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COUNTY COUNCIL

SNOHOMISH COUNTY, WASHINGTON

AMENDED

ORDINANCE No. 84 - 129

RELATING TO PERSONNEL POLICY FOR
SNOHOMISH COUNTY EMPLOYEES IN THE CLASSIFIED SERVICE

Title 3a

Chapters:

- 3a.01 Purpose, Adoption and Amendment of Rules
- 3a.02 Definition of Terms
- 3a.03 Organization for Personnel Management
- 3a.04 Classification
- 3a.05 Pay Administration
- 3a.06 Employee Benefits
- 3a.07 Recruitment and Examination
- 3a.08 Appointment
- 3a.09 Probationary and Trial Periods
- 3a.10 Separation-Layoff-Recall-Reinstatement
- 3a.11 Grievance Procedure
- 3a.12 Employee Relations
- 3a.13 Exemptions
- 3a.14 Collective Bargaining
- 3a.15 Records and Reports
- 3a.16 Hours of Work

Section 1. Title 3a of the Snohomish County Code
Personnel Rules is hereby repealed.

Section 2. New sections of the Snohomish County Code
are adopted as follows:

CHAPTER 3a.01

PURPOSE, ADOPTION AND AMENDMENT OF RULES

Sections:

- 3a.01.010 Purpose
- 3a.01.020 Positions Covered by the Rules
- 3a.01.030 Amendment of Rules
- 3a.01.040 Employer Rights
- 3a.01.050 Severability

3a.01.010 Purpose. It is the purpose of these personnel rules to provide basic statements of personnel policy which shall be applied to employees in the classified service. They are published to inform employees, supervisors, and administrators of their rights and responsibilities under these rules, and to define the basis on which the personnel director shall conduct a comprehensive system of personnel management.

3a.01.020 Positions Covered by the Rules. The rules shall apply to all positions of employment except those exempted under the provisions of chapter 3a.13 and chapter 3.68 and subject to limitations imposed by chapter 3a.14.

3a.01.030 Amendment of Rules. It shall be the duty of the director of personnel to review with department heads and elected officials any proposed modifications of these rules. Such proposed modifications shall become effective upon adoption by ordinance by the council.

3a.01.040 Employer Rights. The county reserves any legal rights with respect to matters of general legislative or managerial policy, which include but are not limited to the exclusive right to determine the mission of its constituent departments and commissions; select standards for employment and promotion; direct its employees; take disciplinary action; relieve its employees from duty because of lack of work or for other legitimate reasons; maintain the efficiency of governmental operations; determine the methods, means and personnel by which government operations are to be conducted; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work.

3a.01.050 Severability. If any provision of this title or its application to any person or circumstances are held invalid, the remainder of the title or the application

of the provisions to other persons or circumstances is not affected.

CHAPTER 3a.02

DEFINITION OF TERMS

Sections:

3a.02.010	Anniversary Date
3a.02.020	Call Back Pay
3a.02.030	Call In
3a.02.040	Certification
3a.02.050	Class
3a.02.060	Classification
3a.02.070	Classified Service
3a.02.080	Collective Bargaining
3a.02.090	Council
3a.02.100	Demotion
3a.02.110	Department Head(s)
3a.02.120	Director
3a.02.130	Dismissal
3a.02.140	Eligible Register(s)
3a.02.150	Employing Official
3a.02.160	Executive
3a.02.170	Exempt Position
3a.02.180	Full-Time Employment
3a.02.190	Incumbent Pay Rate
3a.02.200	In-Training Appointment
3a.02.210	Layoff
3a.02.220	Nepotism
3a.02.230	Occupational Group
3a.02.240	Official Personnel File
3a.02.250	Part-Time Employment
3a.02.260	Pay Range
3a.02.270	Pay Status
3a.02.280	Position
3a.02.290	Probationary Period
3a.02.300	Promotion
3a.02.310	Promotional Line
3a.02.320	Reclassification
3a.02.330	Resignation
3a.02.340	Rules or Personnel Rules
3a.02.350	Step
3a.02.360	Suspension
3a.02.370	Temporary Appointment
3a.02.380	Temporary Employee
3a.02.390	Transfer
3a.02.400	Trial Service Period
3a.02.410	Work Area

The following terms wherever used in these rules shall have the meaning indicated below except where the context clearly indicates otherwise.

3a.02.010 Anniversary Date. The date which signifies the completion of each year of full time equivalent service by a regular employee in a position.

3a.02.020 Call Back Pay. Pay granted to an employee who actually leaves the work area at the end of the work shift or work week and is requested to return to work by the employing official.

3a.02.030 Call In. A form of temporary employment which requires that the employee be available on short notice to report to work, to replace a regular employee or to meet an unexpected fluctuation in workload. Because of the intermittent and unplanned nature of the work schedule, the call-in employee is permitted to work the equivalent of up to 130 days in a twelve (12) month period.

3a.02.040 Certification. The provision of qualified candidates, by the director from the various eligible registers, to the employing official in accordance with certification procedures so that selection to fill a vacant position may be completed.

3a.02.050 Class. One or more positions sufficiently similar with respect to duties and responsibilities that: 1) the same descriptive title may be used to designate each position in the class; 2) the same general qualification requirements are needed for performance of the duties of the class; 3) the same tests of fitness may be used to select employees; and 4) the same schedule of pay can be applied with equity to all positions in the class under the same or substantially similar working conditions.

3a.02.060 Classification. The assignment of an individual position to an appropriate class on the basis of the kind, difficulty, and responsibility of the work of the position.

3a.02.070 Classified Service. All positions in the employ of Snohomish County not exempted by chapters 3a.13 and 3.68 of the Snohomish County Code. May also be termed classified staff service.

3a.02.080 Collective Bargaining. The performance of the mutual obligation of the employer and the exclusive bargaining representative to meet at reasonable times, to confer and bargain in good faith, and to execute a written agreement with respect to those personnel matters over which the employer is obligated by law to collectively bargain.

3a.02.090 Council. The Snohomish County council. Hereafter in these rules referred to as the council.

3a.02.100 Demotion. The change of an employee from a position in one class to a position in another class which has a lower maximum salary.

3a.02.110 Department Head(s). Those appointed and elected officials designated as department head(s) by charter or ordinance. Where referenced in these rules, the responsibilities accorded shall be performed by the department head and not normally delegated except when the department head is unavailable.

3a.02.120 Director. The personnel director or the director's designee. Hereafter in these rules referred to as the director.

3a.02.130 Dismissal. The separation of an employee from employment for cause.

3a.02.140 Eligible Register(s). A list or lists of candidates qualified for employment, promotion, demotion, transfer or reinstatement by examination or due to other circumstances, as described by these rules and who are available for certification by the director.

3a.02.150 Employing Official. An administrative, managerial or supervisory employee, appointed or elected, who is responsible for the employment, discipline or termination of employees.

3a.02.160 Executive. The county executive. Hereafter in these rules referred to as the executive.

3a.02.170 Exempt Position. A position excluded from coverage of these rules by chapter 3a.13 and chapter 3.68.

3a.02.180 Full-Time Employment. Work consisting of at least thirty-five (35) hours per week.

3a.02.190__Incumbent_Pay_Rate. A rate of pay, above the maximum for the class, which may be authorized for an employee for a specified period of time during which further pay increases may not be granted and at the end of which the employee's pay shall be reduced if it continues to exceed the maximum.

3a.02.200__In-Training_Appointment. An appointment where the employee does not fully meet the minimum requirements of training and/or experience for the class and in which a bona fide training program is established to satisfy the deficiency in qualifications within one (1) year from the date of the appointment.

3a.02.210__Layoff. The removal of an employee from his/her position or a reduction in the employee's scheduled hours of work because of lack of work, lack of funds, or reorganization.

3a.02.220__Nepotism. The exercise of preferential treatment based upon familial relationship.

3a.02.230__Occupational_Group. A grouping within a broad occupational category which encompasses two or more classes in the same specific functional work area and which is defined by the county's classification plan.

3a.02.240__Official_Personnel_File. A central repository maintained by the director for all records, reports and data concerning each employee's work history.

3a.02.250__Part-Time_Employment. Work of less than 35 hours per week.

3a.02.260__Pay_Range. The rate(s) of pay assigned to a classification in the pay plan.

3a.02.270__Pay_Status. The normal employment situation in which the employee is paid for time worked or where the employee is on paid vacation, sick leave or other paid leave of absence. Unpaid leaves of absence do not qualify as pay status.

3a.02.280 Position. A group of duties and responsibilities requiring the full or part-time employment of one person on a permanent or temporary basis. Position is used interchangeably with the term "job" in these rules.

3a.02.290 Probationary Period. A working test period, to be considered an integral part of the examination process during which an appointee is required to demonstrate his/her suitability for the position by actual performance of its duties.

3a.02.300 Promotion. The change of an employee from a position in one class to a position in another class having a higher maximum salary.

3a.02.310 Promotional Line. A series of classes in which service in the lower classification qualifies the employee for the higher classification and where promotion from the lower classification to the higher classification normally occurs.

3a.02.320 Reclassification. The change of a position from one classification to another classification.

3a.02.330 Resignation. The separation from employment by an employee at his/her request.

3a.02.340 Rules or Personnel Rules. The provisions of this title (3a) of the Snohomish County Code.

3a.02.350 Step. Any subdivision(s) of a pay range to which a job classification is assigned.

3a.02.360 Suspension. The temporary separation of an employee from active service with or without pay for a specified period of time for disciplinary reasons.

3a.02.370 Temporary Appointment. An appointment of not more than six (6) months (180 calendar days) duration to fill a temporary, emergency or short term need, or to fill a position for which no employment register is currently available.

3a.02.380 Temporary Employee. Any employee who receives a temporary appointment. A regular employee may receive an acting appointment on a temporary basis but shall retain regular status in accordance with these rules.

3a.02.390 Transfer. The change of an employee from one position to another position in the same class or in another class with the same maximum salary.

3a.02.400 Trial Service Period. A six (6) months working test period following a promotion or reclassification.

3a.02.410 Work Area. The employee's assigned location(s) for carrying out the responsibilities of his/her position which shall include all locations, over which the employer has the right of access or control, where the employee is required to be during his/her work day.

CHAPTER 3a.03

ORGANIZATION FOR PERSONNEL MANAGEMENT

Sections:

3a.03.010 The Personnel Director
3a.03.020 The Employing Official

~~3a.03.010 The Personnel Director.~~

(1) Appointment. The executive shall appoint a qualified, full-time employee subject to confirmation by the council who shall act as personnel director for the county.

(2) Powers and duties. The director shall administer all of the activities of the personnel department and shall conduct a professional system of personnel management for the classified staff service in accordance with these rules. The director shall have the authority to develop administrative procedures and guidelines as necessary to assist in the administration of the personnel system.

~~3a.03.020 The Employing Official.~~ The employing official has the authority to initiate personnel actions including appointment, discipline, and termination of employees within the scope of these rules.

CHAPTER 3a.04

CLASSIFICATION

Sections:

- 3a.04.010 Classification Plan
- 3a.04.020 Class Specifications
- 3a.04.030 Classification of Positions
- 3a.04.040 Effect of Classification Changes on Employees
- 3a.04.050 Use of Class Titles

3a.04.010--Classification Plan. The director shall develop and maintain a classification plan for all positions of employment with the county. Such plan shall be submitted to and approved by the Council. The classification plan shall consist of an index of class titles for each class of positions within the classified service arranged by: 1) broad job categories, 2) occupational groups within job categories, and 3) class series within such occupational groups. The director shall administer the plan and may make recommendations to the Council for revisions to the plan.

3a.04.020--Class Specifications. The director shall maintain a class specification for each class of positions. Each class specification shall include the class title, a description of representative duties and responsibilities of positions included in the class, and a statement of the qualifications required and/or desired for positions in the class.

(1) Interpretation of class specifications. Class specifications are intended to be a general description of the kinds of positions that are classified to the class as determined by their duties and responsibilities and are not to be construed as prescribing what the duties of any individual position shall be. The class specifications are to be used as a guide by the employing official in assigning, directing and controlling the work of the employees under his/her supervision. The use of specific expressions or illustrations pertaining to the duties, qualifications or other requirements of the class are descriptive only and shall not be construed to exclude others not specifically mentioned which are of a related nature.

(2) Statement of general qualifications. Qualifications commonly required of all employees such as acceptable physical condition, honesty, sobriety and industry shall be implied as entrance requirements to each class and need not be specifically mentioned in the specifications.

(3) Use in examination. The class specifications shall be used as the basis for determining the suitability of candidates for employment by supplying information basic to the preparation of qualifying tests and examinations. The specification for any class shall constitute the basis and source of authority for the examination for the class and for the evaluation of the qualifications of applicants.

3a.04.030 Classification of Positions. Each position in the classified service shall be classified to its appropriate class in accordance with the character, difficulty and responsibility of its designated duties. In determining the class to which any position should be classified, the specification for the class shall be considered as a whole. Consideration shall be given to the general duties, the specific tasks, responsibilities, qualification requirements, and the relationship thereof to other classes, as a composite description of the kind of employment that the class is intended to embrace. The examples of duties set forth in such specifications shall not be construed as all inclusive or restrictive, and an example of a typical task or a combination of two or more examples shall not be taken, without relation to all parts of the specification, as determining that a position should be included within a class.

(1) Classification studies. From time to time, classification studies may be made of individual positions or groups of positions whenever it is deemed necessary by the director. Such classification studies may be made upon the request of an employing official or an affected employee as provided in subsection (4) below.

(2) New classification. Whenever an employing official desires to create a new position, a notice of such proposed action together with a description of the duties and responsibilities of the proposed position shall be submitted to the director. If the director approves the proposal, he/she may classify such position, subject to the availability of budgeted funds, and shall notify the employing official and the budget office of such classification.

(3) Reclassification. Whenever an employing official makes permanent and substantial changes in the duties and responsibilities of a position, the employing official shall notify the director in writing of such changes within ten (10) working days of the date of such change. The director shall determine the proper classification for such position and notify the employing official and the budget office of such classification. Reclassifications shall not be implemented unless sufficient funding is available to transfer within the department's current budget to accommodate any necessary salary adjustments. If sufficient funding is not available, the director shall direct that the affected employee be reassigned duties consistent with the original classification of the position and that the position continue to be classified to the original class.

(4) Classification review. If an employee believes that his/her position is improperly classified, or if an employing official believes that a position under his/her supervision is improperly classified, the employee or employing official may request that the director review the classification of the position. In such cases, the employee or employing official shall prepare a written request stating the reasons for such review and setting forth arguments in support of it. In cases of an employee generated request, the employee shall provide a copy of the request to the employing official. The director shall review the request and make a written determination regarding the proper classification of the position to the affected employee, employing official and the budget office. The determination of the director shall be final and not subject to the grievance procedure.

3a.04.040--Effect of Classification Changes on Employees. Whenever a position is reclassified from one class to another class, the employee shall remain in the position with the same benefits and credit for service as he/she had in the position prior to its reclassification, except as noted below.

(1) Whenever a position is reclassified from one class to a higher class, the employee shall be promoted and continue in the position only if he/she possesses the minimum qualifications for the higher class and thereafter successfully completes a trial service period for the higher class, as provided for in section 3a.09 of these rules.

(2) Whenever a position is reclassified from one class to a lower class the employee shall normally be demoted and remain in the position. However, an employee so affected may also seek transfer to another position vacancy in the original class (if any) in accordance with the transfer provisions of these rules.

(3) Whenever an employee is ineligible to continue in a reclassified position or is not transferred, promoted or demoted, the employee shall be laid off in accordance with the provisions of section 3a.10 of these rules.

~~3a.04.050 Use of Class Titles.~~ The class title shall be the official title of every position classified to the class for the purpose of personnel actions and shall be used on all payroll, budget and other official records and reports relating to the position. Any abbreviation or code symbol approved by the director may be used in lieu of the class title to designate the class of a position for official records. Working titles other than the class title may be authorized by the employing official to be used as a designation of a position for purposes of internal administration or in oral or written contact with the public.

CHAPTER 3a.05

PAY ADMINISTRATION

Sections:

- 3a.05.010 Pay Plan
- 3a.05.020 Rates of Pay
- 3a.05.030 Advancement Within a Pay Range

3a.05.010 Pay Plan. The director shall prepare and submit an annual pay ordinance to the council. The proposed ordinance shall contain an annual pay plan setting forth the official pay range for each class of work in the classification plan. The council may amend or alter the proposed ordinance in any manner.

The director shall administer the pay plan for all positions in the classified service in accordance with the provisions of this title. The director may at any time recommend to the council amendments or revisions to the plan.

3a.05.020 Rates of Pay. No employee shall be paid at a rate of pay less than the minimum nor more than the maximum established for his/her job as set forth in the pay plan unless otherwise provided for in these rules. All pay rates in the pay plan are based upon full-time employment at the normal working hours for the position. For purposes of pay administration, full-time employment is defined as work consisting of at least thirty-five (35) but no more than forty (40) hours per week.

(1) **Starting rate upon initial employment.** New employees shall be appointed at the minimum step of the pay range in effect for the particular classification or position to which the appointment is made unless the employing official has requested and received prior authorization from the director to fill the position at some other step in the pay range. In no event shall the starting rate of pay exceed the maximum rate of the pay range.

(2) **Pay rate upon promotion.** An employee who is promoted shall be paid at that step in the pay range for the classification to which he/she is promoted, which represents at least a one step pay increase over the rate of pay received immediately prior to the promotion or at the minimum step of the new pay range, whichever is greater, provided that such increase does not exceed the

maximum step of the new pay range. A greater pay rate may be permitted upon promotion to correct the situation where a supervisor would receive less than a subordinate through application of this rule.

(3) Pay rate upon demotion. An employee who is demoted to a lower classification for reasons other than misconduct may be paid at any rate in the pay range assigned to the lower classification which is appropriate to the circumstances surrounding the demotion, the affected employee's experience and training, and the availability of funds.

An employee who is demoted from trial service following promotion shall receive the same pay rate as he/she received prior to promotion.

An employee who accepts a voluntary demotion because of organizational changes or reduction in force or who requests a voluntary demotion for personal reasons shall be paid at that step in the lower pay range that results in at least a one step reduction in pay unless such reduction would result in the employee being paid below the minimum step in the lower pay range.

(4) Pay rate upon transfer. An employee who transfers from one position to another within the same class, or from a position in one class to a position in a different class that is assigned to the same pay range, shall continue to receive the same rate of pay as before the transfer.

(5) Pay rate upon reinstatement or rehire. A person who is recalled from layoff, who returns from an unpaid leave of absence, or who is rehired following separation from county employment, and who is reemployed in the same classification as held before the break in service and who is reemployed within one (1) year from the date of the break in service, shall receive the same step in the pay range as held prior to the break in service, subject to the availability of budgeted funds. If such person is reemployed in other than the original classification, the rate of pay shall be at the minimum step of the pay range for the new classification, unless otherwise approved by the director.

(6) Pay rate following reclassification. An employee occupying a position that is reclassified to another class with the same pay range shall receive the same rate of pay as before the reclassification. If the position is reclassified to a class with a higher pay range, 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 range, the employee's rate of pay shall be reduced as provided in these rules for voluntary demotion, unless the director recommends and the council approves an incumbent pay rate.

(7) Pay rate following adjustment to the pay range.
If a class is reassigned to a new pay range, with no change in duties or responsibilities, the employee shall be paid at that step in the new pay range that most closely corresponds to the employee's placement in the original pay range.

(8) Pay rate for temporary and part-time employment.
Temporary and part-time employees shall be paid for actual hours worked at an hourly rate of pay equivalent to the rate paid regular full-time employees performing substantially the same type of work. Where no similar work is normally performed, the director shall establish an appropriate pay rate after consulting with the employing official.

(9) Call back pay. When an employee has completed his/her regularly scheduled shift or work week and is "called back", the employee shall be paid at the rate of one and one-half (1 1/2) times his/her regular rate of pay for actual hours worked, provided that if the employee is called back and subsequently works less than two (2) hours, he/she shall receive a minimum of two (2) hours of pay at the regular rate of pay. Employees whose jobs normally require attendance at meetings outside of normal office hours or whose working conditions require regular call backs as a normal part of the job shall not be entitled to call back pay. When the total number of hours worked in one week exceeds forty (40) hours, the call back provisions of this section shall cease to apply and the overtime provisions of section (10) below shall apply.

(10) Overtime compensation. In the case of employees who are working less than a forty (40) hour work week, all hours worked in excess of the normally scheduled work week up to a maximum of forty (40) hours per week, shall be compensated at the straight time rate of pay, unless the call back provisions of section (9) above are applicable. Overtime pay at the rate of one and one-half (1 1/2) times the employee's regular rate of pay shall be paid for any work authorized and performed in excess of forty (40) hours per week for all employees except those employees for whom overtime pay is not required by law. Employees who do not receive overtime pay may receive compensatory time off for hours actually worked in excess of forty (40) hours per week on an hour for hour basis with prior approval of the employing official. Employees who are eligible for overtime pay may receive compensatory time off equivalent to the number of overtime hours worked in lieu of overtime pay. Compensatory time off shall not be permitted to accrue beyond an eighty (80) hour maximum for any employee. Compensatory time accrued shall be scheduled as time off within thirty (30) days of the date it is earned. Any unused compensatory time shall lapse upon an employee's separation from county service. Department heads may approve the payment of overtime pay to employees not

ordinarily receiving such pay where 1) the employees are required to supervise directly subordinate employees in the performance of overtime work caused by an unplanned emergency; 2) the overtime is substantial; 3) failure to grant such overtime pay would result in the pay of subordinates exceeding that of their supervisors; and 4) budgeted funds are available to pay the overtime.

All work on holidays shall be paid at the regular rate of pay for all hours actually worked in addition to the regular holiday pay based on the normal work day. Compensatory time off in lieu of pay may be granted in an equivalent amount for hours actually worked on the holiday.

(11) Special pay provisions. An employee who is temporarily assigned work in a higher classification and, in fact, performs substantially the full scope of the work of the higher classification for a period of three (3) consecutive working days or more, shall be paid at the rate of pay assigned to the higher classification according to the provisions of these rules governing pay rate upon promotion for all hours actually worked in the higher classification.

3a.05.030 Advancement Within a Pay Range. Employees shall receive increases in pay within the steps of the pay range for their classification contingent upon 1) satisfactory job performance (as determined by evaluation) and, 2) the availability of funds as determined by the Council. Employees are eligible to be considered for such performance increase annually on each anniversary date representing the completion of one (1) year of full-time employment or equivalent in the same job classification at the same step in the pay range.

Those employees hired prior to January 1, 1980 and who, upon adoption of these rules, have an anniversary date of January 1 shall continue to have the same anniversary date unless thereafter such anniversary date is adjusted by any of the circumstances shown in section (2) below.

The anniversary date for regular part-time employees shall be adjusted in accordance with the number of hours actually worked such that the employee may receive a step increase only upon completion of the equivalent of one (1) year of full-time employment.

(1) Deferral of performance increase. Performance increases are contingent upon satisfactory performance on the job and the availability of budgeted funds. If an employee's performance is less than satisfactory during the year preceding the anniversary date for a step increase, the employing official may, with prior approval of the director, defer the increase for a stipulated period of time until specific improvement is made in the employee's performance. The reasons for denial of a performance

increase shall be provided to the employee. A denied performance increase may be approved at any time the employing official determines that the employee has demonstrated satisfactory performance improvement. If the denial exceeds six (6) months because the employee's performance has not improved sufficiently, any pay increase shall be withheld until the employee's next anniversary date.

(2) ~~Adjustments to the anniversary date.~~ The anniversary date for a step increase for an employee shall be adjusted under the following circumstances:

(A) Upon promotion or demotion, except in the case of demotion from trial service, the existing anniversary date shall be eliminated and the date of such promotion or demotion shall be used to calculate the new anniversary date;

(B) When an employee is demoted from trial service following promotion, the anniversary date held prior to such promotion shall be reestablished;

(C) When an employee returns from layoff or unpaid leave of absence and is reemployed in the same classification as originally held, the original anniversary date will be extended by an amount of time equal to the period of layoff or leave of absence in order to give credit for time served in a pay step prior to such layoff or leave of absence. The anniversary date shall only be adjusted for each unpaid leave of absence of ten (10) or more consecutive working days;

(D) When an employee returns from layoff or unpaid leave of absence and is reemployed in a classification other than that originally held, the original anniversary date shall be eliminated and the date of reemployment shall be used to calculate the new anniversary date.

(3) ~~Alternative advancement program.~~ The director may recommend alternative advancement programs covering specific occupations to the council as a part of the annual pay plan(s). Such programs shall only be effective when approved by the council and may modify or supersede the program described by this chapter. Criteria for advancement in such programs may include but are not limited to employee performance, demonstrated knowledge, skill or ability, completed training and education and increased longevity.

CHAPTER 3a.06

EMPLOYEE BENEFITS

Sections:

- 3a.06.010 Employee Benefits - Eligibility Defined
- 3a.06.020 Holidays
- 3a.06.030 Insurance and Medical Benefit Plans
- 3a.06.040 Sick Leave
- 3a.06.050 Vacation Leave
- 3a.06.060 Other Leaves of Absence
- 3a.06.070 Return from Leave of Absence
- 3a.06.080 Tuition Reimbursement and Education Leave

3a.06.010 Employee Benefits - Eligibility Defined.

Unless otherwise provided for in these rules, or by benefit plan documents, full-time employees and part-time employees who are employed for twenty (20) hours per week or more are eligible for the full range of employee benefits. Temporary employees, and part-time employees who work less than twenty (20) hours per week, are not entitled to benefits under this chapter. Benefit programs and the levels of benefits provided by these programs are at the sole discretion of the county.

3a.06.020 Holidays. A paid legal holiday is any day other than Sunday designated by RCW 1.16.050 as a legal holiday as that statute is constituted on the date of the occurrence of a holiday. The following days are currently recognized as holidays with pay for all eligible employees:

- | | |
|-----------------------|----------------------------|
| New Year's Day | Veteran's Day |
| Lincoln's Birthday | Thanksgiving Day |
| Washington's Birthday | The day after Thanksgiving |
| Memorial Day | Christmas Day |
| Independence Day | Floating Holiday |
| Labor Day | Employee's Birthday |

(1) Floating holiday. An employee shall be eligible for one floating holiday per year. The floating holiday shall be used by the last working day of the calendar year in which it is earned and shall be taken at a time approved by the employing official.

(2) Birthday leave. Each employee may take his/her birthday as paid leave. If an employee's birthday falls on a nonworking day the employee may take the working day either preceding or following his/her birthday as birthday leave.

Should the employee or employer so request, an alternative day off may be approved upon written request. This leave is noncumulative and noncompensable upon termination.

(3) Holidays falling on Saturday, Sunday or other regularly scheduled days off. When a recognized holiday falls on a Saturday, the holiday will be observed on the preceding Friday. When the holiday falls on a Sunday, it will be observed on the following Monday. If the holiday falls on one of the employee's regularly scheduled days off, other than Saturday or Sunday, the employee may take an alternative day off by arrangement between the employee and employer.

(4) Holidays occurring while on paid leave status. Holidays that occur during vacation, sick leave or while on other paid leave status shall not be charged against such leave.

(5) Forfeiture of holiday pay. Any employee shall forfeit his/her right to payment for any recognized holiday if he/she is on leave without pay on the last regular working day preceding such holiday or on the next regular working day following such holiday.

3a.06.030--Insurance and Medical Benefit Plans. Regular employees may participate in insurance and medical benefit programs offered by the county provided that they meet the eligibility requirements specified in these rules and in the contracts with the companies providing these programs. The personnel department will provide applications and information concerning these programs to all eligible employees and will arrange for payroll deductions to cover the employee's premiums, where applicable.

3a.06.040--Sick Leave. Accumulation of sick leave is allowed 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 some medical reason.

(1) Sick leave accrual. Eligible employees as defined in section 3a.06.010 shall accrue sick leave at the rate of one working day for each full calendar month of employment. Employees who are on regular pay status for less than a full calendar month shall accrue sick leave proportionately to the number of hours they are on regular pay status. For the purpose of calculating sick leave accruals, the employee shall be credited with .046 hours of sick leave for each hour on regular pay status as shown on the payroll, but not for more than forty (40) hours per week. Sick leave accrued shall not be credited or used until the end of the month in which it is earned. Employees who are covered by the disability leave provisions of the LEOFF I system shall not be eligible for sick leave accrual.

(2) Use of sick leave. An employee may use sick leave for absence due to illness, injury or other incapacity that renders the employee unable to perform the duties of his/her position, or for the purpose of medical and dental appointments, or due to enforced quarantine in accordance with health regulations.

Where illness or injury to an employee's spouse, child or other dependent requires the employee's personal attendance to provide necessary care of the family member, the use of sick leave, for up to three (3) days in a calendar year, by the employee, may be allowed by the employing official.

Both male and female employees may take up to five (5) days of sick leave during and immediately following the birth or adoption of their infant child. In addition, a female employee may take sick leave for periods of temporary disability related to child birth when a request for such leave is accompanied by a written physician's statement in accordance with the disability leave provisions of this ordinance.

(3) On the job injury. Whenever an employee is injured on the job and compelled to seek immediate medical treatment, the employee will be compensated in full for the remaining part of the day of injury without affect to his or her sick leave or vacation account. Scheduled workdays falling within the first three (3) calendar days following the day of injury are compensable through accrued sick leave, provided however, if the period of disability extends beyond fourteen (14) calendar days, then accrued leave taken shall be reimbursed by Worker's Compensation on a pro rata basis. Sick leave pay may be used to supplement industrial insurance benefits in an amount equal to the difference between the compensation to which the person is entitled under the Industrial Insurance Act and regular county net pay, not to exceed the amount of the employee's accrued sick leave. Any earned vacation may be used in a like manner after sick leave is exhausted.

(4) Sick leave reporting. In order to qualify for sick leave payment, employees shall report their illness or disability to their immediate supervisor at the beginning of any period of sick leave and daily thereafter unless otherwise arranged. Failure to report within a reasonable time may result in the denial of sick leave benefits.

For any sick leave exceeding three (3) working days, the employee may be required upon returning to work to submit a written physician's statement explaining the nature of the illness or disability and/or assessing the employee's fitness to resume his/her duties. Failure to provide such written physician's statement upon request of the employing official may result in the denial of sick leave benefits and/or other

disciplinary action. Nothing shall prohibit the county from requiring an employee to be examined by a physician of the county's choice. 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.

(5) Sick leave -- cash payment upon termination. Upon termination from county employment, the employee shall be paid a lump sum payment from accrued sick leave reserves up to and including the maximum amount specified in the following schedule:

<u>Length of Service</u>	<u>Maximum Number of Days Paid</u>
Date of employment to 5th anniversary	0
Date of 5th anniversary to 10th anniversary	5
Date of 10th anniversary to 15th anniversary	10
Date of 15th anniversary to 20th anniversary	15
Date of 20th anniversary and thereafter	30

Upon the death of any employee in regular pay status, his/her estate shall be paid for accrued sick leave in accordance with the above schedule.

3a.06.050 Vacation Leave. Eligible employees as defined in section 3a.06.010 shall accrue vacation leave based on the number of hours actually worked or while on paid leave status in accordance with the schedule shown below. Vacation leave shall not accrue during periods of leave without pay nor for hours worked in excess of forty (40) hours per week.

(1) Vacation leave accrual. During each year of employment eligible employees shall accrue vacation leave up to and including the maximum amount shown in the schedule below. Employees who are on regular pay status for less than a full calendar month shall accrue vacation leave proportionately to the number of hours they are on regular pay status. For the purpose of calculating vacation leave accruals, the employee shall be credited with the appropriate hourly accrual for each hour on regular pay status in accordance with the schedule shown below, but not for more than forty (40) hours per week. Vacation leave accrual

shall be based upon the total time of continuous active employment with the county. Vacation leave accrued shall not be credited or used until the end of the month in which it is earned.

Period Covered	Hourly Accrual Rate per Hour Worked	EXAMPLE ONLY	
		Hourly accrual/yr 7_hrs/8_hrs	Accrual per year_(days)
Date of employment to 1st anniversary (1st year)	.023	42.021/48.024	6.03
Date of 1st anniversary to 2nd anniversary date (2nd year)	.046	84.042/96.048	12.06
Date of 2nd anniversary to 5th anniversary date (3rd through 5th years)	.0575	105.0525/120.06	15.0075
Date of 5th anniversary to 9th anniversary date (6th through 9th years)	.069	126.063/144.072	18.009
Date of 9th anniversary to 11th anniversary date (10th through 11th years)	.0805	147.0735/168.084	21.0105
Date of 11th anniversary to 13th anniversary date (12th through 13th years)	.0843	154.0161/176.0184	22.0023
Date of 13th anniversary to 15th anniversary date (14th through 15th years)	.0882	161.1414/184.1616	23.0202
Date of 15th anniversary to 17th anniversary date (16th through 17th years)	.092	168.084/192.096	24.012
Date of 17th anniversary date and thereafter	.0958	175.0266/200.0304	25.0038

Any employee who was hired prior to January 1, 1980 and who has been in continuous active service since that date shall accrue vacation leave in accordance with the above schedule with the following addition:

Date of 19th anniversary and thereafter	.115	210.105/240.12	30.015
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(2) Vacation leave - maximum accrual. Vacation leave shall not be permitted to accrue in excess of thirty (30) days.

(3) Vacation leave - cash payment upon termination. Upon termination from county employment, the employee shall be paid a lump sum payment for all accrued vacation leave up to a maximum of thirty (30) days, provided that such payment continues to be allowed under state law. Accrued vacation leave in excess of thirty (30) days shall be forfeited.

3a.06.060 Other Leaves of Absence. In addition to vacation and sick leave, the county shall provide additional leaves of absence to employees under such circumstances as are specified in this section.

(1) Bereavement leave. Eligible employees shall be granted bereavement leave with pay in the event of a death in the family of the employee. The maximum leave in such cases shall be three (3) working days unless the death occurs at a distance of 500 miles or more in which case additional time may be granted not to exceed three (3) additional working days. The term family for this section only shall be taken to include:

(A) Spouse and children;

(B) Mother, father, brother, sister, mother-in-law, father-in-law, brother-in-law and sister-in-law;

(C) Grandparents of the employee or spouse; and

(D) Any relative living in the immediate household of the employee.

In relationships other than set forth above, bereavement leave may be granted by the employing official upon request.

(2) Court leave. Eligible employees shall be granted leave with pay while required to perform jury duty or when required to appear in court on any matter in which he/she is not a party. The amount of pay granted in such cases shall be the difference between the employee's regular pay and any amount he/she actually receives as a result of such duty.

(3) Disability leave. Disability leave shall be granted for up to six (6) months upon showing that the employee is temporarily disabled and is temporarily unable to perform the duties of his/her position. Requests for disability leave shall be accompanied by a written statement from the physician treating the

employee outlining the nature of the disability and estimating when the employee will be able to return to work. Disability leave is leave without pay except for members of the LEOFF I system.

Employees may be replaced with temporary or regular employees during disability leave if necessary. Employees returning from disability leave shall assume their former positions with adjustments to their anniversary date only as provided for in rule 3a.05.030. Except to the extent state law or regulations require otherwise, employees whose disabilities extend beyond six (6) months in duration shall be entitled to return to their position only if the positions can be kept vacant or filled on a temporary basis. Otherwise, the employing official may appoint the returning employee to a comparable vacant position within the department or attempt to arrange for appointment to a comparable position within another department. Where appropriate, placement in light duty assignments may be made to accommodate medical restrictions. If placement is not possible, the employee shall be laid off and his/her name shall be placed on a reemployment list for the class in which employment was originally held or for a class which is appropriate to the employee's medical condition.

(4) Military leave. Any regular employee who is a member of the national guard or organized military reserve or armed forces of the United States and who is ordered to attend a period of active duty training shall be entitled to leave with pay not to exceed fifteen (15) working days during each calendar year. Such leave shall be in addition to any vacation or sick leave to which the employee is entitled, and shall not involve any loss of efficiency rating, privileges or pay (RCW 38.40.060).

Any person who is a resident of this state and who voluntarily or upon demand, vacates a position of employment to determine his physical fitness to enter, or, who actually does enter upon active duty or training in the Washington National Guard, the armed forces of the United States, or the United States public health service, shall, provided he meets the requirement of RCW 73.16.035, be reemployed forthwith: PROVIDED, that the employer need not reemploy such person if circumstances have so changed as to make it impossible, unreasonable, or against the public interest for him to do so: PROVIDED FURTHER that this section shall not apply to a temporary position.

If such person is still qualified to perform the duties of his former position, he shall be restored to that position or to a position of like seniority, status and pay. If he is not so qualified as a result of disability sustained during his service, or during the determination of his fitness for service, but is

nevertheless qualified to perform the duties of another position, under the control of the same employer, he shall be reemployed in such other position: PROVIDED, that such position shall provide him with like seniority, status, and pay, or the nearest approximation thereto consistent with the circumstances of the case.

(5) Leave without pay. Employees may request leave without pay by submitting a written request to the employing official. Each request for such leave shall be considered in light of the circumstances involved and the needs of the organization. Such leave shall be for a defined period of time, not to exceed six (6) months. Any leave without pay beyond six (6) months duration must have the county executive's approval for good cause shown. All leaves of absence without pay shall be reported to the personnel department in the manner prescribed by the director and may cause the employee's seniority and anniversary dates to be adjusted.

Any employee who is elected or appointed to a political or legislative position which is compatible with the employee's county employment may be granted leave without pay to perform his/her civil duty.

3a.06.070 Return from Leave of Absence. At the expiration of any authorized leave of absence, including vacation leave, the employee shall be returned to his/her last held position unless other conditions were stipulated in writing by the employing official upon granting the leave or unless otherwise stipulated in these rules. Any employee who fails to return to work within three (3) working days after the expiration of such leave shall be considered to have resigned unless the employee, prior to the expiration of such leave, has requested and been granted an extension of leave.

3a.06.080 Tuition Reimbursement and Education Leave. An employee may be granted a leave of absence with pay to attend conferences, seminars or other education or training programs when such events or programs are intended to improve or upgrade the employee's job related knowledge, skills or abilities. If it is found to be in the best interests of the county, reimbursement to an employee of the cost of tuition for such event or program may be allowed subject to the availability of funds and the prior approval of the department head in accordance with appropriate reimbursement procedures. Any employee who desires to attend a conference, seminar or other function, or who desires to enroll in an accredited educational institution, shall apply to the department head at least ten (10) working days in advance of the proposed enrollment and shall submit a course description. If approved, reimbursement for the cost of tuition at an accredited educational institution shall be contingent upon satisfactory completion of the course (i.e., a grade of "c" or better or the equivalent thereof). An

employee, who is granted tuition reimbursement and then voluntarily terminates county employment, shall be required to repay any reimbursement which is received during the last six (6) months of his/her employment. If the employee is required to attend such training by the county, he/she shall be reimbursed for allowable and documented expenses incurred incident to such training.

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CHAPTER 3a.07

RECRUITMENT AND EXAMINATION

Sections:

- 3a.07.010 Recruitment
- 3a.07.020 Applications
- 3a.07.030 Examinations - General
- 3a.07.040 Examination Administration
- 3a.07.050 Notification of Examination Results
- 3a.07.060 Preplacement Physical Examination

~~3a.07.010 Recruitment.~~ Recruitment of candidates for vacant positions in the classified service of Snohomish County shall be the responsibility of the director with the assistance of elected officials and department heads.

The director will develop and conduct an active recruitment program designed to meet current and projected employment needs. Recruitment will be tailored to the various classes of positions to be filled and will be directed to sources likely to yield qualified candidates. Position vacancies may be filled from within Snohomish County when appropriate and in the best interests of the county.

(1) Announcement of recruitment.

(A) When necessary to recruit for a position, the director shall publish a written recruitment announcement. The announcement shall specify the title and pay range of the class or position, the expected starting salary, whether the position is open to the general public or limited to county employees, the minimum qualifications required, the final date on which applications will be accepted, and other pertinent information and requirements determined to be appropriate.

(B) Distribution. All regular classified position vacancies will be posted in the personnel office and sent to each department of the county. Department heads will ensure that announcements are posted in their departments in a timely manner. The director will also ensure that vacancies are advertised or posted with other appropriate labor market sources in accordance with the county's affirmative action plan.

(2) Types of announcements.

(A) Open. Applications are accepted from any qualified persons who wish to apply. Announcements shall be published for no less than five (5) working days. Qualified permanent county employees may be afforded a preferential consideration when it is in the best interests of the county in accordance with procedures specified by the director.

(B) County Only. The director may designate a county only announcement:

(1) When the position to be announced is classified as a part of a series of classes which may include numerical designations and/or similar job titles; or

(2) When the job classification requires experience in a lower level county classification or type of work as a prerequisite; or

(3) Where only county employees have historically been selected; or

(4) When in the opinion of the director sufficient numbers of well qualified candidates may exist among county employees.

Applications will be restricted to full-time and part-time county employees. Temporary, probationary, or trial service employees will not be permitted to apply. The position shall be announced for no less than five (5) working days to ascertain the extent of interest and qualifications of county employees after which time the announcement may be closed. Where in the judgement of the director, the number of applicants is insufficient or the level of their qualifications is marginal, he/she may extend the closing date or redesignate the position as open to the general public for an additional period.

County employee applicants shall be subject to the same examination standards as would be required of the general public except that, in addition, each employee's work record, performance, or other job related factors may also be considered by the employing official.

(C) Continuous. Applications are accepted on a continuous basis without a designated closing date when in the judgment of the director:

(1) Vacancies in a particular class occur frequently enough that eligibles should be available on an ongoing basis, or

(2) Qualified applicants for a particular class are difficult to obtain and require continuous recruitment activities.

Continuous announcements may be open or county only and applicants will be accepted in accordance with the rules governing those types of announcements. The continuous announcement shall state "open until further notice" and the director may close recruitment whenever sufficient applications have been received.

3a.07.020--Applications.

(1) Filing of applications. Applications for employment shall be filed on such forms as may be prescribed by the director. To be accepted for review, an application must be delivered to the personnel office by the close of business on the final filing date specified in the announcement or postmarked before midnight of that date, providing the application reaches the personnel office no later than five (5) days following the final filing date. Applications shall include a statement from the applicant with all pertinent information regarding his/her education, experience and other personal data which the director deems necessary. Applications must be signed, and the truth of all statements contained therein certified by the applicant's signature. The director may require such proof of residence, education, experience, and other claims as he/she deems appropriate. Applicants are responsible for promptly notifying personnel of any changes of address or telephone number so that the information may be corrected on the application. When an application is received that is illegible or incomplete, the applicant shall be notified if possible. If the applicant cannot be contacted and/or an amended and complete application is not received within five (5) working days of the date a notification is mailed, the applicant shall not be considered further. The personnel department is not responsible for the quality of mail delivery service.

(2) Acceptance of application. Persons who submit applications on or before the last date of filing and whose applications clearly show that they meet the stated requirements shall be admitted to compete for the position for which they are applying. No person shall be permitted to take any examination without an authorization by the director.

(3) Notice to applicants. Each person who files an application for an announced vacancy may obtain information concerning the status of his/her candidacy upon request. Each applicant who is accepted for an assembled examination shall be notified in writing or by phone of the scheduled time and place of the examination.

(4) Rejection of application or eligible. The director may reject any applicant for examination, the name of an eligible may be withheld from a register or from certification, or the name of an eligible may be removed from a register at any time for any of the following reasons:

(A) The person does not meet or no longer meets any one of the eligibility requirements established for the position.

(B) The person is unable to perform the duties of the position.

(C) The person has made a false statement of material fact in the application process.

(D) The person has used or attempted to use influence or fraud to secure an advantage.

(E) The person has obtained information regarding the examination to which he was not entitled.

(F) The person has failed to reply within the time specified by the director to a letter of inquiry sent to his last address.

(G) The person was previously dismissed from a position in the county service.

(H) The person has been convicted of a crime or released from incarceration within the previous seven (7) years and the crime was of such a nature as to render him unfit for the particular position.

(I) The person is under eighteen (18) years of age or over seventy (70) years. The minimum age requirements may vary with each job prerequisite.

(J) The person has expressed unwillingness to accept employment. Persons who have requested removal from the list may be reinstated to the list upon request if the list is still in effect.

(K) The person has failed to report to duty within the time prescribed by the employing official.

(L) The person has been certified and declined an interview and/or expressed his lack of interest in the position(s).

~~3a.07.030~~ Examinations - General. Suitability for appointment to the classified service shall be determined by examination relating to those matters which will test the capacity and fitness of the candidates to discharge the duties of the position. Examinations may be assembled or unassembled and may include written, oral, physical or performance exercises, evaluations of training and experience, or any combination of these. They may take into consideration such factors as experience, education, aptitude, knowledge, skill, ability, character or any other job related qualifications. The director shall specify the nature and content of examinations based upon the advice and information of elected officials, department heads and subject matter experts.

~~3a.07.040~~ Examination Administration.

(1) Conduct of examinations. Examinations shall be held at such times and places and in such manner, as, in the judgment of the director, most nearly meet the practicability of administration and needs of the service. The examination shall be conducted either by the director or by persons designated by him/her.

(2) Anonymity of applicants. Reasonable precautions shall be taken to preserve the anonymity of applicants in the conduct and scoring of written examinations.

(3) Rating of examinations. In all examinations the minimum ratings by which eligibility may be achieved shall be set by the director. The final examination grade shall be determined by the ratings on each part of the examination in accordance with the weights established for each part by the director. All competitors may be required to obtain a minimum rating

in one or each part of the examination in order to achieve a final passing grade or to be rated on the remaining parts of the examination. Qualitative ratings, which do not result in a numerical grade, rather than quantitative ratings may be given whenever it is deemed appropriate by the director. Candidates who are so graded, shall be placed on an ungraded register.

(4) Retake of examinations. Applicants who fail an examination shall not be permitted to retake the examination during that examination process, but shall be permitted to compete again when the position is next announced. On certain performance tests, such as typing, more than one (1) opportunity to take the test may be offered depending upon such circumstances as the number of applicants, the time to administer the test and the level of the applicant's performance on the initial test. Applicants who take an examination given to establish a continuous eligible list will be permitted to compete again after six (6) months have elapsed. Candidates who are within one (1) month of being eligible to compete again will be allowed to take the exam, but if successful, will not be entered on the eligible list until the six (6) months have elapsed.

(5) Inability to appear for an examination. In the event an applicant fails to appear at the designated time and place for an examination, the applicant must forego the competition on that examination. The director may consider justifiable reasons for an applicant's inability to appear and may provide for a makeup examination when it is in the best interests of the county. For examinations that involve the use of special equipment, group exercises or the services of expert raters who are not county employees, rescheduling of examinations will not be allowed because of the impossibility of duplicating the exam process. The director may establish and certify the eligible list prior to the administration of a makeup examination. Applicants who arrive late may not be admitted to the examination, based upon the nature of the examination being administered and the judgment of the exam proctor. Where improper conduct on the part of a candidate is observed by the proctor, the candidate may be disqualified from further competition.

(6) Veterans preference. War veterans shall have added to their final passing score a percentage preference in accordance with state law. Eligible applicants must request such preference and provide proof of discharge in the manner prescribed by the director.

3a.07.050 Notification of Examination Results.

Each person competing in an examination shall be given at his/her request notice of his/her rating and his/her relative standing on the eligible list or of his/her failure to obtain a place on the list. Within ten (10) days after his/her final rating, any competitor may have his/her examination and rating reviewed by the director. If an error has been made, it will be corrected and an eligible's name will be placed in proper ranking order. A correction so made shall not invalidate any appointment previously made. Requests for review of an applicant's examination shall be limited to the applicant, his/her authorized representative, and an affected employing official. To maintain security, no examination material will be provided to a candidate or his/her authorized representative for review.

3a.07.060 Preplacement Physical Examinations.

Persons selected for employment with field exposure assignments or any other physically demanding assignments may be required to successfully pass a preplacement physical examination. All candidates selected for employment who refuse to complete the history section of any preplacement health physical form and/or submit to medical examination will be denied placement.

CHAPTER 3a.08

APPOINTMENT

Sections:

- 3a.08.010 Eligible Registers
- 3a.08.020 Requests for Certification
- 3a.08.030 Method of Certification
- 3a.08.040 Certification Processing
- 3a.08.050 Types of Appointments
- 3a.08.060 Appointment Following Reorganization or Transfer of Function

~~3a.08.010 Eligible Registers.~~ Each appointment to fill a permanent position in the classified service shall be made from an eligible register established for the class of positions by the director. An eligible register shall contain the names of candidates who are qualified for appointment to the class. An eligible register may be graded, ungraded, or a combination thereof and the names of candidates shall be drawn from the various types of available registers.

(1) ~~Types of registers.~~

(A) ~~Layoff.~~ A register shall be formed for each job classification from which employees have been laid off. Employees shall be listed in order of date of layoff. Employees who have been laid off from other classifications at the same or a higher level and who have the appropriate qualifications may also be listed. Names shall be certified to employing officials for consideration to fill vacant positions in accordance with section 3a.10.030 of these rules.

(B) ~~Transfer.~~ A permanent employee may express interest in obtaining a transfer from his/her position to another position in the same or similar job classification having essentially the same maximum salary by completing a "request for transfer" form prescribed by the director. Such requests may stipulate those organizations to which an employee does not wish to be referred. An employee may request a voluntary demotion to a classification having a lower maximum salary in the same manner. Employees seeking transfer must meet the minimum qualifications for the

classification sought. The names of qualified employees seeking a transfer or transfer demotion may be submitted to an employing official for consideration in filling a vacant position. The director shall determine the desire of the employing official to consider transfer candidates and the qualifications and interest of each employee for the vacant position prior to certification. The involuntary transfer of an employee, from one position of a classification to another position within the same classification and organization, may be effected by an employing official at any time with notification to the director.

(C) Reemployment. The names of employees who have been separated from the county in good standing or who have been reclassified to a classification with a lower pay range may be placed on a reemployment register. Placement on such register shall be at the employee's request and reinstatement of the employee to a vacancy in the classification previously held may be made without examination for a period not to exceed one (1) year.

(D) County only/open. A register shall be formed at the conclusion of each county only or open examination and shall contain the names of those candidates who have achieved the minimum rating which is determined to be necessary by the director. Candidates shall be listed in order of score on graded examinations or ranked with those candidates similarly designated on ungraded examinations.

The names of candidates from continuous examinations may be added to an eligible register from time to time and integrated into the existing list of eligibles by score or rank. The duration of each candidate's eligibility on the list shall not exceed six (6) months unless extended by the director.

Certification to employing officials of candidates to fill vacant positions shall be in score or rank order as appropriate. Candidates with the same score or rank are considered to be equally qualified and, therefore, must be afforded the same treatment in certification and selection processes.

An eligible register may be abolished or reestablished whenever it is determined by

the director to be in the best interests of the county.

3a.08.020 Requests for Certification. To fill a vacant position in the classified service, the employing official shall submit a request for certification to the director. The request shall be in the form prescribed and shall contain the information required by the director. The employing official shall make such request as far in advance as possible to allow for necessary recruitment and selection procedures.

3a.08.030 Method of Certification. Upon receipt of a request for certification, the director may certify to the employing official the names of qualified candidates from the various eligible lists established for the class of positions. The names of eligibles on a layoff register for the vacant classification shall be submitted in accordance with section 3a.10.030 of these rules. Transfer and reemployment eligibles shall be certified in alphabetical order and may be considered before those candidates from open registers whenever it is in the best interests of the county.

Where a certification is from a county only or open register established by examination, the director shall certify sufficient names, in rank order to provide the employing official with effective consideration of a total of five (5) candidates, including those candidates who are available from other eligible lists. Where less than five (5) candidates are available for consideration, the employing official may accept the certification or decline and request the director to obtain additional eligibles. The names of candidates with the same grade or rating shall be considered in the same rank for certification purposes. Additional names may be certified by the director when the employing official provides written justification that one or more candidates are unacceptable.

The employing official may specify, in writing, requirements of particular experience, education, skills or qualifications. If, after review, the director finds that such specifications are essential for successful performance, a selective certification may be made of only those candidates who possess such requirements without regard for rank. A certification may be limited to department employees in order to provide promotional opportunities. The director may also authorize selective certification in accordance with the county's affirmative action plan.

3a.08.040 Certification Processing. The employing official will consider the number of certified eligibles deemed necessary to make a selection, provided:

(1) All eligibles ranked higher than the person selected must also have been given consideration.

(2) In cases where eligibles show the same score or rank, when one person is interviewed, all persons with that score or rank must be interviewed.

(3) Reasonable efforts have been made to contact eligibles who were to be considered. The director may request documentation of such efforts before authorizing additional certification or abolishing a register.

The employing official shall record the disposition of all eligibles considered on the certification list in accordance with instructions provided thereon. The certification list shall be returned promptly to the director indicating the desired selection.

3a.08.050--Types of Appointments.

(1) Regular appointment. Regular appointment is any appointment to a permanently budgeted position vacancy in the classified service. Appointment shall be made from an eligible list certified by the director in accordance with these rules. Such appointments shall include initial appointments to the classified service, promotions, transfers, demotions and reinstatements. A regular appointment shall be tentative pending successful completion of a probationary or trial service period where required by the applicable rules for each such personnel action.

(2) Temporary appointment. Temporary appointment is any appointment to perform work which is temporary in nature. Such appointments may be used for emergencies or other unexpected peak work load periods, for call in and intermittent needs precipitated by the disability of permanent staff and for planned or unplanned fluctuations in work.

Temporary appointees may fill permanently budgeted positions. Temporary appointment of any individual shall not exceed 180 calendar days in total during a twelve (12) month period, except that, those employees who are on a call in or intermittent schedule may work up to the equivalent of 130 working days in a twelve (12) month period before being subject to removal. Qualified county employees on layoff status shall be given first consideration for temporary opportunities. Temporary employees of a recurring seasonal nature may have their names placed on a reemployment list to be considered for the following season.

A temporary employee who performs work which is normally done by county employees shall receive a salary which is within the range of salaries normally paid for such work. The director shall ensure that each temporary employee meets the minimum qualifications established for the class of work and shall cause to be removed any employee who fails to meet such qualifications or who exceeds the 180 calendar day duration limits established by this rule.

The temporary employment of an intern, who is enrolled as a student in a bonafide course of study at a college or university, shall be permitted. Conditions of employment including salary, hours of work and length of employment shall be determined by agreement between the county and the college or university. The director shall be notified of all such arrangements.

The county may use temporary help agencies to fulfill its temporary employment needs.

(3) ~~In-training appointment.~~ Whenever it is in the best interests of the county, the director may approve the in-training appointment of an applicant who does not meet the minimum qualifications for a classification. In such cases, the employing official shall provide justification for such an appointment and shall establish a training program which will satisfy the deficiency in qualifications within one (1) year from the date of appointment. During the training period, the employee shall be compensated at a lower rate than that of the class for which training is being given. At the end of the training period, providing the employee has successfully completed the necessary training, the employee shall be placed on a probationary period in accordance with these rules and shall be placed at the first step of the salary range for the appropriate class. Time spent in training status shall not be credited toward satisfaction of the probationary period. Removal of the employee during the training or probationary period shall be at the discretion of the employing official.

(4) ~~Acting appointment.~~ Acting appointment is a form of temporary appointment whereby a regular classified county employee is given an assignment in a position in a different classification having the same or higher pay range, to replace another employee, and/or pending the establishment of an eligible list for the position. Such appointments shall not normally exceed six (6) months, unless extended by the director for good cause, and shall expire upon preparation of an eligible list for the position. The employee shall be paid no less than the minimum step in the higher pay range and shall continue to accrue seniority and other benefits as if assigned to his/her regular classification. Time

spent in such acting appointment shall not be credited toward the satisfaction of any probationary or trial service period. An employee so appointed shall be entitled to reappointment to the position previously held upon expiration of the acting appointment.

(5) Exempt appointment. Exempt appointment is the appointment of an employee to an exempt position not subject to this ordinance and shall be governed by the rules and procedures of chapter 3.68 of the Snohomish County Code.

3a.08.060 -- Appointment Following Reorganization or Transfer of Function. Whenever there is a transfer or reorganization of functions within the classified service, and provided an employee's position duties and responsibilities are not changed substantially, the employee shall continue in the position previously held prior to such transfer or reorganization.

Where there is a transfer of function into the classified service from another personnel system or governmental entity, any incumbent employee(s) shall be appointed without examination provided the duties and responsibilities of the affected position(s) are not changed substantially.

The director shall provide employees so affected with a written determination of their status and benefits at the time of transfer.

CHAPTER 3a.09

PROBATIONARY AND TRIAL PERIODS

Sections:

- 3a.09.010 Purpose
- 3a.09.020 Duration
- 3a.09.030 Removal During Probationary Period
- 3a.09.040 Trial Service Reversion

~~3a.09.010 Purpose.~~ Probationary and trial service periods are working test periods and shall be an integral part of the examination process and shall be utilized as an opportunity to observe an employee's work, to train and aid the employee in adjustment to his/her position, and to reject any employee whose work performance fails to meet required work standards.

~~3a.09.020 Duration.~~ All initial and all promotional appointments of regular employees shall be tentative and subject to a probationary or trial service period which starts upon the effective date of an appointment.

The probationary period for initial appointment to the classified service shall be twelve (12) months in duration.

A probationary period where required by these rules following a transfer, demotion, or reinstatement shall be six (6) months in duration. A trial service period following promotion or reclassification shall also be six (6) months in duration.

Time served in a temporary appointment just prior to a regular appointment shall be credited toward satisfaction of the required probationary period provided: 1) the temporary appointment was in the same classification as the regular appointment and 2) there has not been more than a fifteen (15) day break in service between the appointments.

In the event an employee is on leave for more than ten (10) consecutive work days during a probationary or trial service period, the completion date shall be extended by an amount of time equal to the period of leave.

~~3a.09.030~~ Removal During Probationary Period. At any time during the probationary period the employing official may remove an employee whose performance does not meet the required standards, provided that he/she shall report the removal and the reasons therefor in writing before the effective date of separation, to the director and to the employee concerned. Notice of ten (10) working days will normally be given an employee who is removed. An employee dismissed during the probationary period may not resort to the grievance procedure.

~~3a.09.040~~ Trial Service Reversion. A trial service employee who is removed from the new position for reasons other than misconduct and who was a regular employee in another position in the classified staff service immediately prior to his/her new appointment, shall be reinstated in his/her former position or in one of like status and pay. Where reinstatement through reversion is not possible because of the elimination of the previously held position or the unavailability of a position of like status and pay, the director shall declare a layoff under section 3a.10.020 of these rules. Trial service reversion shall be conducted by the director upon recommendation of the employing official.

CHAPTER 3a.10

~~SEPARATION - LAYOFF - RECALL - REINSTATEMENT~~

Sections:

- 3a.10.010 General
- 3a.10.020 Reduction in Force - Layoff
- 3a.10.030 Recall from Layoff
- 3a.10.040 Reinstatement

~~3a.10.010 General.~~ Voluntary resignation, retirement and layoff are considered separations. Separation shall be in good standing and the employee shall be eligible for reinstatement under the rules of this chapter if: 1) the employee has provided written notice at least ten (10) working days prior to the effective date (in cases of voluntary resignation or retirement), 2) the employee has not resigned to avoid disciplinary action and 3) the employee has a satisfactory performance record.

~~3a.10.020 Reduction in Force - Layoff.~~ When the elimination or reorganization of work or lack of funds causes a reduction in hours or the elimination of one or more occupied positions, a layoff will be declared.

(1) ~~Identification of layoff unit.~~ The layoff unit shall consist of all positions in the affected job classification within the divisional organization affected by the reduction. Departments without division level programs will be considered as the whole layoff unit. A position within a classification may be excluded from a layoff unit as a specialty where:

(A) The specialty position was filled using substantially different qualifications; and

(B) Transfer between the specialty and other positions in the classification does not normally occur; and

(C) Qualification for the specialty position could not be easily obtained through a short orientation or familiarization period.

(2) Order of layoff. In-training, acting, temporary and probationary employees within the layoff unit shall be laid off first. Order of layoff between regular employees within the layoff unit shall be determined by considering each employee's job classification seniority and performance evaluation according to procedures prescribed by the director. Employees with the lowest scores shall be laid off first. In the event of a tie between two or more employees:

(A) The employee with the least total unbroken service in the affected department shall be laid off first; if a tie still exists then

(B) The employee with the least total unbroken county service shall be laid off first.

(3) Job classification seniority -- defined. Job classification seniority for the purposes of consideration in layoff and bumping situations is the period of unbroken service in the affected job classification and all classifications previously held which were at the same or higher level within the same occupational group. An authorized leave of absence without pay does not constitute a break in service; however, time spent on such leave of ten (10) consecutive days or more will be subtracted from the seniority computation.

(4) Layoff options. Within the affected division, a regular employee who is scheduled for layoff may be offered, in lieu of layoff, one or more of the following options if available:

(A) A voluntary demotion to a position in a lower level job classification in which the employee has held classified status provided he/she continues to meet the minimum qualifications and has greater job classification seniority than the occupant (if any) of the position in the lower class.

(B) A voluntary demotion to a lower level job classification in the employee's promotional line may be permitted whether or not the employee has held regular status in the lower class, provided he/she meets the minimum qualifications and has greater job classification seniority than the occupant (if any) of the position in the lower class. Such

demotions shall be restricted to promotional lines which are defined and promulgated by the director.

(C) A transfer to a vacant position in a job classification at the same level or demotion to a lower level classification, not previously held, provided the employee meets the minimum qualifications. Such transfers or demotions may be made without examination. An employee who accepts such an option must complete a six (6) month probationary period before being granted status in the class and is subject to all rules covering probationary employees. A transfer or demotion to a job classification in which classified status was previously held shall not require a new probationary period.

No employee shall be offered a promotion as a direct result of being affected by a layoff situation but may apply for any available promotional opportunity in accordance with rules covering application.

A classified employee who is offered an option as specified above may indicate acceptance or rejection within three (3) working days of its receipt. Failure to do so shall constitute rejection of the offer.

(5) Career employee retention. In the event that bumping and transfer options within the division are not made available and the employee has five (5) or more years of continuous service with the county, the director may attempt to identify other referral options in the following order:

(A) Vacant positions within job classifications previously held by the employee, first within the employee's department and then county wide.

(B) Vacant positions in a job classification at the same or lower level not previously held, provided the employee meets the minimum qualifications, first within the employee's department and then county wide.

(C) Positions occupied by temporary or probationary employees within job classifications previously held by the

employee, first within the employee's department and then county wide.

(6) Notice of layoff. A notice of layoff, signed by the appropriate division or department head, shall be given to affected employees at least ten (10) working days prior to the effective date. Where necessary the County may issue a corrected notice of layoff. The date of layoff for an employee receiving such corrected notice will be adjusted to ensure the employee at least five (5) working days notice of the change. A copy of each layoff notice will be provided to the director.

(7) Placement of laid off employees on layoff register. The names of classified and probationary employees who have been laid off (including acceptance of a demotion option) shall be placed on a layoff register for the classification from which the employee was separated. An employee's name shall remain on the register for one (1) year from the date of layoff. An employee's name may be removed for any of the following reasons:

(A) Inability to contact the employee by mail at the employee's last known address.

(B) Rejection by the employee of an offer to interview for a county vacancy in the same job classification.

(C) Acceptance by the employee of other employment or an expression that he/she has no further interest in returning to county employment.

(D) Reappointment of the employee to his/her former classification.

3a.10.030 Recall from Layoff. First consideration to fill vacancies in county positions shall be given to employees on layoff registers. Upon notification by an employing official that a vacancy exists, the director will contact qualified candidates from the layoff register and certify the names of those interested, if any, to the employing official. Names will be submitted in the following order:

(1) Employees laid off from the same layoff unit in which the vacancy exists.

(2) Employees laid off from the classification which is currently vacant.

(3) Employees laid off from other classifications at the same or a higher level who have the appropriate qualifications.

The employing official shall examine or request that the director examine certified candidates, and indicate to the director the selection results.

~~3a.10.040~~ Reinstatement. A regular or probationary employee who is separated from a job classification in good standing may be reinstated to a vacancy in the same classification within one (1) year of separation without competition. Such employees shall be credited with:

(1) Assumption of the previous job classification seniority and anniversary dates adjusted for the time gone.

(2) The previous rate of sick leave and vacation accrual based on years of service.

(3) Reinstatement of previous sick leave accrual balances; however, if any previous payment for accrued sick leave had been received, it must first be repaid.

(4) Regular status only if reinstatement is to the department from which layoff occurred and if regular status had been previously attained. In other instances, a six (6) month probationary period must be served. A reinstated employee who fails to complete the probationary period shall be returned to the layoff register for the remainder of the one (1) year eligibility period established by the date of original layoff.

(5) Benefits in accordance with any restrictions or waiting period imposed by plan documents.

An employee who is reinstated from a layoff register to a classification not previously held in accordance with section 3a.10.030 shall be:

(1) Required to serve a probationary period. A reinstated employee who fails to complete the probationary period shall be returned to the layoff register for the remainder of the one (1) year period established by the date of original layoff.

(2) Given new job classification seniority and anniversary dates.

(3) Given the previous rate of sick leave and vacation accrual based on years of service.

(4) Credited with previous sick leave accrual balances; however, if any previous payment for accrued sick leave had been received, it must first be repaid.

(5) Given benefits in accordance with any restrictions or waiting period imposed by the plan documents.

CHAPTER 3a.11

GRIEVANCE PROCEDURE

Sections:

- 3a.11.010 Grievance - Definition - Limitations
- 3a.11.015 Who May File a Grievance
- 3a.11.020 Election of Remedies
- 3a.11.025 Grievance Procedure
- 3a.11.030 Personnel Board

3a.11.010 Grievance - Definition - Limitations. A grievance is defined as a dispute or disagreement raised by an employee concerning the interpretation or application of the specific provisions of these rules, excepting those matters excluded by any terms of these rules from the grievance procedure.

3a.11.015 Who May File a Grievance. Any classified employee may file a grievance, except that probationary employees may not grieve dismissal and trial service employees may not grieve reversions.

3a.11.020 Election of Remedies. Any dispute or grievance which has been submitted, processed and/or decided under any process or in any forum other than that provided for in this chapter shall not be subject to the grievance procedures provided in this ordinance.

3a.11.025 Grievance Procedures. The following procedures govern the conduct of the grievance process for classified employees:

If an employee fails to submit a grievance in a timely manner or to adhere to the time limits established in the steps below, the employee shall have waived the grievance. If an employee does not receive a response within the number of working days outlined in the steps below, the next step in the grievance process shall apply. The time limit specified in any of the steps may be waived by mutual agreement.

Step I. An employee shall have five (5) working days from the occurrence of the event giving rise to the grievance to orally present the grievance to his/her immediate supervisor. The supervisor shall provide the employee with an oral response within three (3) working days.

Step II. An employee dissatisfied with his/her supervisor's oral response shall have five (5) working days from the day of such response to submit a written grievance to the employing official. The written grievance shall specify the subject matter of the grievance and the remedy which is desired and all further actions shall be limited to the matters specified. The employing official will review the grievance, will meet with the employee and supervisor, and will respond in writing within ten (10) working days of receipt of the employee's written grievance. A copy of the written response will be provided to the director.

Step III. In the event the grievance is not settled satisfactorily at step II, the employee shall have five (5) working days from the date of the employing official's response to submit a written grievance to the director. The director shall investigate the grievance, make a written determination, and transmit such determination to the grievant and the employing official by certified mail or personal service within fifteen (15) working days of receipt of the written grievance.

Step IV. If the employee disagrees with the director's determination and desires a hearing on the grievance before the personnel board, he/she shall submit a written request for hearing to the director within five (5) working days from receipt of the director's determination. The director shall provide copies of the grievance, the responses, and related documents to the personnel board within five (5) working days following receipt of the request for hearing. The personnel board shall conduct a hearing on the grievance within twenty (20) working days following receipt of the grievance documents.

3a.11.030 Personnel Board. There shall be a personnel board of five (5) members, who shall be appointed by the council upon the recommendation of the executive. A personnel board member shall serve a term of four (4) years with initial terms staggered in length so that terms, insofar as possible, shall not expire on the same year. County officials or employees may not serve as members of the personnel board. Members of the board shall be eligible for reimbursement of allowable expenses, as determined by the council, incurred while carrying out their responsibilities under these rules.

The personnel board shall hear grievances as provided in this chapter, may meet to discuss any other personnel matter covered by this title and shall report at least once a year to the executive and council concerning the operation of the personnel system with any recommendations for its improvement. The board may adopt its own rules of

procedure. The board shall conduct a regular meeting each quarter unless cancelled or adjourned. A majority of the board shall constitute a quorum. The director or his designee shall serve as the clerk of the board.

Grievance hearings before the board shall be open to the public, except where the employee requests a closed hearing, or the board determines there is other reason for closing the hearing. Hearings may be informal; the technical rules of evidence shall not apply except the rules of privilege recognized by law or court rule. Both the employee and his/her employing official shall be notified at least five (5) days in advance of the hearing. The parties may give evidence to the board, including presentation of witnesses. All witnesses shall be subject to cross examination. Any party intending to utilize legal counsel shall notify the director either in the request for hearing or in writing upon receipt of notification of such request. The director shall be responsible to provide timely notification of such intent to the personnel board and the other party by certified mail or personal service.

A tape recording, or similar record, shall be made of all proceedings and retained according to state law. The determination of the personnel board shall be final. No new evidence will be admitted or considered after the close of the hearing before the personnel board.

Within twenty (20) working days after the conclusion of the hearing, the board shall make and shall send a copy of these findings, conclusions and order by certified mail to both parties (or to any representative they may designate to receive the same) and to the director. The conclusions, findings, and order of the board will be final and binding on all parties.

CHAPTER 3a.12

EMPLOYEE RELATIONS

Sections:

- 3a.12.010 Employee Responsibilities
- 3a.12.020 Performance Evaluation
- 3a.12.030 Forms of Disciplinary Action
- 3a.12.040 Dismissal Procedure
- 3a.12.050 Nepotism - Prohibition
- 3a.12.060 Sexual Harassment

~~3a.12.010 Employee Responsibilities.~~

(1) ~~Purpose.~~ The orderly and efficient operation of the county government requires that employees accept certain responsibilities. 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) ~~Standards of Conduct.~~ The county expects that certain standards of conduct will be maintained by county employees. Failure to follow such standards may result in disciplinary action. Department heads may establish additional standards appropriate to their organization. Such additional standards of conduct shall be submitted to the director for review and shall be approved by the executive prior to taking effect. An employee may be disciplined, up to and including termination, for any of the following misconduct, or for any other justifiable reason:

- (A) Dishonesty, including but not limited to dishonesty in securing appointment or falsification of documents;
- (B) Incompetency and/or inefficiency;
- (C) Neglect of duty;
- (D) Insubordination;
- (E) Excessive absenteeism or tardiness;
- (F) Unauthorized absence;
- (G) Failing to report immediately to supervision unavailability for work;

(H) Failing to follow all safety regulations or to report safety hazards, accidents or injury to their supervisor;

(I) Misuse of or damage to county property, records or other materials;

(J) Failing to deal with the public, county officials and other county employees in a courteous and professional manner;

(K) Disorderly conduct while on duty;

(L) Consumption of controlled drugs or substances or intoxicating beverages while on duty, or reporting to work while under the influence of such substances or beverages;

(M) Restricting or interfering with the work of others;

(N) Refusing to perform assigned work unless to perform such work would constitute a safety hazard;

(O) Engaging in soliciting or political activity while on duty;

(P) Using a position for personal gain, to solicit or conduct personal business or to coerce others;

(Q) Possessing or using unauthorized firearms or weapons;

(R) Removing county property without express approval of the employing official;

(S) Violating any lawful order, directive or policy of a superior.

3a.12.020 Performance Evaluation.

(1) **Policy.** The performance evaluation process is intended to improve productivity through systematic communication between supervisors and employees regarding performance standards, goals, employee concerns, problems, training needs and opportunities.

(2) Rules.

(A) The director shall develop and maintain performance evaluation systems for all groups of employees.

(B) The performance evaluation systems shall be based on standards related to an employee's work assignment.

(C) The performance evaluation systems shall provide the employee with an opportunity to submit a written response to the contents of his/her evaluation. The contents of an employee's evaluation are not subject to the grievance procedure.

3a.12.030 Forms of Disciplinary Action.

Disciplinary actions may include but not be limited to any of the following: oral warning, written warning, suspension without pay, deferral of performance increase, demotion or dismissal. The issuance of oral and written warnings are not subject to the grievance procedure, provided that written warnings may be reviewed by the director at an employee's request.

3a.12.040 Dismissal Procedure. The director will advise and assist department heads in the handling of all matters involving contemplated dismissal prior to the completion of the action, unless, in the judgment of the department head, immediate action is required.

3a.12.050 Nepotism Prohibition. Applicants and current employees shall not receive a permanent appointment to positions in the same division of a department where a relative is already employed. A relative for the purpose of this section shall be defined as: children, mother, father, brother, sister, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandparents or grandchildren, aunt, uncle, niece or nephew of the employee or spouse. Applicants and current employees shall not receive any permanent appointment which would result in the applicant or employee directly supervising or being directly supervised by his/her spouse.

When such a situation occurs due to marriage or other circumstances, the county shall have the option to transfer one of the related employees to another department without loss of pay.

3a.12.060 Sexual Harassment. It is the policy of the county to maintain an environment which is free from sexual harassment and intimidation. No employee shall be subjected to unsolicited and unwelcome sexual overtures or threats either verbal or physical, and any such actions may bring prompt disciplinary action including possible termination. The director shall develop guidelines which inform employees of their rights under this policy and shall specify procedures to be used by employees in filing complaints. An investigation of alleged sexual harassment shall be treated confidentially and every effort will be expended to prevent personal embarrassment.

CHAPTER 3a.13

EXEMPTIONS

Sections:

- 3a.13.010 Exemptions - County Charter
- 3a.13.020 Employee Rights upon Termination of Exempt Employment

~~3a.13.010 Exemptions - County Charter.~~ The following positions and employees are exempted from coverage under these rules in accordance with section 7.20 of the county charter:

- (1) All county elected officials;
- (2) Four (4) employees in the county executive's office as designated by the county executive;
- (3) Not more than two (2) employees in each other elected official's office as designated by each elected official;
- (4) The head of each executive and administrative department as designated by ordinance;
- (5) The members of all boards and commissions appointed by the county council or county executive;
- (6) Those employees in the prosecuting attorney's and sheriff's offices designated as exempt according to state law;
- (7) All persons employed on an independent contractual basis;
- (8) Such other employees as may be designated as exempt by ordinance; and
- (9) All persons exempt under the provisions of any applicable state law.

~~3a.13.020 Employee Rights upon Termination of Exempt Employment.~~ Any employee who held regular status in the county personnel system prior to his/her appointment to an exempt position may, upon termination of such exempt appointment, be eligible to return to the same or like position in the class in which regular standing was held in accordance with the provisions of chapter 3.68.

Where return of the exempt employee to the classified service will displace another employee, a layoff shall be declared in accordance with these rules.

CHAPTER 3a.14

COLLECTIVE BARGAINING

Sections:

- 3a.14.010 Purpose
- 3a.14.020 Rights of Employees
- 3a.14.030 Applicable Rules

~~3a.14.010 Purpose.~~ The general purpose of this rule is to promote the continued improvement of the relationship between Snohomish County as an employer and its employees by providing sound employer/employee relations. Determination of exclusive representatives shall be decided by providing the fullest opportunity for each affected employee to participate through the election process.

~~3a.14.020 Rights of Employees.~~ Classified employees shall 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 or to refrain therefrom.

~~3a.14.030 Applicable Rules.~~ The rules and procedures governing collective bargaining for county employees can be found in chapter 41.56 - Revised Code of Washington Annotated.

Where a collective bargaining agreement is in effect with respect to particular classified employees, such agreement shall control whenever its provisions conflict with provisions of this ordinance. The provisions of this ordinance shall control any subject or matter as to which the bargaining agreement is silent.

CHAPTER 3a.15

RECORDS AND REPORTS

Sections:

- 3a.15.010 Personnel Records
- 3a.15.020 Reports of Personnel Actions
- 3a.15.030 Confidentiality of Personnel Records and Files
- 3a.15.040 Public Records
- 3a.15.050 Verification of Employment and Other References

3a.15.010 Personnel Records. The director shall establish and maintain a personnel records system which shall include a copy of each employee's application, the job title under which the employee is employed, the rate of pay, date of employment, the organizational unit assignment, reports of all personnel actions including disciplinary actions, reports of work performance, employment history and such other records, reports or information as deemed pertinent. The personnel department shall be the central depository for all such personnel records and files.

3a.15.020 Reports of Personnel Actions. Every appointment, transfer, promotion, demotion, termination, dismissal, suspension, leave of absence, change of pay rate or other temporary or permanent change in an employee's status shall be reported to the personnel department in writing in the manner, time, form and method prescribed by the director.

3a.15.030 Confidentiality of Personnel Records and Files. Each employee's personnel records shall be confidential and shall not be open to inspection by any person other than the employee, the employee's supervisor, the employing official and the personnel department staff in the conduct of personnel administration, unless the employee consents in writing to the other inspection. Each employee shall have access to his/her personnel records or to any information pertaining to him/her which is maintained by the personnel department during normal office hours.

Personnel records and files specifically exempt from public disclosure by law shall be considered

confidential and shall not be subject to public disclosure unless otherwise specifically designated by the director. Any employee who fails to maintain the confidentiality of personnel records and files shall be subject to disciplinary action.

~~3a.15.040~~ Public Records. Such personnel records and files that are not specifically exempt from public disclosure by statute or confidential under 3a.15.030 shall be open to inspection by interested parties during normal office hours and in accordance with such procedures as the director may provide. Copies of public records shall be provided upon request at no more than the actual cost to the personnel department as determined by the director. For the purposes of these rules, public records shall be taken to include:

- (1) Personnel rules;
- (2) Personnel department policies and procedures;
- (3) Personnel department budget and program plans;
- (4) Personnel department classification and compensation plans;
- (5) Factual staff reports and studies;
- (6) Collective bargaining agreements; and
- (7) Such other documents, records and reports as the director may determine are subject to public disclosure.

Pursuant to RCW 42.17.260, the personnel department may delete details to the extent required to prevent invasion of personal privacy when it makes available or publishes any public record.

3a.15.050 Verification of Employment and Other References. The personnel department shall respond to all requests for verification of employment of current and former employees and shall provide only the following information, unless the employee has provided written consent to provide specific additional information:

- (1) The employee's full name;
- (2) Dates of employment;
- (3) Employment status;
- (4) Classification job title and pay range; and
- (5) Department and division worked for.

An employing official or designee, who responds to a request for a personal reference on a current or former employee, shall limit his/her response to objective information that is verifiable by documented facts.

CHAPTER 3a.16

HOURS OF WORK

Sections:

- 3a.16.010 Regular Hours of Work
- 3a.16.020 Regular Work Schedule
- 3a.16.030 Nonstandard Work Schedule
- 3a.16.040 Changes to Work Schedules
- 3a.16.050 Unauthorized Absences

3a.16.010 Regular Hours of Work. The regular working hours of full-time employees shall, in general, consist of between seven (7) and eight (8) hours per day, five (5) days per week, totaling between thirty-five (35) and forty (40) hours per week. The standard work week shall consist of the period from midnight Saturday to the following midnight Saturday. Nothing in this ordinance shall be construed to require the county to employ any individual for any particular number of hours, nor to guarantee any employee any particular number of hours.

3a.16.020 Regular Work Schedule. The regular work schedule for employees shall be established by the employing official subject to the approval of the department head and/or responsible elected official. Regular work schedules shall generally be of one of the two following types:

(1) **Established shift.** A recognized regular shift (e.g., 9:00 a.m. to 5:00 p.m.) that applies to all employees of a department, division, section or work unit; or,

(2) **Flex time.** A designated period of time (e.g., 7:00 a.m. to 6:00 p.m.) during which employees may choose their own seven (7) or eight (8) hour work period subject to prior approval of the employing official.

3a.16.030 Nonstandard Work Schedules. When it is found to be in the best interests of the county, an employing official may establish a nonstandard work schedule such as a four/forty work week (four (4) ten (10) hour days per work week), subject to the approval of the department head and/or responsible elected official. In such cases, leaves of absence with pay, including vacation and sick leave, will be charged by the number of hours

actually taken. Paid holidays will continue to be paid on the basis of a standard seven (7) or eight (8) hour work day with the balance of the day off charged either against the employee's accrued vacation leave account or, in the event the employee does not have any accrued vacation leave remaining, will be treated as leave of absence without pay, unless other arrangements have been approved by the employing official.

3a.16.040. Changes to Work Schedules. For all permanent changes to an employee's work schedule, the county will make reasonable efforts to notify the employee at least five (5) working days in advance of such change. For temporary changes to an employee's work schedule not to exceed ten (10) working days, the county will make reasonable efforts to notify the employee at least twenty-four (24) hours in advance of such change.

3a.16.050. Unauthorized Absences. Any employee who is absent from work shall report the reason for the absence to the employing official as soon as possible. Unauthorized or unreported absences shall be treated as absence without pay and may be cause for disciplinary action including dismissal.

Section 3. Effective Date. The effective date of this ordinance shall be January 1, 1985.

Dated this 21st day of November, 1984.


Chairman

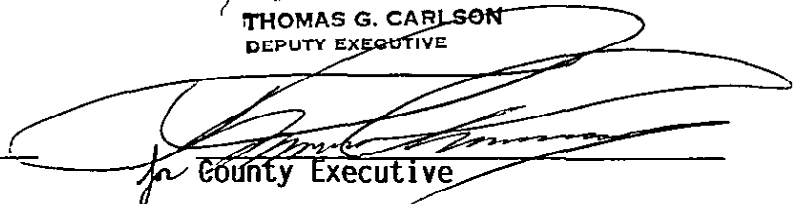
ATTEST:


Clerk of the Council

THOMAS G. CARLSON
DEPUTY EXECUTIVE

ATTEST:




for County Executive

() APPROVED () VETOED
() EMERGENCY Date 12-6-84

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