td>
</tr>
</tbody>
</table>

1.3.2.1 The officer, employee, or volunteer is responsible for any portion in excess of the per diem rate.

1.3.2.2 If the travel requires attendance at a meeting where there is no choice in meals and the cost is more than the maximum allowed, a receipt shall be required for full reimbursement.

1.3.3 The officer, employee, or volunteer must make an election for either reimbursement at the per diem rate without receipt or reimbursement of the actual cost with receipt but not both on a single trip.

1.4 The elected official or department head shall determine, on a case by case basis, whether a meal consumed while conducting county business should be reimbursed. The following are recommended guidelines:

1.4.1 **Reimbursement for Breakfast.** To qualify for reimbursement for breakfast the trip must start one hour before the employee normally leaves home for work. For example, an employee who works from 8:00 a.m. to 4:30 p.m. and usually leaves home around 7:30 to get to work by 8:00 must start the trip by 6:30 a.m.

1.4.2 **Reimbursement for Lunch.** To qualify for reimbursement for lunch the trip must start one hour before the employee’s regular lunchtime. For example, an employee who usually takes lunch at noon must start the trip by 11:00 a.m. to qualify for reimbursement.

1.4.3 **Reimbursement for Dinner.** To qualify for reimbursement for dinner the trip must start by 4:00 p.m. or conclude with the arrival at home after 8:00 p.m.

1.5 The following expenses relating to meals will not be reimbursed:

1.5.1 Hosting.
1.5.2 Alcoholic Beverages.
1.5.3 Tobacco.
1.5.4 Expenses considered unreasonable by the elected official or department head.
1.5.5 Meal served during a normal office or staff meeting.

1.6 Notwithstanding Section 1.2 above, the elected official or department head may provide a reasonable refreshment during a County-sponsored training session under the following conditions:

1.6.1 The training session is more than four (4) hours long; and
1.6.2 Reimbursement is accompanied by the following documentation:

1.6.2.1 Sign-in/sign out sheet;
1.6.2.2 Date of the training; and
1.6.2.3 Description of the training topic.

1.7 Notwithstanding Section 1.2 above, and subject to approval of the elected official or department head, if the employee is making an official presentation on behalf of Kitsap County at a breakfast, lunch, or dinner meeting and the employee is not offered a meal paid for by the hosting association in consideration for making the official presentation, the employee may be reimbursed the cost of the meal if the employee is not a member of the hosting association in accordance with section 1.3.

1.8 All claims for reimbursement must certify the date, the amount of the meal, and the location and purpose of the meeting or trip where the meal was consumed.

2. Reimbursement for Lodging. Reimbursement will be made for lodging expenses incurred while traveling out of Kitsap County to conduct official County business if the claim for reimbursement meets the following criteria:

2.1 Lodging expenses must be approved in advance by the elected official or department head. Reimbursement for lodging will be based on actual expenses incurred when accompanied by a (hotel folio) receipt.

2.2 Expenses incurred for lodging within commuting distance will not be reimbursed without advance approval of the elected official or department head. "Commuting distance" is defined as 60 miles one-way from the normal work area or the employee's residence, whichever is closest.

2.3 Original documentation containing sufficient detail for audit must accompany the claim for reimbursement. Personal telephone calls and other personal expenses shall not be reimbursed and must be deducted from the total amount claimed.

2.4 Only the elected official, county administrator, or chair of the board of county commissioners shall authorize out-of-state travel by employees, and such
Appendix M

approval shall be obtained in advance of the travel. A copy of the authorization must be attached to the voucher when requesting reimbursement.

3. **Reimbursement for Mileage.** Reimbursement will be made for mileage incurred while conducting official County business in a privately owned vehicle at the rate established by current Internal Revenue Service regulations if the claim for reimbursement meets the following criteria:

3.1. Reimbursement for mileage may not exceed the total round-trip coach airfare cost unless the elected official or department head deems that it is in the best interest of the County for the employee to be paid mileage instead of airfare. The total round-trip coach airfare cost includes air ticket, mileage to the airport, airport parking, car rental, and round-trip taxi or shuttle service from the destination airport to the hotel if applicable.

3.2. If an election is made to drive and the mileage claim exceeds the total round-trip coach airfare costs, mileage reimbursement shall not exceed the total round-trip coach airfare.

3.3. Reimbursement for mileage between an officer’s, employee’s, or volunteer’s residence and regular place of work is prohibited. If, during an employee’s or volunteer’s commute to or from work, an employee or volunteer detours to conduct an errand on behalf of the County, the employee or volunteer may be reimbursed mileage for the detour to the extent the mileage incurred exceeds the mileage from the employee’s or volunteer’s residence and regular place of work.

3.4. Mileage reimbursement will be based on the standard mileage rate established by the Internal Revenue Service.

4. **Reimbursement or Registration Fees.** Reimbursement for registration fees incurred for attendance at meetings, conferences, or conventions may be made if the elected official or department head determines that the attendance will benefit Kitsap County.

4.1. Reimbursement may include meals consumed while attending the meeting, conference, or convention, and may be reimbursed as part of the registration fee.

4.2. Registration may be paid in advance using the County’s established purchase voucher procedures.

5. **Reimbursement for Car Rental.** Reimbursement for car rental may be made only upon advance authorization by the elected official or department head.

6. **Reimbursement for Ferry, Air, Train, Bus, Taxi Fare, and Parking.** Reimbursement may be made for ferry, air, train, bus, taxi, shuttle fare, and parking when appropriate documentation accompanies the claim for reimbursement.
6.1 Tickets obtained through the use of individual frequent flyer miles will not be reimbursed.

6.2 Tickets purchased by an employee may be reimbursed with a receipt.

6.3 The elected official or the department head must approve all advance ticket purchases.

6.4 Employees will be liable to the County for the amount reimbursed by the county for the ticket if the employee or another County employee is unable to use the ticket, unless the employee is prevented from using the ticket due to circumstances beyond the employee’s control.

6.5 Employees who use personally-owned ferry commuter coupons for County travel may be reimbursed the current value of the individual coupon used. Employee shall provide documentation of the coupon’s value.

6.6 In circumstances where a parking receipt is not provided by the parking vendor (e.g., fee box and not attendant), none is required.

7. **Claims on Behalf of Others.** Kitsap County officers and employees may submit reimbursement claims on behalf of others if the claim contains the following information:

7.1 Name(s) of the Kitsap County employee(s) who traveled, partook of meals, or otherwise incurred expenses.

7.2 Whether the reimbursement is on behalf of Kitsap County employees and, if not, who the persons were and what connection they had with Kitsap County business. This is not to be construed to permit promotional hosting.

7.3 Who provided the lodging, meals, or other services, and the dates and times.

7.4 A detailed breakdown of amounts claimed.

7.5 A statement sufficiently explicit to show what County business was being conducted when the expenses were incurred.

8. **Travel Claims of Selected Job Applicants.** Upon prior approval of the county administrator or chair of the board of county commissioners, the travel expenses of selected applicants for County positions may be reimbursed. Application for reimbursement must be made on forms prescribed by the Kitsap County Auditor and the applicant must certify all claims to be true and correct.

8.1 The reimbursement may be denied if subsequent to the interview, the County makes an employment offer and the offer is declined by the applicant.
Appendix M

9. **Lost Receipts.** All reimbursements must be documented with appropriate receipts as prescribed in this resolution but when all efforts to obtain a duplicate receipt have been exhausted, employee may submit a “Statement in Lieu of Receipt Form”.

   9.1 A receipt is a third party document showing purchased item, quantity, price, date and vendor. The following items are not considered receipts:

   9.1.1 Un-canceled check;

   9.1.2 Statement; or

   9.1.3 Credit card receipts.

10. **County Auditor’s Responsibility.** The County Auditor will develop forms to implement this policy.

    10.1 The County Auditor will update the per diem rates (meal, lodging and mileage) to comply with Internal Revenue Service per diem rates and guidelines.

11. **Severability.** If any provision or its application to any person or circumstance is held invalid or unconstitutional, the remainder of the resolution or its application to other persons or circumstances shall not be affected.

    This resolution shall take effect upon adoption.

    ADOPTED this /day/ day of /month/ 2005.

    BOARD OF COUNTY COMMISSIONERS
    KITSAP COUNTY, WASHINGTON

    [Signature]
    CHRISS ENDRESEN, Chair

    ATTEST:

    [Signature]
    JAN ANGEL, Commissioner

    [Signature]
    Opal Robertson, Clerk of the Board

    [Signature]
    PATTY LENK, Commissioner
REIMBURSEMENT OF TRAVEL EXPENSE FOR SELECTED APPLICANTS FOR COUNTY EMPLOYMENT

In order to fill positions requiring special experience, training and education for positions such as, but not limited to, County Administrator, Department Directors and Senior Management positions, it is recognized that it may be necessary for applicants for such positions to travel to Kitsap County to participate in an examination/selection process. Reimbursement for reasonable and necessary expenses incurred by selected applicants for traveling to and from Kitsap County for the purpose of participating in an examination/selection process is a proper county expense.

Applicants may be reimbursed provided:

1. The County Administrator or Chair of the Board of County Commissioners has approved reimbursement for travel expenses for selected applicant(s) in advance.

2. Application for reimbursement is made within policy guidelines established for County officers and employees.

County offices and departments may arrange and pay for travel and lodging directly when such action achieves financial and/or scheduling efficiencies. A portion, or the entire amount, of the reimbursement requested may be denied if subsequent to the interview, the county makes an employment offer and that offer is declined by the applicant.
Eff June 30, 2014 - DELETED AND INTENTIONALLY LEFT BLANK
WHEREAS, Kitsap County recognizes that a workplace safe from the fear of violence is fundamental to the health and well being of both employees and the public alike;

WHEREAS, Kitsap County is committed to protecting the safety of its employees and will not tolerate acts or threats of violence which involve or affect its officers or employees;

WHEREAS, Kitsap County recognizes that acts of workplace violence are serious safety concerns and desires to adopt a policy that prohibits acts by its officers or employees which may threaten or harm other officers or employees or members of the public;

NOW, THEREFORE, BE IT RESOLVED that Kitsap County adopts the following policy prohibiting workplace violence and prohibiting the possession of any weapons by officers, employees and volunteers, while conducting county business, while on the job, and while on the worksite.

Section 1. Definitions. As used herein, the following terms shall be defined as follows:

1.1 “Dangerous Knife” means switch blade, swords, bayonet, dagger, bolo knife, or any other edged or pointed, cutting or stabbing device with a blade in excess of three inches in length.

1.2 “Firearms” are weapons capable of discharging a projectile by means of compressed air or chemical combustion.

1.3 “Threatening behavior,” is a person directly or indirectly communicating to another (e.g., using words, conduct, writing or stalking) with the intent to do or cause harm.

1.4 “Weapon” means, but it is not limited to, firearms, brass knuckles, electronic stunning devices, bows, cross-bows, arrows, sling shot, dangerous knives and any martial arts device capable of being used to inflict bodily injury.

1.5 “Workplace Violence” is any verbal assault, threatening behavior, or use of, or attempt or offer to use, force upon or toward the person of another occurring in or arising from the worksite.
Appendix P

1.6 “Worksite” is: (1) The building or work area constituting the principal place where work is performed or assigned, including common areas (such as reception area or halls) and private or personal work areas (such as offices or group work stations); (2) Any remote areas where the employee is engaged in official business, including field locations; (3) Vehicles, either county-owned or privately-owned, when used while conducting county business.

Section 2. Workplace violence by any county officer, employee, or volunteer is prohibited.

Section 3. The possession or use of any firearm or weapon by a county officer, employee, or volunteer, while conducting county business, while on the job, and while on the worksite, is prohibited. Possession of a valid concealed weapons permit is not an exception under this policy.

Section 4. An act of workplace violence or the possession or use of any firearm or weapon by a county officer or employee may result in disciplinary action including possible discharge.

Section 5. Exceptions:

5.1 Sheriff’s Officers, Sheriff’s Reserve Officers when on duty, Corrections Officers, Prosecutor’s Investigators, the Security Coordinator, or Courthouse Security Staff, who are authorized to carry firearms in the performance of their duties, are not governed by this policy while in the good faith performance of their official duties.

5.2 The use of force necessarily used by a public officer in the performance of a legal duty, or a person assisting the officer and acting under the officer’s direction, is not governed by this policy if the use of such force was made while in the good faith performance of official duties.

5.3 The use of force in defense of oneself or others as prescribed by chapter 9A.16 RCW is not governed by this policy.

5.4 Appropriate tools, equipment, devices and knives issued or approved by elected officials or department directors for their employees to be used in the course of employment are not considered dangerous weapons for purpose of this policy.

5.5 Employees who carry mace or pepper spray for their personal protection may carry these devices on to county property. Except as authorized by an elected official or department director, when on county property, these devices shall be concealed from sight and stored in a secure compartment, e.g., desk, cabinet.

Section 6. Responsibilities:

County of Kitsap:

6.1 Provide opportunities for training and education about violence and about reducing the risk of violence.
6.2 Take appropriate administrative, legal and/or disciplinary actions to respond to acts of violence and threats.

6.3 Maintain confidentiality of complaints and concerns to the extent allowed by law.

6.4 Adhere to all pertinent state rules and federal regulations regarding workplace violence.

6.5 County will not discriminate or retaliate against employees who file workplace violence complaints.

6.6 Address and investigate employee personal safety concerns and recommend appropriate action as necessary.

Employee Responsibilities:

6.7 If fear of violence is imminent, employee should immediately retreat then contact 911, or extension 4444 Port Orchard Courthouse Campus (give your name and location) or request intervention from a supervisor or other available management staff. (see Resolution Amending Resolution No. 143-1998)

6.8 If the threat of physical violence does not appear imminent, employee shall still retreat and then request intervention from a supervisor or other available management staff.

6.9 Employees who are concerned about their personal safety while conducting county business shall report such concerns to their elected officials or department director.

6.10 Employees involved in a situation where they fear physical retaliation may take place or where someone has made verbal threats of physical violence should immediately notify their elected official or department director.

Section 7. This Resolution shall be liberally construed to effectuate its purposes, and its provisions are declared to be separate and severable. If any portion of this Resolution is held to be unconstitutional or otherwise invalid, such findings shall not affect the validity of all remaining portions of this Resolution and the remainder of this Resolution shall be enforced as if the resolution did not contain the invalid part.
ADOPTED by the Board of Kitsap County Commissioners this __10__ day of August, 1998, at a regular open public meeting, notice of which was given as required by law.

KITSAP COUNTY BOARD OF COMMISSIONERS

/s/Chris Endresen  
Chris Endresen, Chair

/s/Charlotte Garrido  
Charlotte Garrido, Commissioner

/s/Phil Best  
Phil Best, Commissioner

ATTESTED BY:

/s/Holly Anderson  
HOLLY ANDERSON, Clerk of the Board
WORK/LIFE POLICIES AND PROGRAMS

Kitsap County currently supports the following work/life programs:

(1) Child And Elder Care Assistance Programs—Before Tax Credit For Child Or Elder Care Costs
(2) Elder Care—Case Management Through Aging & Long Term Care Office
(3) Maternity/Paternity Leave
(4) Sick/Vacation Leave
(5) Leave Of Absence
(6) Bereavement Leave
(7) Alternative Work Schedules: Flextime, Telecommuting, Compressed Work Week, Job Sharing, Part Time
(8) Employee Associations
(9) Family Functions (Annual Picnic, “Take Your Son/Daughter To Work” Day)
(10) Employee Training Programs
(11) On Site Workshops/Education Programs About Family/Life Issues (I.E., Domestic Violence)
(12) Employee Assistance Program (EAP)
(13) Employee Newsletter
(14) Deferred Compensation Program
(15) Annual Leave Donation Plan
(16) Family Medical Leave
(17) Employee Recognition Program
(18) Employee Suggestion Award Program
Appendix R

What is the Employee Assistance Program (EAP)?

The Employee Assistance Program is a free, confidential, professional assistance to help employees and their families resolve problems that affect their personal lives and job performance. In addition to being confidential, use of the Employee Assistance Program is always voluntary.

What kinds of problems will the Employee Assistance Program help me with?

The program deals with human problems which may include:

- A faltering marriage or divorce.
- A teenager who is using drugs.
- A spouse who drinks excessively.
- A dependency on drugs or alcohol.
- An adolescent threatening to leave home, or other family conflicts.
- Anxiety, depression or stress.
- An overwhelming number of debts.

How can the Employee Assistance Program help me with a problem?

Asking for help is the first step and sometimes the most important part of resolving an important issue in your life. Once you have taken that first step, the Employee Assistance Program provides you with these services:

- A qualified counseling staff to listen to your situation and to assess the nature and seriousness of your problem.

- Directions and assistance in ways to resolve the problem. Often this may involve referral to a local resource specializing in the area of concern.

- Follow up contacts as needed to be sure you are receiving effective help.
Appendix R

Will using the Employee Assistance Program affect my job?

Not at all. The Employee Assistance Program Policy guarantees that use of the program will not jeopardize your job status or promotional opportunities. What will affect the job is allowing a problem to go unresolved until it causes serious jeopardy to your continued employment.

What is the cost?

The initial problem assessment and counseling services are free to the employee and their family members. If further assistance is necessary, the employee's regular health insurance will be considered. If services that are not covered by insurance are necessary, the counselor will try to help the employee minimize the cost by making referrals to the most appropriate agency. These costs will be the employee's responsibility, but many times services are available which are based on the individual's ability to pay.

Who is eligible?

Since an employee's work performance can be affected by the problems of a spouse or other family members, this program is also made available to your family.

Is it confidential?

Yes. The highest degree of confidentiality will be observed in all cases. Information regarding the nature of the problem or the nature of the treatment will not be entered into the employee's personnel file. In cases where deferment of disciplinary action is contingent upon participation/completion of an EAP-approved program, only the cooperation, continued participation and successful or unsuccessful program termination will be divulged to the appropriate supervisor. Confidentiality is subject to state and federal laws.

Can I use sick leave or vacation if I need the time off to address the problem?

If your problem is an illness of any type (such as dependency on alcohol or other drugs), you have the same right for sick leave and other benefits as with any other illness. You can use your vacation leave, accrued compensatory or administrative time, for whatever purpose you choose, but it is required that you schedule it with your supervisor.

How can I contact the Employee Assistance Program?

The program is available to you at all times. Call the Employee Assistance Program to discuss your situation and to set up an appointment if appropriate.

Employee Assistance Program
(206) 361-4844 (Seattle) or 1-800-648-5834
Additional questions about the Employee Assistance Program or its administration?

Contact: Susan Smith
Kitsap County Employee Assistance Program Coordinator

Phone: 360-337-7185
Direct Courthouse Extension (3518)
RESOLUTION NO. 033-2000

A RESOLUTION TO ADOPT THE EQUAL EMPLOYMENT OPPORTUNITY PLAN FOR KITSAP COUNTY

WHEREAS, a need exists to adopt the Equal Employment Opportunity Plan in order to comply with the requirement from the United States Department of Justice Office of Justice Programs Office for Civil Rights for grant recipients of $500,000 or more.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners in regular session assembled that the attached Equal Employment Opportunity Plan be adopted. This plan will be effective for two years following the date of adoption.

ADOPTED this 7th day of February, 2000.

KITSAP COUNTY BOARD OF COMMISSIONERS

/s/Tim Botkin
TIM BOTKIN, Chair

/s/Chris Endresen
CHRIS ENDRESEN, Commissioner

/s/Charlotte Garrido
CHARLOTTE GARRIDO, Commissioner

ATTEST:

/s/Holly Anderson
Holly Anderson
Clerk of the Board
EEOP SHORT FORM

STEP 1: INTRODUCTORY INFORMATION

Grant Title: Drug Court Multijurisdictional
Grant Number: 98-DC-VX-0093
Implementation Initiative

Grantee Name: Kitsap County

Award Amount: $600,000.00

Address: 614 Division Street, MS-23
Port Orchard, WA 98366

Contact Person: Susan R. Smith
Personnel Analyst

Telephone #: (360) 337-7185, extension 3518

Date and effective duration of EEOP: February 8, 2000 through February 7, 2002

Policy Statement:

Kitsap County is an equal opportunity employer. The County believes the participation of men and women of diverse ages, races, religions, cultures, abilities, etc. will add to personal development and organizational success. By express policy, the County is committed to promoting and protecting the rights and opportunities for equal employment for all and to ensure that no discrimination is committed against any person on the basis of race, color, religion, national origin, age, sex, marital status, veteran status, a disability or sexual orientation. This policy extends to all areas of employment including recruitment, selection and placement, compensation, promotion and transfer, disciplinary matters, demotions, layoffs and terminations, testing and training, working conditions, awards and benefits, and all other terms and conditions of employment. It is not the intent of this policy to permit or require the lowering of bona fide job requirements or qualification standards to give preference to any employee or applicant for employment.

Kitsap County will continue to send recruitment announcements to a wide variety of agencies, organizations, and schools in an effort to provide employment opportunities to potential candidates of all genders, ages, races, religions and cultures. County employees are provided training in ways to work together successfully with a diverse group of customers, coworkers, and supervisors.

Any employee of Kitsap County who fails to comply with this policy is subject to appropriate disciplinary action.

As appointing authority, I hereby direct that this policy is implemented.

/s/Tim Botkin Chair 2/7/00
[signature] [title] [date]

OMB Approval no.: 1121-0140
Revised: 7/22/98
STEP 2: AGENCY’S WORKFORCE -- In the following Utilization Chart, please fill in the workforce statistics for your agency according to the categories indicated. (see attached)

STEP 3: COMMUNITY LABOR STATISTICS (CLS) -- In the following Utilization Chart, please fill in the available workforce statistics for the community according to the categories indicated. (see attached)

STEP 4a: UTILIZATION ANALYSIS -- Please subtract the percentages obtained in Step 3 from those obtained in Step 2 and fill in on the following Utilization Chart. (see attached)

STEP 4b: NARRATIVE UTILIZATION ANALYSIS -- In the space provided below, please analyze the figures obtained for Step 4a -- the Utilization Chart -- by pointing out specific areas of concern.

A review of the problem areas identified in the Utilization Chart (see Attachment C) indicates a need to establish corrective goals and objectives to address the underutilization of minorities in Kitsap County’s workforce in certain areas compared to their availability in the community. The following shows the categories in which an underutilization occurs which exceeds 5 percent:

Officials and Administrators: White females are represented in the community workforce at 39.9%, while in our agency it is only 23.0% demonstrating a 16.9% underutilization.

Paraprofessionals: White females are represented in the community workforce at 75.8%, while in our agency it is only 65.2% demonstrating a 10.6% underutilization; and Asian/Pacific Island females are represented in the community workforce at 6.4%, while in our agency there are none, demonstrating a 6.4% underutilization.

Service Maintenance: White females are represented in the community workforce at 33.4%, while in our agency it is only 14.3% demonstrating a 19.2% underutilization.

The aforementioned are specific areas in which Kitsap County will review in order to determine factors responsible for the underutilization. Actions will be taken to address and attempts made to rectify this situation. Because the Kitsap County community has easy access to the larger metropolitan areas such as Seattle, and Tacoma, part of the underutilization could be reflective of those members of our community who choose to commute to the larger areas due to higher wages.
STEP 5: OBJECTIVES -- In the space provided below, summarize the objectives your EEOP sets forth to address any underutilization identified in Step 3.

It is the goal of Kitsap County to employ a workforce that is more representative of the community and utilize the skills of those available and qualified for our positions. Because White females appear to be under represented in the Officials and Administrators, Paraprofessionals and Service Maintenance Categories; and Asian/Pacific Island females appear to be under represented in the paraprosfessional area of our agency, it is our objective to evaluate our current promotional and recruitment practices over the next two years to ensure an equal opportunity is afforded in the advancement and hiring process.

In addition to evaluating our current employment practices, Kitsap County will attempt to attract qualified White females and Asian/Pacific Island females in those under represented categories through promotional advancement opportunities and recruitment.

STEP 6: STEPS TO ACHIEVE OBJECTIVES -- In the space provided below briefly describe the specific steps you have determined will enable you to meet the objectives presented in Step 5.

Kitsap County will be reviewing and evaluating our current promotional and recruitment practices during the next two years in order to meet the objectives presented in Step 5 above. The following steps will be taken in order to meet those objectives:

-continue to attend job fairs at High Schools, Trade Schools, Colleges and Universities, and ensure the White and Asian Pacific Island Females will be included in the job fairs attended.

-review the current mailing list used for recruitments to determine if there is a need to expand the list to include areas with more White female and Asian/Pacific Island female concentration.

-conduct annual educational sessions with Kitsap County hiring authorities to advise of underutilized groups in their individual areas.

-continue to provide training to current employees including hiring authorities in cultural awareness and diversity.

-offer training to afford employees opportunities to learn and become more qualified for advancement.
STEP 7: DISSEMINATION -- In the space provided below, summarize your plan to disseminate the EEOP.

In order to disseminate the EEO Plan, we will complete these steps:

1. Include the EEO Policy statement in Kitsap County’s personnel policy and procedures manual, and we will distribute a separate copy to all Department Heads and Elected Officials.

2. Include a statement in all publications of the Employee’s Newsletter advising of the availability of the EEO Plan.

3. Write and distribute a memorandum to all employees indicating how a copy of the EEO Plan can be obtained.

4. Post a statement regarding the availability of the EEO Plan on the Bulletin Board in the front lobby of the Personnel and Human Services Department.

5. Periodically meet with and update the Department Heads and Elected Officials on the utilization of minority and females in their areas, identifying any problem areas, and assist with solutions.

6. Add a footnote to Kitsap County’s website that includes a statement advising of the availability of the EEO Plan.

7. Continue to include the statement, “Kitsap County is an Equal Opportunity Employer” on all job applications and postings.
RESOLUTION NO. 1167 - 2011

A RESOLUTION AMENDING THE EMPLOYEE RECOGNITION PROGRAM

WHEREAS, the current Employee Recognition Program, established by Resolution No. 317-1990 and amended by Resolution No. 117-1993, Resolution No. 229-1994 and Resolution No. 214-2003, provides for a service recognition Program; and

WHEREAS, it is desirable to amend Section C. Awards, of the Service Recognition Program, to establish a revised cost guideline to reflect price increases on gift items; promote cost efficiencies; and affirm service years for recognition.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Kitsap County that Section C. Awards, of the Service Recognition Program, is amended in its entirety as attached.

BE IT FURTHER RESOLVED that the Personnel and Human Services Director is authorized to add, replace or limit service award items due to lack of continued availability, financial consideration, product desirability, and appropriateness within established county policies.

ADOPTED this 14th day of November 2011.

BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY, WASHINGTON

Charlotte Garrido, Chair

Robert Gelder, Commissioner

Josh Brown, Commissioner

ATTEST:

Dana Daniels, Clerk of the Board
1. Description of Service Award Gift Level, Item and Cost Guidelines.

a. **Gift Award Level 1 (Cost Up to $25.00)**
   - Brass Key Ring with County Emblem
   - Brass Money Clip with County Emblem
   - Brass Belt Buckle with County Emblem
   - Brass Business Card Holder with County Emblem
   - Set of two Glass Coffee Mug with County Emblem
   - Commuter Mug with County Emblem
   - Stainless Water Bottle with County Emblem
   - Swiss Army Knife with County Emblem

b. **Gift Award Level 2 (Cost Up to $35.00)**
   - Quill Pen with County Emblem
   - Briefcase with County Emblem
   - Portfolio with County Emblem
   - Round of Golf for two at Village Greens Golf Course

c. **Gift Award Level 3 (Cost Up to $60.00)**
   - Multi Tool Set
   - $50 Gift Certificate to Restaurant/Store within Kitsap County (Conditions apply)

d. **Gift Award Level 4 (Cost Up to $90.00)**
   - $75 Gift Certificate to Restaurant/Store within Kitsap County (Conditions apply)

**Footnote:**

(1) Cost guidelines are per unit cost inclusive of tax, shipping and handling.
(2) Gift items are for illustrative purposes and subject to price and product availability.
(3) Gift Certificates are reported as taxable income.
2. Description of Service Awards.

<table>
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<th>Years of Service</th>
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<tr>
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<td>Framed Certificate signed by the Kitsap County Board of Commissioners and a Cloisonné Pin with the County Emblem.</td>
</tr>
<tr>
<td>10</td>
<td>Framed Certificate signed by the Kitsap County Board of Commissioners, a Cloisonné Pin with the County Emblem and a Level 1 gift item.</td>
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<tr>
<td>15</td>
<td>Framed Certificate signed by the Kitsap County Board of Commissioners, a Cloisonné Pin with the County Emblem and a Level 2 or Level 1 gift item.</td>
</tr>
<tr>
<td>20 and 25</td>
<td>Engraved Plaque with the County Logo and a Cloisonné Pin with the County Emblem.</td>
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<tr>
<td></td>
<td><strong>OR</strong></td>
</tr>
<tr>
<td></td>
<td>Framed Certificate signed by the Kitsap County Board of Commissioners, Cloisonné Pin with County Emblem and a Level 3, Level 2 or Level 1 gift item.</td>
</tr>
<tr>
<td>30, 35 and 40</td>
<td>Engraved Plaque with the County Logo, a Cloisonné Pin with the County Emblem and a Level 1 gift item.</td>
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<td></td>
<td><strong>OR</strong></td>
</tr>
<tr>
<td></td>
<td>Framed Certificate signed by the Kitsap County Board of Commissioners, a Cloisonné Pin with County Emblem and a Level 4, Level 3, Level 2 or Level 1 gift Item.</td>
</tr>
<tr>
<td>Retirement (with minimum of 5 years employment with Kitsap County)</td>
<td>Engraved Plaque with the County Logo.</td>
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<tr>
<td></td>
<td><strong>OR</strong></td>
</tr>
<tr>
<td></td>
<td>Framed Certificate signed by the Kitsap County Board of Commissioners with a Level 3, Level 2 or Level 1 gift item.</td>
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RESOLUTION NO. 060-2001

A RESOLUTION TO ESTABLISH THE KITSAP COUNTY EMPLOYEE SUGGESTION AWARD PROGRAM

WHEREAS, it is the desire of the Board of County Commissioners of Kitsap County to stimulate high levels of performance, encourage innovation, strengthen employee-management relations, and to reward and recognize County employees for suggestions to improve the effectiveness and efficiency of County operations; and

WHEREAS, the “Kitsap County Employee Suggestion Award Program” has been developed to address this need;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Kitsap County that the attached “Kitsap County Employee Suggestion Award Program” is hereby adopted and included within the scope and provisions of the Employee Recognition Program established by Resolution No. 117-1993.

ADOPTED this 9th day of April, 2001.

KITSAP COUNTY BOARD OF COMMISSIONERS

/s/Chris Endresen
CHRIS ENDRESEN, Chair

/s/Jan Angel
JAN ANGEL, Commissioner

NOT PRESENT
TIM BOTKIN, Commissioner

ATTEST:

/s/Holly Anderson
Holly Anderson
Kitsap County Employee Suggestion Award Program

April 2001
# Appendix U

## EMPLOYEE SUGGESTION AWARD PROGRAM

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Appendix U

KITSAP COUNTY
EMPLOYEE SUGGESTION AWARD PROGRAM

PURPOSE

To reward and recognize County employees for suggestions that improve the effectiveness and efficiency of County operations and services.

EMPLOYEE ELIGIBILITY

1. All regular full time and regular part time employees who have completed their probationary period; Provided.

2. The following shall not be eligible to participate in the Employee Suggestion Award Program:
   a. Elected Officials and Department Directors.
   b. Suggestion Board members and other employees directly connected with the administration of the Suggestion Award Program.

ELIGIBILITY OF SUGGESTIONS

1. A suggestion must make possible an extension of public service commensurate with the expense involved or eliminate or reduce County expenditures without substantially impairing service or provide a desirable safety factor.

2. Suggestions should:
   a. Save time or materials.
   b. Improve procedures or services.
   c. Improve tools or equipment.
   d. Improve safety conditions.
   e. Increase efficiency or productivity.
   f. Improve public information and relations.

3. Suggestions that are unacceptable include:
   a. Identification of a problem, but no proposed solution.
Appendix U

b. Grievances or gripes.

c. Suggestions already under active consideration by the affected County department.

d. Suggestions that would normally be expected in the course of performing assigned duties.

e. Matters covered by collective bargaining.

f. Matters covered by federal/state law, County ordinance, Administrative Guideline, Policies, etc.

4. Two or more employees may submit a suggestion if both signatures appear on the "Suggestion Form" to indicate their agreement to equally share an award.

SUGGESTION AWARD BOARD

1. Duties, Responsibilities and Authority

a. To resolve questions relating to eligibility of suggestion.

b. To review evaluations of suggestions, to adopt or reject suggestions submitted, to determine the amount of cash award (not to exceed $500) and non-cash award.

c. Submit recommendation of Award to Kitsap County Board of Commissioners.

d. Adopt rules, procedures, and documents necessary to administer the program.

e. Meet at least quarterly. Additional meetings may be called, if necessary. A majority of the members of the Board present shall constitute a quorum for transacting business.

2. Term of Members

Suggestion Award Board members shall be appointed by the Board of County Commissioners for a term of two years, except that the initial appointment for two (2) members shall be for one (1) year.

3. Composition of Board

a. An elected official or designee.

b. A Department Director.
Appendix U

Responsibilities of departments receiving suggestions

1. Assign person(s) to be responsible for reviewing and evaluating suggestions submitted.
2. Review, evaluate, and return Suggestion Evaluation Form to the Suggestion Award Board within 30 days of receipt.
3. Initiate implementation of suggestion, if acceptable.
4. Maintain records of first year fiscal impact of adopted suggestions and submit to Suggestion Award Board and Kitsap County Board of Commissioners.

Awards

1. To be eligible for an award, a suggestion must be implemented or a commitment made to implement it.
2. Tangible suggestions, ideas that result in benefits with measurable monetary savings, will receive a cash award equal to 10% of the estimated first-year savings, not to exceed $500.00. The Suggestion Award Board may recommend a “bonus” day off in addition to the cash award for suggestions resulting in substantial savings.
3. Intangible suggestions, ideas that result in benefits that cannot be measured in terms of monetary savings, may receive a cash award of up to $500.00. These suggestions result in improved procedures, safety, working conditions,
4. Any cash award shall be at full net value. (Announced award amount plus required tax) For example, an employee awarded a cash award of $100 will receive the full amount based on a total gross award of $133.37.

5. The Suggestion Award Board may also recommend the award of items provided through the Employee Service Recognition Program.

SUGGESTION PROCEDURE

1. Suggestions must be submitted on prescribed forms to the Suggestion Award Board Coordinator. The forms must be signed, but names will remain undisclosed until consideration of the suggestion has been complete.

2. The Suggestion Award Board Coordinator shall receive, record and acknowledge receipt of suggestions, inform the employee of any delay in the process and of any action taken.

3. Each suggestion shall be referred to the affected County department for evaluation and recommendation. Within 30 days the department shall return the findings and recommendations to the Suggestion Award Board. The established timeline may be extended by the Suggestion Award Board Coordinator to accommodate departmental request.

4. The Board shall evaluate each suggestion and formulate an official recommendation covering the merits of the suggestion, recommending type and amount of award.

5. The awards will be presented to the employee at a regular public meeting of the Board of County Commissioners.

6. Employees whose suggestions were not recommended for acceptance shall receive a letter of appreciation.

ADMINISTRATIVE RECORDS AND FILES

The Suggestion Award Board Coordinator shall maintain the following records:

1. Log all suggestions received, including name, department, subject, date received, numerical listing, and action taken on suggestions.

2. Files for each suggestion, consisting of suggestion form, evaluation form and all correspondence and action taken.
POLICY PERTAINING TO EXTRA HELP POSITIONS

Section 1. Findings and Policy Statement

Kitsap County finds that both operational efficiency and fair and equitable employment practices are advanced by the use of regular employees. Therefore, it is the policy of Kitsap County that regular full-time or regular part-time employees will perform the ongoing, relatively stable, and predictable bodies of work needed to provide services to the public, and the use of extra help employees will be minimized.

Section 2. Definition of Extra Help Employee

“Extra help employee” means an employee who is not hired as a regular employee, is not entitled to employment-based benefits, and whose term of employment is limited to the hour limitations specified in Section 3.2.

Section 3. Limitations on Employment of Extra Help Employees

3.1 Extra help employees may be hired to address the following operational needs:

3.1.1 Limited Term. For specific and defined projects or for a continuing body of work of limited duration including grant-funded projects, capital improvement projects, other non-routine projects, during the absence of a regular employee, to perform work requiring specialized skills, or to fill a vacancy for a limited period during recruitment.

3.1.2 On Call. To address short-term operational needs, for intermittent work during peak periods, or in the event of an emergency.

3.1.3 Seasonal. For specific times of year to meet departmental needs during the identified season or peak workload time periods.

3.2 Extra help employees may not be used to perform work that is ongoing, relatively stable, and predictable. The duration of employment is limited to the following terms:

3.2.1 Limited Term. The term of employment shall be limited to the term of the particular project, regular employee absence, work requiring specialized skills, or position vacancy, but in no event shall the term exceed 2080 hours.

3.2.2 On Call. The term of employment shall not exceed 1213 hours in a calendar year.

3.2.3 Seasonal. The term of employment shall not exceed seven consecutive months, 1213 hours in a calendar year.

3.3 An employing official who has terminated an extra help employee because the employee reached one of the thresholds listed in Section 3.2 may not re-employ the employee or another extra help employee to perform the same classification work for a period of six months following the last work day of the terminated extra help employee.

3.4 Extra help employees are not guaranteed a minimum number of work hours.
3.5 An employing official who seeks to hire an extra help employee must submit a request for authorization to the Human Resources Manager. A request for authorization must include, at a minimum, a description of the body of work to be performed, the regular designation of a classification that most closely resembles the work to be performed, the proposed wage that will be paid, the funding source, the anticipated hire date, and the number of hours the employee is anticipated to work.

3.6 The wage for extra help employees should be within the wage grade established for the classification they are entering.

3.7 Two or more employees may perform the work of a particular classification concurrently as a job share or sequentially; however, the cumulative service of the two or more employees shall not exceed the applicable threshold listed in Section 3.2. This section does not apply to seasonal workers or employees of a 24 hour, 7 day facility.

3.8 Employing officials are responsible for ensuring that extra help employees are official shall take one of the following actions in sufficient time to ensure that an extra help employee is not employed beyond the threshold:

(a) Discontinue the work performed by the extra help employee and terminate the employment of the extra help employee;

(b) Reassign the work performed by the extra help employee to an existing regular employee(s) and terminate the employment of the extra help employee; OR

(c) Request creation of a regular position to perform the work.

3.9 Specific procedures for submitting requests for authorization to employ extra help employees will be developed and maintained by the Director of Personnel and Human Services or designee.

3.10 When the elected official or department head submits the annual budget estimate, he or she will also submit a report documenting the use of extra help employees during the calendar year and make a recommendation to the County Administrator (or in the absence, the Chair of the Board of County Commissioners) as to whether an ongoing, relatively stable and predictable body of work on an annualized basis has been identified. If the County Administrator determines that such a body of work exists, a recommendation may be made to create a new part-time or full-time regular position(s), reassign the work to an existing regular position, or cessation of the work.

Section 4. Employment Agreement

As a condition of employment an extra help employee shall sign an agreement acknowledging his or her status as extra help and the terms and conditions of extra help employment. If a change occurs affecting the terms and conditions of employment, a new agreement shall be signed by the employing official and extra help employee.

Section 5. At-Will Employment

The employment of an extra help employee may be terminated at will. Nothing in this policy shall be construed to create a right to continued employment.
Section 6. Hiring Process

6.1 All individuals selected for employment as extra help shall complete a Kitsap County Employment Application.

6.2 Each person selected for employment as extra help should meet the minimum qualifications of the position.

6.2.1 If the employing official hires an extra help employee at a classification level that is lower than authorized for the extra help position, the minimum qualifications applicable to the lower classification will apply.

6.2.2 The Personnel Division should review applicant qualifications prior to hire and, in cases of emergency, no later than the second week of employment. Individuals hired on an emergency basis who do not meet minimum qualifications should not be retained in the position.

6.2.3 The Personnel Division will coordinate with the employing official to establish specific qualifications and review processes.

6.3 In the event that an extra help body of work is transitioned to a regular position, the Personnel Division will conduct a classification review and the competitive selection process applicable to the regular position shall be followed. Performing work as an extra help employee shall not confer any right or entitlement to appointment to a regular position.

Section 7. Retirement Benefits

Contributions to the Washington State Retirement System shall be paid for extra help employees who work at least 70 hours during five or more months of two consecutive calendar years to the extent required by law. Enrollment in the retirement system shall be a condition of employment at the time the employee becomes eligible for membership in the Washington State Retirement System.
RESOLUTION NO. 146 - 2003

A RESOLUTION PERTAINING TO
THE DEFERRED COMPENSATION
PLAN FOR KITSAP COUNTY

WHEREAS, by Resolution No. 59-1973 adopted on April 16, 1973, the Kitsap County Board of Commissioners (the "Board") adopted plan of deferred compensation (the "Plan") for employees;

WHEREAS, the Plan was amended and restated by Resolution No. 43-1974 on February 11, 1974;

WHEREAS, by Resolution No. 64-1980 dated February 25, 1980, the Board rescinded Resolution No. 59-1973 and Resolution No. 43-1974, and adopted a restatement of the Plan, providing for a continuation of the Plan in the amended form;

WHEREAS, the Plan was amended and restated on June 19, 1989 and October 21, 1996;

WHEREAS, pursuant to Section 5.3 of the Plan, the Board may amend the Plan at any time; and

WHEREAS, pursuant to Section 2.5 of the Plan, the Board has the authority to operate and administer the Plan; and

WHEREAS, the Deferred Compensation Committee has recommended that it is necessary to amend and restate the Plan to bring the Plan into compliance with the provisions of the Economic Growth and Tax Reduction Reconciliation Act of 2001, as amended ("EGTRRA"), the regulations thereunder, and other applicable law and guidance; and

WHEREAS, the primary purpose of amending and restating the Plan is to continue to provide a program under which employees of Kitsap County may defer a portion of their compensation to pay retirement benefits in accordance with the provisions of Section 457(b) of the Internal Revenue Code of 1986, as amended.

NOW, THEREFORE, THE KITSAP COUNTY BOARD OF COMMISSIONERS RESOLVES AS FOLLOWS:

1. The Deferred Compensation Plan for Kitsap County attached hereto is adopted effective on the first day of the month following thirty days after subscription by the Board.
2. This adopted and restated Deferred Compensation Plan amends the former Plan and is a continuation of the former Plan in this amended and restated form.

3. The Administrator of the Plan shall be the Kitsap County Deferred Compensation Plan Committee, which shall consist of the County Administrator, the Personnel Manager of the Department of Personnel and Human Services, the Financial Services Manager of the Auditor’s Office, and Investment Officer of the Treasurer’s Office.

4. Additions and deletions of funding arrangements offered under the Plan shall be referred to the Board for approval.

5. The Director of Personnel and Human Services shall include the Deferred Compensation Plan for Kitsap County in the appendix to the Kitsap County Personnel Manual, and make copies of the Plan available to employees.

6. This resolution and the Plan shall be liberally construed to achieve their stated purposes and the purposes intended under 26 U.S.C. §457 and the laws of the State of Washington. If any provision of this resolution or the Plan or their application to any person or circumstance is held invalid or unconstitutional the remainder of the resolution and Plan or their application to other persons or circumstances shall not be affected.

DATED this 11th day of August 2003.

BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY, WASHINGTON

JAN ANGEL, Chair

ATTEST:

CHRIS ENDRESEN, Commissioner

PATTY LENTS, Commissioner
**HIGHLIGHTS FOR 403(b) TAX SHELTERED ANNUITIES AND 457 PLANS:**
The Economic Growth and Tax Reconciliation Act of 2001 (EGTRRA)

**These EGTRRA changes are generally effective for taxable years beginning after December 31, 2001**

<table>
<thead>
<tr>
<th>Tax Sheltered Annuity Issue Highlights</th>
<th>Prior Law</th>
<th>EGTRRA of 2001 Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Limit on Plan Contributions</td>
<td>Elective deferrals limited to $10,500</td>
<td>Elective deferral limit increased to $11,000 in 2002; increased $1,000 each succeeding year to $15,000 in 2006, and indexed thereafter in $500 increments.</td>
</tr>
<tr>
<td>Limit on employer allocations: Maximum contribution to defined contribution 403(b) arrangement is limited to the lesser of $35,000, or 25% of compensation</td>
<td></td>
<td>Increased to the lesser of $40,000 or 100% of compensation. However, the old definition of includible compensation applies for this purpose</td>
</tr>
<tr>
<td>Tax Sheltered Annuity plan contributions limited to lesser of IRC 402(g) elective deferral dollar limit, IRC 415(c) contribution limit [lesser of 25% of compensation or $35,000], or IRC 403(b)(2) Maximum Exclusion Allowance</td>
<td></td>
<td>IRC 403(b)(2) Maximum Exclusion Allowance is repealed; no longer affects TSA contributions as a limit or allowance. For tax years beginning after 12/31/99 (i.e. before 1/1/2002), a plan may disregard the requirement that contributions to the employer's defined benefit plan be treated as previously excluded amounts for purposes of the exclusion allowance calculation. Post retirement employer contributions to 403(b) plans permitted for up to five years after severance from employment. Contribution limits based on retiree's compensation during final year of service.</td>
</tr>
</tbody>
</table>

March 27, 2002
## Tax Sheltered Annuity Issue Highlights

<table>
<thead>
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<th>Issues</th>
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<tbody>
<tr>
<td>IRC 415(c)(4) Special election for section 403(b) Contracts Purchased by Educational Organizations, etc.</td>
<td>An employee of an educational institution, hospital and other specified organizations may make an irrevocable election to use one of three special limitations for contribution limits on 403(b) annuity contracts. These options were alternatives to the limit on employer contributions. The “A” limit permits a special election for the tax year in which the employee separates from service. The “B” election was an “any year” election. The “C” election permitted contributions up to the 415(c) limits, without regard to the Maximum Excision Allowance.</td>
<td>This section was repealed.</td>
</tr>
<tr>
<td>Purchase of Service Credits in Governmental Defined Benefit Plans</td>
<td>No prior provision in the Internal Revenue Code. Under various state laws, state and local government employees may have the option of purchasing credit for prior service. This credit would be for additional benefits in a defined benefit 401(a) plan which covers the employee.</td>
<td>State and local government employees may use funds from their 403(b) arrangements or 457(b) plans to purchase service credits under their defined benefit plans. This will be a trustee to trustee transfer of the actuarially determined amounts.</td>
</tr>
<tr>
<td>Rollovers Between IRC sections 401(a), 403(b), 457(b) and IRA arrangements.</td>
<td>IRC section 495(b) rollover provisions were very limited, consisting of only 403(b) to 403(b) or 403(b) to a conduit IRA. After tax contributions may not be rolled over.</td>
<td>Rollovers permitted from and to IRC 401(k), 403(b) and governmental 457(b) arrangements without restriction. Such distributions also become subject to 10% early withdrawal tax, if the distribution consists of amounts attributable to rollovers from another type of plan. After tax employee contributions can be included in an eligible rollover distribution to a qualified plan, or to an IRA or between 403(b) arrangements. Taxable IRA distributions can be rolled over to any of these plans.</td>
</tr>
</tbody>
</table>

March 27, 2003
## Tax Sheltered Annuity Issue Highlights

<table>
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<tbody>
<tr>
<td>Catch-up Contributions for Workers Age 50</td>
<td>No provision</td>
<td>Individuals who are age 50 or older may make additional contributions to the plan.</td>
</tr>
<tr>
<td>and Older</td>
<td></td>
<td>Year Additional Deferrals</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2002 $1,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2003 $2,000</td>
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<tr>
<td></td>
<td></td>
<td>2004 $3,000</td>
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<tr>
<td></td>
<td></td>
<td>2005 $4,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2006 $5,000</td>
</tr>
<tr>
<td>Repeal of the “Same Desk Rule”</td>
<td>Under the “same desk rule”, a distribution to a terminated employee is not allowed if the employee continues performing the same functions for a successor employer.</td>
<td>The same desk rule is eliminated by replacing “separation from service” with “severance from employment”.</td>
</tr>
</tbody>
</table>
### 457 Issue Highlights

<table>
<thead>
<tr>
<th>Issues</th>
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<th>ECTRRA 2001 Changes</th>
</tr>
</thead>
</table>
| Basic limit increases for 457(b) plans | Current 2001 limit is $8,500 | • Primary 457(b) limit to $11,000 for 2002 to $15,000 in 2006  
• Conforms to elective deferral limits of IRC 402(g), as amended |
| Catch up contributions | Last 3 years before retirement, deferrals of twice basic limit. (Underutilized limitation still applies) | The section 457 limit on deferred compensation is not reduced by elective deferrals under other types of arrangements. |
| Contribution coordination limits with tax sheltered annuities and 401(k) plans | A maximum of $8,500 in compensation may be deferred per year in a 457(b) plan. This limit is generally reduced by elective deferrals under other types of arrangements. | |
| Age 50 or over catch up contributions for governmental plan participants ONLY | Individuals who are age 50 or older may make additional contributions to the plan. Year Additional Deferrals  
2002 $1,000  
2003 2,000  
2004 3,000  
2005 4,000  
2006 5,000 | When a participant is eligible for regular IRC 457(b) catch up in the 3 years prior to normal retirement age the higher of the 2 limits (age 50 or pre-retirement catch up) will apply. |
| Purchase of permissive service credit | Allows transfers from 457 governmental plans to governmental defined benefit plan to buy additional service credits | |

March 27, 2002
DEFERRED COMPENSATION PLAN
FOR KITSAP COUNTY

Amended and Restated
Effective October 1, 2003
APPENDIX W

DEFERRED COMPENSATION PLAN
FOR KITSAP COUNTY

ARTICLE 1. INTRODUCTION AND PURPOSE

Kitsap County established the Deferred Compensation Plan for Kitsap County ("the Plan") effective April 16, 1973. The Plan was previously amended and restated on February 25, 1980, January 1, 1989 and October 21, 1996. The purpose of this amendment and restatement is to bring the Plan into compliance with the provisions of the Economic Growth and Tax Reduction Reconciliation Act of 2001, as amended ("EGTRRA"), the regulations thereunder, and other applicable law and guidance. This amendment and restatement of the Plan is effective October 1, 2003.

The primary purpose of this Plan is to provide a program under which Employees of Kitsap County may defer a portion of their Compensation to pay retirement benefits in accordance with the provisions of Section 457(b) of the Internal Revenue Code of 1986, as amended ("the Code"). The Plan is a governmental plan within the meaning of Code Section 414(d). The Plan is maintained, and all assets are held in trust for the exclusive benefit of Plan Participants and their Beneficiaries (as defined in this Plan).

ARTICLE 2. DEFINITIONS

2.1 Account

"Account" or "Participant's Account" means the separate account maintained for each Participant to which Deferred Compensation shall be allocated. The Account shall be credited (or debited, as the case may be) with investment gains or losses attributable to the investment of the Account, amounts transferred from another governmental Eligible 457(b) Plan as permitted by this Plan, any distributions from the Account and any fees or expenses charged against the Account. The Account may include sub accounts, such as a Rollover Account.

2.2 Administrator

"Administrator" or "Plan Administrator" means the Kitsap County Deferred Compensation Plan Committee or its duly authorized designee for that purpose, who shall exercise the discretion and carry out the functions conferred upon it under the terms of the Plan.

2.3 Annuity Contract

"Annuity Contract" means an annuity contract or custodial arrangement qualified for sale in the State of Washington and approved by the Employer as a Funding
Arrangement under this Plan. Annuity Contracts shall be held in the name of the Employer and may be amended or replaced from time to time by action of the Employer. Annuity Contracts shall be deemed to be a trust for purposes of the Plan, as permitted by Code Section 457(g). Such action shall not necessitate the amendment of the Plan.

2.4 Beneficiary

“Beneficiary” means the person or persons designated by the Participant to receive a benefit from the Plan in the event of the Participant’s death.

2.5 Compensation

“Compensation” means all wages, salary and other amounts, as set forth in the annual salary regulations or ordinances of the Employer, that would be payable by the Employer to an Employee for services rendered if the Employee did not have a Deferred Compensation election in effect during the taxable year.

2.6 Deferred Compensation

“Deferred Compensation” means that portion of an Employee’s Compensation which the Employee, by agreement of the Employer, has elected to defer in accordance with the provisions of this Plan.

2.7 Disability

“Disability” means a physical or mental condition that permanently prevents a Participant from performing the essential functions of his or her position with Kitsap County, as determined by the Administrator in its sole discretion.

2.8 Dollar Limitation

“Dollar Limitation” means the applicable dollar amount within the meaning of Section 457(b)(2)(A) of the Code, as adjusted for the cost of living in accordance with Code Section 457(c)(15)(B).

2.9 Eligible 457(b) Plan

“Eligible 457(b) Plan” means a plan described in Code Section 457(b), other than this Plan.

2.10 Employee

“Employee” means any common law employee, officer, or elected official of the Employer who receives any type of Compensation from the Employer for services rendered, and excludes all other individuals.
2.11 Employer

“Employer” means Kitsap County.

2.12 Funding Arrangement

“Funding Arrangement” means any trust agreement, plan and trust, custodial account agreement or Annuity Contract entered into by the Employer or its designee from time to time pursuant to which Investment Funds are offered under the Plan.

2.13 Includible Compensation

“Includible Compensation” means the amount of a Participant’s Compensation that is includible in the Employee’s gross income for the taxable year, as defined in Section 457(o)(5) of the Code.

2.14 Investment Fund

“Investment Fund” means a separate investment option or vehicle that is offered under a Funding Arrangement, in which all or a portion of the Plan’s assets may be invested, and to which all or a portion of the Participant’s Account may be allocated in accordance with the Participant’s direction as provided in this Plan.

2.15 Normal Retirement Age

“Normal Retirement Age” or “Normal Retirement Date” means the Participant’s age on the last day of the month in which the Participant retires pursuant to the normal retirement practices of the Employer. For purposes of the special Section 457 catch up under Section 4.2.B., such age shall be no later than age 70½, and no earlier than the earliest age at which the Participant has the right to retire under the Employer’s basic pension plan, without consent of the Employer, and to receive immediate retirement benefits without actuarial or similar reduction. Except for purposes of Section 4.2.B, if the Participant continues to work beyond age 70½, the Participant’s Normal Retirement Age shall be the date selected by the Participant, provided that such date is no later than the date of the Participant’s Termination of Employment.

2.16 Participant

“Participant” means any Employee who elects to participate in the Plan by executing and delivering to the Administrator a completed Participation Agreement.

2.17 Participation Agreement

“Participation Agreement” means the written agreement by which the Employee and the Employer agree that a portion of the Employee’s Compensation will be deferred in accordance with the provisions of the Plan, and the Employee designates his
Beneficiary, investment choices and payment options as permitted by the Plan. The Participation Agreement may also provide for deferrals of accrued sick leave, accrued vacation, or back pay, as permitted by Section 3.4. The Participation Agreement shall contain a provision whereby the Participant, on behalf of himself and his heirs, successors and assigns, holds harmless the Employer and Administrator from any liability for losses due to the Participant’s investment choices, payment options, and to the extent permitted by law, all acts performed in good faith.

2.18 Percentage Limitation

“Percentage Limitation” means, after December 31, 2002, 100% of the Participant’s Includible Compensation for the taxable year. Prior to January 1, 2003, “Percentage Limitation” means the lesser of the Dollar Limitation in effect for the taxable year or 25% of the Participant’s Compensation.

2.19 Plan Year

“Plan Year” means the calendar year.

2.20 Rollover Account

“Rollover Account” means a separate subaccount of the Participant’s Account maintained to which Eligible Rollover Contributions (as defined in Section 6.10), if any, shall be allocated.

2.21 Termination of Employment

“Termination of Employment” means, after December 31, 2002, a severance of the Participant’s employment with the Employer, within the meaning of Code Section 457(d)(1)(A)(ii), including a severance of employment due to retirement, Disability or death. Prior to January 1, 2003, “Termination of Employment” means a separation from service, within the meaning of Code Section 402(e)(4)(D)(III), including a separation from service due to retirement, Disability or death. In the case of a Participant who is an elected official, a Termination of Employment shall be deemed to have occurred on the date the Participant’s term of office ended without the Participant being elected to a new term, provided that it is not anticipated that the Participant will again become an Employee of the Employer, or as otherwise permitted by the Code.

2.22 Trust Fund

“Trust Fund” means the aggregate of Plan assets, together with all earnings, income and increments thereon, that the Plan Administrator allocates to a separate Investment Fund under a Funding Arrangement.
2.23 Unforeseeable Emergency

"Unforeseeable Emergency" means a severe financial hardship to the Participant resulting from a sudden and unexpected illness or accident of the Participant or of a dependent (as defined in Code Section 152(a)), impending personal bankruptcy of the Participant, loss of the Participant’s property due to casualty or any other major personal expense arising from extraordinary and unforeseeable events beyond the control of the Participant. "Unforeseeable Emergency" does not include foreseeable personal expenditures that may ordinarily be budgeted, such as a down payment on a house, the purchase of an automobile, or college or other school expenses. Only under extraordinary circumstances would the purchase of a home or the payment of college tuition constitute an "Unforeseeable Emergency." "Unforeseeable Emergency" also does not include any hardship which may be relieved (i) through reimbursement or compensation through insurance or otherwise, (ii) by liquidation of the Participant’s own assets, to the extent that the liquidation of such assets would not itself cause severe financial hardship, or (iii) by cessation of deferrals under the Plan. The Plan Administrator shall determine in its sole discretion whether a hardship to a Participant constitutes an Unforeseeable Emergency.

2.24 USERRA

Notwithstanding any provision of this Plan to the contrary, contributions, benefits and service credits with respect to qualified military service (as defined in the Uniformed Services Employment and Reemployment Rights Act of 1994) will be provided in accordance with Section 414(u) of the Code.

ARTICLE 3. PARTICIPATION AND CONTRIBUTIONS

3.1 Participation

An Employee may elect to become a Participant of the Plan and to defer payment of part of his or her Compensation by executing a written Participation Agreement and submitting it to the Plan Administrator. In order for Compensation to be deferred for any calendar month, a Participation Agreement providing for such deferral must be executed by the Participant and approved by the Plan Administrator before the first day of the month in which the Compensation is paid or made available. A new Employee may defer Compensation payable in the first calendar month of employment if the Employee enters into a Participation Agreement providing for such deferral on or before the first day on which the Participant performs services for the Employer. By signing the Participation Agreement, the Participant elects to defer at least $20 per month, or such larger amount as the Employer may designate from time to time. The Participant’s deferrals under this Plan shall continue in effect until modified, disallowed or revoked in accordance with the terms of this Plan, or until the Participant’s Termination of Employment.
An Employee may also become a Participant by electing, in the form and manner required by the Plan Administrator, to transfer to this Plan amounts deferred by the Employee, and the earnings on such amounts, under another Eligible 457(b) Plan maintained by a previous governmental employer (as defined in Code Section 457(e)(1)(A)), or, commencing after 2002, Eligible Rollover Distributions as permitted under Section 6.10. Such amounts shall be treated as if they originally had been deferred under this Plan, and shall be governed by the applicable provisions of this Plan.

3.2 Amendment or Revocation of Participation Agreement

The Participant may at any time revoke his Participation Agreement or decrease the amount of Compensation to be deferred by filing a written revocation with the Administrator. A Participant may increase the amount of Compensation to be deferred or change his investment options during an enrollment period (as provided in Section 3.3) by executing and filing with the Administrator an amendment to his Participation Agreement, in a form approved by the Administrator.

3.3 Enrollment Periods

A new Employee shall have 30 days from the date of employment to make an election to participate in the Plan by completing a Participation Agreement. Any Employee may elect to participate during enrollment periods for the Plan, which shall be held during the months of March and September, and at such other times as the Plan Administrator may designate. Such elections shall be effective only for months subsequent to the date on which the Employee’s Participation Agreement is filed with the Plan Administrator.

3.4 Employer Nonelective Contributions

The Employer in its sole discretion may make nonelective contributions to the Plan on behalf of any Participant. Such nonelective contributions shall be treated as additional Deferred Compensation, provided that such additional Deferred Compensation, when added to all other Compensation deferred under the Plan, does not exceed the Maximum Deferral limitation of Section 4.1. Such nonelective contributions may be subject to such vesting provisions as the Employer, in its sole discretion, may impose. Any such vesting requirements shall be communicated to the Administrator in a writing filed with the records of the Plan.

3.5 Time of Remittances

The Employer shall remit a Participant’s Deferred Compensation for each payroll period to the authorized agent for the Funding Arrangement designated to receive such Deferred Compensation as soon as administratively feasible after the date such amounts would otherwise have been paid to the Participant.
ARTICLE 4. LIMITATION ON PARTICIPANT DEFERRALS

4.1 Maximum Deferral

A. Except as otherwise provided in Section 4.2 of this Plan, the maximum amount ("Maximum Deferral") that a Participant may defer during any taxable year under this Plan (other than rollover amounts under Section 6.10) shall not exceed the lesser of:

(i) The Dollar Limitation; or

(ii) The Percentage Limitation, reduced by any amount excluded from the Participant’s gross income under Code Section 457(a) for the taxable year other than such amounts attributable to elective deferrals made under this Plan.

B. For Plan Years prior to January 1, 2003, the Maximum Deferral under Section 4.1.A. shall also be reduced by any amount:

(i) excluded from the Participant’s gross income under Code Section 403(b) for the taxable year, and

(ii) except in the case of a Participant in a rural cooperative plan (as defined in Code Section 401(h)(7)), excluded from the Participant’s gross income under Code Section 402(c)(3) or Section 402(b)(1)(B) or (k) for the taxable year, or with respect to which a deduction is allowable by reason of a contribution to an organization described in Code Section 501(c)(18).

4.2 Catch-Up Deferrals

A. Age 50 Catch Up. Effective for Plan Years after 2002, a Participant who has attained age 50 before the close of the Plan Year, and who are prohibited by the Maximum Deferral limitation under Section 4.1 from making other elective deferrals to the Plan for the Plan Year, may elect under the Participation Agreement to make elective deferrals in addition to those permitted by Section 4.1 in an amount not to exceed the lesser of:

(i) The applicable dollar amount as defined in Code Section 414(v)(2)(B), as adjusted for the cost of living under Code Section 414(v)(2)(C), or

(ii) The excess (if any) of (a) the Participant’s compensation (as defined in Code Section 415(c)(3)) for the year, over (b) any...
other elective deferrals of the Participant for such year which are made without regard to this Section 4.2.A.

Any additional contribution made pursuant to this Section 4.2.A shall not be subject to any otherwise applicable limitation contained in Code Section 402(g) with respect to the year in which the contribution is made, or be taken into account in applying such limitation to other contributions or benefits under the Plan or any other plan. The provisions of this Section 4.2.A. of the Plan shall not apply in any year to which Section 4.2.B. applies.

B. Special Section 457 Catch Up. For one or more of a Participant's last three taxable years ending before the Participant's Normal Retirement Age, the Maximum Deferral under the Plan shall be the lesser of:

(i) For Plan Years after 2002, twice the Dollar Limitation (for years prior to 2003, $15,000), or

(ii) The sum of:

(a) the Maximum Deferral determined under Section 4.1 for the taxable year (determined without regard to this Section 4.2), plus

(b) so much of the Maximum Deferral determined under Section 4.1 hereof, or determined under any other Eligible 457(b) Plan sponsored by an entity located in the same state as the Employer, for any prior taxable year or years (beginning after December 31, 1978 and during all or any portion of which the Participant was eligible to participate in this Plan or such other plan) as has not previously been used under Sections 4.1 and 4.2 hereof, or under such other plan.

This Section 4.2.B. shall not apply with respect to any Participant who has previously utilized in whole or in part the special 457 catch up under this subsection B. or under any other Eligible 457(b) Plan. For purposes of determining the Participant's underutilized Maximum Deferral under subsection (b) for any taxable year prior to 2003, the Maximum Deferral shall be reduced by amounts excluded from the Participant’s gross income for such taxable year by reason of a salary reduction or elective contribution under any other Eligible 457(b) Plan, Code Section 401(k) qualified cash or deferred arrangement, Section 402(h)(1)(B) simplified employee pension, Section 403(b) annuity contract, and Section 408(g) simple retirement account, or any plan for which a deduction is allowed because of a contribution to an organization described in Code Section 501(c)(18).
4.3 Excess Deferrals

Any excess deferrals resulting from a failure of the Plan to apply the limitations of this Article 4 to a Participant’s deferrals under the Plan will be distributed to the Participant, with net income attributable to such deferrals, as soon as administratively practicable after the Administrator determines that the amount is an excess deferral. For purposes of determining whether there is an excess deferral, all plans in which the Participant participates by virtue of his relationship with the Employer are treated as a single plan.

ARTICLE 5. ADMINISTRATION AND PARTICIPANTS’ ACCOUNTS

5.1 Administration

The Administrator shall administer this Plan and shall prescribe such rules and regulations as are necessary to carry out the purposes of the Plan. The Administrator shall have full power, discretion and authority to interpret the provisions of the Plan, to decide all questions of eligibility and benefits, and to adopt, modify or revoke rules and regulations for the administration of the Plan. The Administrator may delegate any or all of its powers and duties to another person, persons or entity, and may pay reasonable compensation for such services as an administrative expense of the Plan, to the extent that such compensation is not otherwise paid by the Employer.

5.2 Participant Accounts

A separate Account shall be maintained for each Participant. The Participant’s Deferred Compensation for each payroll period shall be credited to the Account, together with earnings or losses on investment of the account and any funds transferred from another eligible plan as permitted under Section 6.11.

All interest, dividends or market changes applicable to each Participant’s Account shall be credited or debited to the Account as they occur. A written report of the status of the Participant’s Account shall be furnished to the Participant at least quarterly. The written Account statement shall show the amount of any contributions to or distributions from the Account since the date of the preceding Account statement, and the Investment Funds to which the Account is allocated.

5.3 Claims Procedures

The Plan Administrator may establish a claims and appeal procedure for resolution of disputed claims for benefits.
ARTICLE 6. PAYMENT OF BENEFITS

6.1 Commencement of Distributions

Effective for Plan Years after 2002, unless the Participant elects a different distribution date pursuant to Section 6.3, distribution of a Participant's Account to the Participant shall commence on or before April 1 following the close of the Plan Year in which the Participant's Termination of Employment occurs, or, if applicable, such other date selected by the Administrator and permitted under Code Section 401(a)(9) and the regulations thereunder. Prior to 2003, distribution of the Participant's Account to the Participant shall commence on the first day of the month following 45 days after the occurrence of the distributable event (Termination of Employment) unless deferred pursuant to Section 6.3.

6.2 Payment of Small Amounts

Notwithstanding Section 6.1, a Participant may elect payment of his Account (or the Administrator may distribute the Account without the Participant's consent) in one lump sum on any date before or after his Termination of Employment, provided that the Account (exclusive of any amount attributable to rollover contributions from another plan) does not exceed $5,000 (or the dollar amount limit under Code Section 411(a)(ii), if greater). Such amount may be distributed only if no amount has been deferred under the Plan with respect to such Participant during the two-year period ending on the date of the distribution, and there has been no prior distribution under the Plan to such Participant to which this Section 6.2 applies.

6.3 Deferred Distribution Date

Notwithstanding Section 6.1, a Participant may elect to defer payment of his Account until a fixed or determinable date after the commencement date specified in Section 6.1, but in no event later than the required beginning date, as described in Section 6.6.

6.4 Normal Form of Payment

The normal form of distribution to a Participant for Plan Years after 2002 shall be (i) one lump sum distribution if the Participant's Account balance is less than $10,000 on the date payment is required to commence, or (ii) 120 monthly installments if the Participant's Account balance is equal to or greater than $10,000 on the date payment is required to commence. Benefits will automatically be paid in the normal form unless the Participant elects an optional form of payment in accordance with Section 6.5. For Plan Years before 2003, if the Participant fails to select an optional form of payment, he will be deemed to have elected payments over a period of 10 years as provided in Section 6.5(ii).
6.5 Payment Options

Notwithstanding Section 6.4, a Participant or the Participant’s Beneficiary after the death of the Participant (but prior to the commencement of distribution) may select one of the following payment options:

(i) One lump sum cash payment;

(ii) Annual or more frequent equal installment payments (monthly, quarterly or semiannually) over a period of 3 to 30 years; provided that the period shall not exceed the life expectancy of the Participant or the joint life expectancies of the Participant and the Participant’s Beneficiary; and provided further that (effective after 2002), such installment distribution may (as permitted by the Administrator) be revised or terminated and followed by a full distribution of the Account on a specified date that is permissible under the Code;

(iii) A life annuity payable during the lifetime of the Participant or his Beneficiary;

(iv) A life annuity with period certain guaranteed: the annuity is payable during the lifetime of the Participant, or his Beneficiary, with the guarantee that if at his death payments have not been made for the guaranteed period as elected, benefits will continue to the Beneficiary. The guaranteed period must be 10, 15 or 20 years;

(v) A joint and survivor annuity, payable during the lifetimes of the Participant and the Participant’s Beneficiary; or

(vi) For distributions commencing after 2002, any other payment option elected by the Participant and agreed to by the Employer and Administrator.

The election of an optional payment form may be made or modified until the date 30 days prior to the time that payments are to commence.

6.6 Minimum Distribution Requirements

All distributions under this Plan will be made in accordance with Code Sections 401(a)(9) and 457(d) and regulations thereunder, which provisions are hereby incorporated in this Plan. Notwithstanding any other provision of this Plan, distribution of a Participant’s Account shall begin not later than April 1 of the calendar year following the later of (i) the calendar year in which the Participant attains age 70½ or (ii) the calendar year in which the Participant retires.
year in which the Participant retires. Payment of benefits shall be made over a period not to exceed the life or life expectancy of the Participant or the joint lives or life expectancies of the Participant and the Participant’s designated Beneficiary.

6.7 Designation of Beneficiary

The Participant may file with the Administrator a written designation of Beneficiary form (provided by the Administrator) signed by the Participant, designating the person or persons who shall receive the benefits payable under this Plan in the event of the Participant’s death. The Participant may also change his Beneficiary designation from time to time by filing a subsequent signed designation of Beneficiary form with the Administrator, and such subsequent designation of Beneficiary shall be effective to revoke any prior designation of Beneficiary. No designation of Beneficiary shall be binding on the Administrator unless it is signed, filed with the Administrator and accepted by the Administrator. If the Participant dies without designating a Beneficiary and has no surviving spouse, payments under this Plan shall be made to the properly appointed fiduciary of the Participant's probate estate. If no such fiduciary has been appointed and qualified within 120 days after the Participant’s death, however, the payment may be made first, to a surviving spouse; second, to a surviving child or children; and third, to a surviving parent or parents.

By participating in this Plan, the Participant accepts and acknowledges that he has the burden of executing and filing with the Administrator a Beneficiary designation, in a form acceptable to the Administrator.

6.8 Payments to a Beneficiary

A. In the event of the Participant’s death prior to commencement of benefits under the Plan, the Participant’s designated Beneficiary may select payment options (i) or (ii), or in the case of a surviving spouse, options (i), (ii) or (iii) under Section 6.5. Such selection shall be made within 60 days after the close of the Plan Year in which the Participant’s death occurs. If the Beneficiary fails to make such an election, payments shall be made to the Beneficiary in accordance with Section 6.5 (ii) over a 10-year period.

B. Notwithstanding any other provision of this Plan to the contrary, if the Participant dies before payment of his or her Account has begun, the Account (or any portion thereof) shall be distributed as follows:

(i) If there is no designated Beneficiary: Distribution must begin no later than one year after the Participant’s death, and the entire Account must be distributed within five years after the Participant’s death.
(ii) **If there is a designated Beneficiary other than the surviving spouse:** Distribution must begin no later than one year after the Participant’s death (or at such later date as may be permitted under the Code Section 401(a)(9) regulations), and the entire amount of the Beneficiary’s portion of the Account must be distributed over a period that does not exceed the life or life expectancy of such Beneficiary.

(iii) **If the Beneficiary is the Participant’s surviving spouse:** If the Beneficiary is the Participant’s surviving spouse, distribution of such Beneficiary’s portion of the Account shall begin no later than one year after the Participant’s death, except that payment may be delayed until no later than the year in which the Participant would have attained age 70½. If the surviving spouse dies before distributions to such spouse begin, the provisions of this Section 6.8 shall be applied as if the spouse were the Participant.

C. If the Participant dies after distribution of his or her Account has commenced, any portion of the Account that is not distributed during his or her lifetime shall be distributed to the Participant’s Beneficiary at least as rapidly as under the method of distribution to the Participant in effect as of the date of his or her death.

D. Notwithstanding any other provision of this Plan, all distributions to a Beneficiary shall be made in compliance with the requirements of Code Sections 401(a)(9) and 457(d) and the regulations thereunder, which are hereby incorporated into this Plan.

### 6.9 Unforeseeable Emergency Payments

Notwithstanding any other provision herein, a Participant may apply to the Plan Administrator for distribution of all or a portion of his or her Account under the Plan in the event of an Unforeseeable Emergency. Such a request shall be treated as a request for revocation of deferrals under the Participation Agreement. If the application or withdrawal is approved by the Plan Administrator, payment shall be made as soon as it is administratively feasible following such approval. Payment shall be limited to that amount necessary to meet the Unforeseeable Emergency situation constituting the financial hardship and may include any amounts necessary to pay income taxes or penalties that are reasonably anticipated to result from the distribution.

### 6.10 Eligible Rollover Distributions

A. **Rollovers To Another Plan.**

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Amended and Restated Effective October 1, 2003
Effective January 1, 2002, notwithstanding any provision of the Plan to the contrary that would otherwise limit a Distributee’s payment election under this Plan, a Distributee may elect, at the time and in the manner prescribed by the Administrator, to have any portion of an Eligible Rollover Distribution paid directly to an Eligible Retirement Plan specified by the distributee in a Direct Rollover.

B. Rollovers To This Plan.

Effective January 1, 2003, the Plan may accept an Eligible Rollover Distribution from an Eligible Retirement Plan maintained by another employer, and credit such distribution to the Participant’s Account under this Plan. The Administrator may require such documentation from the distributing plan as it deems necessary to effectuate the rollover in accordance with Code Section 402 and to confirm that such plan is an Eligible Retirement Plan. Any Eligible Rollover Distributions from an Eligible Retirement Plan other than an Eligible 457 Plan maintained by an eligible government employer described in Code Section 457(e)(1)(A) shall be credited to the Participant’s separate Rollover Account.

C. Definitions.

As used in this section, the following terms have the following meanings:

(i) “Eligible Rollover Distribution” means any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life and/or life expectancy of the Distributee or the joint lives (or joint life expectancy) of the Distributee and the Distributee’s designated beneficiary, or for a specified period of 10 years or more; any distribution to the extent such distribution is required under Code Sections 401(a)(9) and 457(d)(2); and any distribution made upon the hardship of the employee. For purposes of distributions from other eligible retirement plans rolled over into this Plan, the “Eligible Rollover Distribution” shall not include the portion of any distribution that is not includible in gross income (determined without regard to the exclusion for net unrealized appreciation with respect to employer securities).

(ii) Eligible Retirement Plan means an individual retirement account described in Code Section 408(a), an individual retirement annuity described in Code Section 408(b), an annuity plan described in Code Section 403(a), an annuity contract described in Code Section 403(b), a qualified trust...
described in Code Section 401(a), or an eligible deferred compensation plan described in Code Section 457(b) maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state described in Code Section 457(e)(1)(A) that accepts the distributee's eligible rollover distribution.

(iii) "Distributee" includes an employee or former employee. In addition, the employee's or former employee's surviving spouse and the employee's or former employee's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in Code Section 414(p), are Distributees with regard to the interest of the spouse or former spouse.

(iv) "Direct Rollover" means a payment by the Plan to the Eligible Retirement Plan specified by the Distributee.
6.11 Plan to Plan Transfers

A. Transfers Between Governmental 457(b) Plans.

A Participant who incurs a Termination of Employment (other than by death, Disability or retirement) may elect to transfer his Account under this Plan to another Eligible 457(b) Plan maintained by a governmental employer (as defined in Code Section 457(e)(1)(A)), provided that:

(i) The receiving plan provides for such transfers;

(ii) The Participant would (if the plan then terminated) receive a benefit under the transfer plan immediately after the transfer which is equal to or greater than the benefit the Participant the Participant would have been entitled to receive immediately before the transfer (if the Plan had then terminated); and

(iii) The Participant is performing services for the entity maintaining the receiving plan; provided, however, that this subsection (iii) need not be satisfied if all of the assets of this Plan are transferred to a plan maintained by a state entity within the State of Washington, and the Participants whose Accounts are being transferred are not eligible for additional deferrals under the receiving plan unless they are performing services for the entity maintaining the plan.

This Plan shall accept transfers of an Employee’s deferred compensation under the Eligible 457(b) Plan of a prior governmental employer, and the provisions of (ii) and (iii) shall apply to such transfers.

B. Transfers to a Qualified Plan.

All or a portion of a Participant’s Account under this Plan may be transferred directly to the trustee of a defined benefit governmental plan (as defined in Code Section 414(d)) if such transfer is (i) for the purchase of permissive service credit (as defined in Code Section 415(c)(3)(A)) under such plan, or (ii) a repayment to which Code Section 415 does not apply by reason of subsection (k)(3) thereof.
ARTICLE 7. INVESTMENT OF PLAN ASSETS

7.1 Investment Funds and Funding Arrangements

The Employer shall in its sole discretion determine the number and type of Investment Funds to be offered under a Funding Arrangement and may change the Investment Funds from time to time. All assets of the Plan invested in the Investment Funds shall be held and administered as a separate Trust Fund.

7.2 Participant Direction of Investments

In accordance with the procedures and requirements established by the Plan Administrator, each Participant shall designate one or more Investment Funds established under the Plan for the investment of the funds held in his or her Account. Amounts credited to a Participant's Account for each pay period shall be allocated by the Plan Administrator among the Investment Funds in accordance with the Participant's election. Under procedures and requirements established by the Plan Administrator, and subject to the terms and conditions of any affected Investment Fund, a Participant may elect to change his or her investment designation with respect to future contributions under the Plan or to elect to transfer investments from any Investment Fund to any other Investment Fund. The Employer shall not be responsible for any investment results from Participant's investment choices.

7.3 Funding Arrangements

The Employer shall enter into one or more Funding Arrangements for purposes of holding and investing the assets maintained under the Plan. Any Funding Arrangement shall constitute a trust under this Plan, and the person or entity holding assets of this Plan under the Funding Arrangement shall be deemed the trustee thereof for the exclusive benefit of the Participants and their Beneficiaries within the meaning of Code Section 457(g). In the event of a conflict between the terms of this Plan and the terms of any Funding Arrangement, the terms of this Plan shall control.

ARTICLE 8. AMENDMENT OR TERMINATION

The Employer may at any time modify, amend or terminate this Plan. Except as may be required to maintain the status of the Plan under Code Section 457(b), no amendment or termination of the Plan shall divest any Participant of any rights with respect to Compensation deferred before the date of the amendment or termination.

ARTICLE 9. GENERAL PROVISIONS

9.1 Nonassignability

Neither a Participant nor his or her Beneficiary may assign, transfer, sell, hypothecate or otherwise dispose of any or all of his or her Account or the right to receive...
any payments under the Plan, and any attempt to do so shall be null and void, except as provided below in Section 9.2 with respect to a qualified domestic relations order, or as may be required by applicable law.

9.2 Qualified Domestic Relations Orders

A distribution or payment from this Plan shall be treated as made pursuant to a qualified domestic relations order if it is made pursuant to a domestic relations order which creates or recognizes the existence of an alternate payee’s right to, or assigns to an alternate payee the right to, receive all or a portion of the benefits payable with respect to a Participant, as authorized under Code Section 414(p). A “domestic relations order” means any judgment, decree or order (including approval of a property settlement agreement) which

(j) relates to the provision of child support, alimony payments, or marital property rights to a spouse, former spouse, child or other dependent of a Participant; and

(ii) is made pursuant to a state domestic relations law (including a community property law).

An “alternate payee” means any spouse, former spouse, child or other dependent of a Participant who is recognized by a domestic relations order as having the right to receive all, or a portion of, the benefits payable under the Plan with respect to such Participant.

The Plan Administrator may adopt additional rules and regulations as it deems necessary or appropriate to provide for distributions under this section 9.2.

9.3 Leave of Absence

A Participant’s participation in the Plan will continue during a paid leave of absence from the Employer. If the Participant takes an unpaid leave of absence, and such leave continues for more than six months, the Participant’s Participation Agreement under this Plan will be deemed to have terminated automatically at the end of such six-month period. Such termination of participation will not cause a distribution of benefits. Upon the Employee’s return from leave, his full compensation on a non-deferred basis will be restored. The Employee may again become a Participant by completing a Participation Agreement as provided under this Plan.

9.4 Retirement System Integration

Benefits payable by, and deductions for Employee contributions to any retirement system maintained by the Employer shall be computed without reference to amounts deferred pursuant to this Plan, and shall instead be based upon gross compensation that the Participant would receive if he or she had not elected to defer Compensation under this Plan.
9.5 No Employment Rights Created

Participation in this Plan shall not be construed as giving the Participant any right to continue his or her employment with the Employer.

9.6 Controlling Law

This Plan is created and shall be administered and interpreted in accordance with Code Section 457 and the laws of the State of Washington.

9.7 Entire Agreement

This Plan and the Participation Agreement, and any subsequently adopted amendment thereof, shall constitute the entire agreement or contract between the Employer and the Participant regarding the Plan. No oral statement regarding the Plan may be relied upon by the Participant.

9.8 Successors and Assigns

The Plan shall be binding upon and shall inure to the benefit of the Employer, its successors and assigns, all participants and beneficiaries and their heirs and legal representatives.

9.9 Gender

As used herein, the masculine shall include the neuter and the feminine where appropriate.

9.10 Written Notices

Any notice or other communication required or permitted under the Plan shall be in writing, and if directed to the Employer or the Administrator shall be sent to the designated office of the Employer and, if directed to a Participant or to a Beneficiary, shall be sent to such Participant or Beneficiary at his last known address as it appears on the Employer’s records.

9.11 Disclaimer

The Employer and the Administrator make no representation or guarantee of, and shall not be liable to any Participant or to the Plan for, the tax consequences of an Employee’s participation in this Plan, or the financial soundness, investment performance, or suitability of any investment option or vehicle offered pursuant to this Plan.
KITSAP COUNTY SOCIAL MEDIA USE POLICY

1. PURPOSE

Social media can enhance communication, collaboration, information exchange, and transparency, streamline processes, and foster productivity. Kitsap County endorses the secure use of social media to enhance and support County program goals and objectives.

2. APPLICABILITY

This policy applies to Kitsap County employees and contractors who create or contribute to social networks, blogs, wikis, or any other kind of social media on and off the kitsap.gov domain for work purposes.

3. DEFINITIONS

- **Blog**: A self-published diary or commentary on a particular topic that may allow visitors to post responses, redactions, or comments. The term is short for “Web log.”
- **Page**: The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.
- **Post**: Content that an individual shares on a social media site or the act of publishing content on a site.
- **Profile**: Information that a user provides about himself or herself on a social networking site.
- **Social Media**: A category of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to social networking sites (Facebook, MySpace), microblogging sites (Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).
- **Social Networks**: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.
- **Speech**: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.
- **Wikis**: Web page(s) that can be edited collaboratively.

3. IMPLEMENTATION

Three steps are needed to authorize use of social media: (1) approval by the department head; (2) approval by Director, Information Services; and (3) where applicable, compliance with the County’s contract review procedures.¹

3.1 Department Considerations for Establishing and Maintaining Social Media Presence. The decision to use social media is a business decision, not a technology-based decision. It is incumbent upon each department to weigh its mission, objectives, and capabilities, and potential benefits and risks, when considering use of specific social media tools, including the following:

- What goals or objectives will social media use achieve?
  - The social media site should include an introductory statement that specifies the purpose and scope of the department’s presence on the website.
- Is the social media proposal designed for the target audience?
- What type of records or information will be used on the site, and will it be original or secondary?
- How will public records retention and public disclosure requirements be managed?
- Will any sensitive, confidential, or personal information be distributed in the media?
- Will the information be assessable to employees and customers on a nondiscriminatory basis?
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- Consider Title II of Americans with Disabilities Act as Amended and Section 508 of the federal Rehabilitation Act.
- Will the social media proposal affect employee productivity?
- Who will manage the tool and ensure that information is updated and accurate?
- Who will monitor social media pages and who is authorized to respond to posts?

3.2 Information Services Considerations. The Information Services Department will collaborate with the Department seeking to establish and maintain a social media site. Elements that Information Services will consider include the following:

- Does the proposal affect network bandwidth requirements?
- Are sufficient financial resources available to support appropriate access, backup, storage, and additional capacity if needed?
- What is the potential for exposure or leakage of sensitive or protected information such as copyrighted material, personally identifying information, or confidential information?
- Can content from social media sites be immediately edited or removed upon direction from the department head or elected official?
- Content posted to social media sites should link to the County’s or department’s official websites for in-depth information, forms, documents, or online services necessary to conduct business with the County.
- Content must be managed, stored, and retrieved to comply with public records laws and e-discovery laws and policies.
- Content posted to social media sites must be maintained in appropriate retention formats so that it can be maintained in accordance with record retention schedules.
- Page(s) must include the following notices:
  - A disclaimer of endorsement of advertising which may appear on third-party social media websites.
  - Opinions expressed by visitors to the page(s) do not reflect the opinions of Kitsap County.
  - Posted comments will be monitored and the County reserves the right to remove obscenities, off-topic comments, and personal attacks.
  - Content posted or submitted for posting is subject to public disclosure.
- The following guidelines must be displayed to users or made available by hyperlink, and any content removed based on these guidelines must be retained, including the time, date and identity of the poster when available:
  - Kitsap County social media site articles and comments containing any of the following forms of content shall not be allowed:
    - Comments not topically related to the particular social medium article being commented upon;
    - Comments in support of or opposition to political campaigns or ballot measures;
    - Profane language or content;
    - Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
    - Sexual content or links to sexual content;
    - Solicitations of commerce;
    - Conduct or encouragement of illegal activity;
    - Information that may tend to compromise the safety or security of the public or public systems; or
    - Content that violates a legal ownership interest of any other party.
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- The County reserves the right to restrict or remove any content that is deemed in violation of this social media policy or any applicable law.

3.3 **Contract Review.** Typically a Terms of Service (TOS) is associated with the use of third-party media tools. If implementing social media entails opening an account with a third-party provider and agreeing to TOS (executing a contract via “click through” agreement), then agreeing to the TOS and associated use of third-party social media tools is effectively a contract between the County and the third-party and the County’s contract review procedures apply. In addition, if the TOS contradicts County policy, the County Administrator or Chair of the Board of County Commissioners should be made aware of it and a decision made about whether the use of such media is appropriate.

4. **ACCEPTABLE AND PROHIBITED USE**

4.1 **Social networking will be used only for official Kitsap County business purposes.**

4.1.1 Personnel representing the County via social media outlets must conduct themselves as representatives of the County. Accordingly, personnel shall adhere to standards of conduct that are consistent with public service and trust and conduct County business in a manner that contributes to the overall business integrity and organizational effectiveness of Kitsap County.²

4.1.2 Employees speaking on behalf of the County via social media outlets will identify themselves as a member of the County, by full name, title, agency, and contact information.

4.1.3 Any employee who observes or has knowledge of prohibited use of social networking technology should report it to a supervisor, the Personnel Division, or another appropriate supervisor/manager. Employees reporting such actions will be protected from retaliation.³

4.2 **Social networking is subject to County policies.** Departments and employees using social media are generally subject to County policies, standards, and procedures, including but not limited to the following:

4.2.1 Non-discrimination. The County prohibits any form of unlawful discrimination, including harassment, based on race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, or veteran status. This applies at any location that can reasonably be considered an extension of the workplace such as a customer location, an off-site business function, a social networking site, or any place where County business is being conducted or discussed.⁴

4.2.2 Private Use of County Resources. Employees are prohibited from using County time or equipment for personal or political purposes on any social networking site.⁵

4.2.3 Public Records Act. County social media sites are subject to State of Washington public records laws. Any content maintained in social media format that is related to County business, including a list of subscribers and posted communication, may be a public record. The department maintaining the site is responsible for responding completely and accurately to any request for public records on social media. Wherever possible, such sites must clearly indicate that any articles and any other content posted or submitted for posting are subject to public disclosure, and users must be notified that requests for public records must be directed to the relevant departmental public disclosure officer.⁶

4.2.4 Records Retention Rules. Audit trails or any available reports used to log employee use of social networking sites remain the property of the County, and may be accessed or reviewed to monitor compliance with this policy, conduct investigations, or for other operational purposes. Washington state
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law and relevant County records retention schedules apply to social media formats and social media content. Unless otherwise addressed in a specific social media standards document, the department maintaining a site shall preserve records required to be maintained pursuant to a relevant records retention schedule for the required retention period on a County server in an easily accessible format that preserves the integrity of the original record.

4.2.5 Compliance with Copyright Laws. Employees are expected to understand and follow laws pertaining to the use and duplication of copyright-protected materials when conducting County business on social networking sites.

4.2.6 Teleworking or Alternative Worksites. Employees must comply with County standards for social networking when teleworking or working at an alternate worksite.

4.2.7 Electronic Communications. While on social networking sites, employees must comply with standards for using electronic communications including Information Service’s security policies and standards.

4.2.8 Confidential Information. Employees may not divulge confidential, sensitive, proprietary, or personally identifiable information gained by reason of their employment with the County.

4.2.9 Campaign Activities. Employees may not engage in political activities on social media sites or make any statements, speeches, appearances, endorsements, or publish materials that could reasonably be considered to represent the views or positions of the County without express authorization.

4.2.10 Privacy. Most technology usage is recorded and therefore available for review by both internal and external sources. Employees have no expectation of privacy in information stored on County computers or devices.

4.2.11 Employees' use of social media sites for gathering information for business purposes must be approved by their manager or supervisor.

4.3 Risks. Improper or unlawful use of County technology resources is prohibited because of the potential risks to the County and the individual employee. These risks include, but are not limited to:

- loss of public trust in County services;
- service and performance interference;
- financial loss;
- unlawful activity;
- loss of network or operational integrity; and
- charges or other legal consequences related to sexual harassment, discrimination, or improper access to or dissemination of information.

4.4 Off-Duty, Personal Use of Social Media.

4.4.1 When using social media, employees should be mindful that their speech becomes part of the worldwide electronic domain. Employees are free to express themselves as private citizens on social media sites, but an employee’s exercise of expression is balanced against the County’s interest in the effective and efficient fulfillment of its responsibilities to the public. Thus, employees must not engage in off-duty conduct which harms the County’s reputation, mission, or functions, renders the employee unable to perform his/her duties, results in other employees being unwilling or unable to work with the employee, or undermines the County’s ability to direct the workforce.
Appendix X

4.5 Penalties. The violation of this Social Media Use Policy is regarded by Kitsap County as a serious offense and is subject to corrective or disciplinary action, up to and including termination, as appropriate.\textsuperscript{13}

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\textsuperscript{1} See Chapter 3.56 Kitsap County Code.
\textsuperscript{2} See RCW 42.23.070; and Kitsap County Personnel Manual, Chapter 10, Sections C and F.
\textsuperscript{3} See Chapter 3.68 Kitsap County Code; and Kitsap County Personnel Manual, Appendix O.
\textsuperscript{4} See Kitsap County Personnel Manual, Appendix I.
\textsuperscript{5} See RCW 42.23.070; and Kitsap County Personnel Manual, Chapter 10, Sections C and F.
\textsuperscript{6} See Chapter 42.56 RCW; and Chapter 3.76 Kitsap County Code.
\textsuperscript{7} See Chapter 40.14 RCW (Preservation and Destruction of Public Records).
\textsuperscript{8} See Kitsap County Personnel Manual, Appendix K.
\textsuperscript{9} See Kitsap County Personnel Manual, Appendix F.
\textsuperscript{10} See RCW 42.23.070; and Kitsap County Personnel Manual, Chapter 10, Section F.
\textsuperscript{11} See Kitsap County Personnel Manual, Chapter 10, Sections F.5 and F.6.
\textsuperscript{12} Id., at Appendix F.
\textsuperscript{13} See Kitsap County Personnel Manual, Chapter 12 and any applicable Collective Bargaining Agreement.