



## **MASON COUNTY**

# **PERSONNEL POLICIES**

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## **MASON COUNTY PERSONNEL POLICIES ADOPTION CHRONOLOGY**

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## CHAPTER 1 PURPOSE AND SCOPE

### 1.1 INTRODUCTION

These personnel policies serve as a general guide to the County's current employment practices and procedures. As such, we hope they will help you understand how the County operates and what is expected of you as an employee. These policies also describe what the County provides you in terms of compensation and benefits.

The County places a high value on our employees and their wellbeing. We want you to be a satisfied worker. We also want to provide the support necessary to achieve the objectives of your position, and to help you assist your department and the County to achieve their objectives. In this manner, your contribution to the County organization and the citizens of Mason County will be most productive.

It is our belief that when consistent personnel policies are known and communicated to all, the opportunities for greater job satisfaction increase. We encourage you to read these policies. If you have questions, please contact your supervisor, Department Head or Elected Official. If you have ideas or suggestions, please do the same.

### 1.2 INTENT OF POLICIES

These policies are intended as guidelines and do not constitute a contract, express or implied, or any type of promise or guarantee of specific treatment upon which any employee may rely, or as a guarantee of employment for any specific duration. Although we hope that your employment relationship with us will be long term, we recognize that jobs do not always work out as hoped, and either of us may decide to terminate the employment relationship. **Unless specific rights are granted to you in civil service rules, a collective bargaining agreement, an employment contract, or elsewhere, all employees of the County are considered at-will employees and as such, may be terminated from County employment at any time with or without cause and with or without notice.** Please understand that no supervisor, manager or other representative of the County other than the Board of County Commissioners, or the Elected Official in the case of his/her employee, has the authority to enter into any agreement with you for employment for any specified period or to make written or verbal commitments contrary to the foregoing.

### 1.3 SCOPE OF POLICIES

These personnel policies apply to all County employees unless exempted in a specific section. In cases where these policies conflict with any provision of the County Code, Civil Service rules and regulations, the provisions of a collective bargaining agreement, or state or federal law, the terms of that law, rule or regulation, or collective bargaining agreement



prevail. In all other cases, these policies apply. The non-economic provisions of these policies shall apply to Elected Official's departments unless the Elected Official(s) have adopted policies covering the same subject(s) and filed those policies with the Board of county Commissioners.

#### **1.4 CHANGING THESE POLICIES**

The County reserves the right to modify these policies at any time. The Board of County Commissioners or the Support Services Director may deviate from these policies to achieve the primary mission of serving the citizens of Mason County. Employees may request specific changes to these policies by submitting suggestions to their Elected Official or Department Head.

#### **1.5 DEFINITIONS**

**Department Head:** An employee who reports directly to the Board of County Commissioners and who is responsible for directing one or more departments.

**Regular Full-Time Employee:** An employee who holds a budgeted position and who regularly works a minimum of forty (40) hours a week.

**Regular Part-Time Employee:** An employee who holds a budgeted position and who regularly works less than forty (40) hours a week.

**Extra Help Employee:** An employee who holds a job of limited duration due to special projects, seasonal or abnormal workloads, the absence of a regular employee or emergencies.

## **CHAPTER 2 GENERAL POLICIES AND PRACTICES**

### **2.1 EMPLOYEE PERSONNEL RECORDS**

A personnel file for each employee is kept in the Human Resources Department and/or in the department in which he/she works. An employee's personnel file contains the employee's name, title and/or position held, department to which the employee is assigned, salary, changes in employment status, training received, performance evaluations, insurance enrollment forms, personnel actions affecting the employee, including discipline, and other pertinent information. Medical information about employees is contained in a separate confidential file.

Employees have the right to review their file. An employee may request removal of irrelevant or erroneous information in his/her personnel file. If the County denies the employee's request to remove the information, employees may file a written rebuttal statement to be placed in their file.

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

### **2.2 EMPLOYMENT REFERENCES**

Only the Elected Official or Department Head is authorized to provide employment references on current or former County employees. Other employees shall refer requests for references to the appropriate Elected Official or Department Head. References will be limited to verification of employment and salary unless the employee has completed a written waiver and release. Standardized release forms are available at the Human Resources Department.

## **CHAPTER 3 RECRUITING AND HIRING**

### **3.1 RECRUITING**

Recruiting practices are conducted solely on the basis of ability, merit, qualifications and competence without regard to race, color, religion, national origin, sex, marital status, pregnancy, disability, or age.

Each applicant shall complete and sign an application form prior to being considered for any position. Resumes may supplement, but not replace the County's official application.

Any applicant supplying false or misleading information may be disqualified from the hiring process, or terminated, if hired.

### **3.2 HIRING**

When a position becomes vacant and prior to any posting or advertisement of the vacancy, the Department Head shall review the position, its job description, and the need for such a position. The Department Head will submit a request to fill the position to the Board of County Commissioners. The position will be posted and/or advertised only after the Board of County Commissioners has approved the request.

The County may administer pre-employment examinations to test the qualifications and ability of applicants, as determined necessary by the County. The County may contract with any agency or individual to prepare and/or administer examinations. The County may also conduct certain background procedures as required by law. Examples of such procedures include: requiring applicants/employees to show proof they are authorized to work in the United States and requiring applicants/employees who have unsupervised access to children to complete a disclosure statement.

Residency within the County shall not be a condition of initial appointment or continued employment; provided that an employee's selection of residence shall not interfere with the daily performance of his/her duties and responsibilities.

Applicants for positions in which the applicant is expected to operate a motor vehicle will be required to present a valid Washington State driver's license with any necessary endorsements. Driving records of applicants may be checked. Applicants with poor driving records, as determined by the County, may be disqualified for employment with the County in positions requiring driving.

After an offer of employment has been made and prior to commencement of employment, the County may require persons selected for employment to successfully pass a test for the

presence of alcohol and/or controlled substances. The offer of employment may be conditioned on the results of the examination.

A candidate may be disqualified from consideration if the test reveals use of alcohol and /or controlled substances (other than legally prescribed medications), or if the candidate refuses to be tested.

### **3.3 EXTRA HELP EMPLOYEES**

Elected Officials and Department Heads may use extra help employees to temporarily replace regular employees who are on vacation or other leave, to meet peak work load needs, or to temporarily fill a vacancy until a regular employee is hired. Extra help employees may be hired without competitive recruitment or examination, although all hiring processes must comply with state and federal laws.

Compensation/Benefits: Extra help employees are eligible for overtime pay as required by law. Extra help employees normally do not receive retirement, vacation, sick leave, health insurance, holidays or any other benefits during their employment.

Extra help employees pay contributions to the Social Security system and to Labor and Industries, as does the County on their behalf. Extra help employees are normally not placed on the state PERS retirement system, although there are a few exceptions based on PERS eligibility criteria, such as those who work over seventy (70) hours per month for five (5) months out of twelve on a long term basis (see 7.12).

### **3.4 EMPLOYMENT OF RELATIVES (NEPOTISM)**

The immediate family, by blood or marriage, of current County employees, Elected Officials and County Commission members will not be employed by the County where:

1. One of the parties would have authority, or practical power, to supervise, appoint, remove, or discipline the other;
2. One party would handle confidential material that creates improper or inappropriate access to that material by the other;
3. One party would be responsible for auditing the work of the other; or
4. Other circumstances exist that might lead to potential conflict among the parties or conflict between the interest of one or both parties and the best interests of the County.

Immediate family for the purpose of this section shall include the employee's spouse, parent, child, grandchild, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son- in-law and daughter-in-law.

Change in Circumstances: If two employees marry, or become related, and in the County's judgment, the potential problems noted above exist or reasonably could exist, only one of the employees will be permitted to stay with the County, unless arrangements, as determined by the Board of County Commissioners, can be made to eliminate the potential problem. The decision as to which employee will remain with the County must be made by the two employees within thirty (30) calendar days of the date they marry, or become related. If no decision is made during this time, either employee may be terminated.

### **3.5 PROMOTIONS**

The County encourages promotion from within the organization whenever possible. All openings will be posted so that employees may become aware of opportunities and apply for positions in which they are interested and qualified.

Before advertising a position to the general public, the Support Services Director may choose to circulate a promotional opportunity within the County.

The County reserves the right to seek qualified applicants outside of the organization at its discretion.

All openings will be posted on the bulletin boards where notices for employees are customarily posted. Employees must meet the qualifications for the vacant position to be considered for promotion.

## **CHAPTER 4 HOURS AND ATTENDANCE**

### **4.1 WORKING HOURS**

The County's normal work week is Monday through Friday from 8:00 a.m. to 5:00 p.m. with a one-hour unpaid lunch period. Due to the nature of the County's operations, longer hours may be necessary in some instances.

A normal working schedule for regular, full-time employees consists of forty (40) hours each work week. Different work schedules may be established by the County to meet job requirements and provide necessary County services. Each employee's Elected Official or Department Head will advise the employee regarding his/her specific working hours.

Part-time and extra help employees will work hours as specified by their Elected Official or Department Head.

### **4.2 HOURS OF WORK AND OVERTIME**

All County positions are designated as either "exempt" or "non-exempt" according to the Fair Labor Standards Act ("FLSA") and Washington Minimum Wage Act regulations. You will be informed of your status by the County.

For most County employees, the established work period is forty (40) hours within a seven (7) day work week. All personnel are responsible for accurately reporting all hours worked and leave taken on forms supplied by the County. Such forms shall be signed by the employee and their supervisor. Employees failing to accurately record time worked and leave taken are subject to discipline.

Non-exempt employees are entitled to additional compensation, either in cash or compensatory time off, when they work more than the maximum numbers of hours during a work period. All overtime must be authorized in advance by the employee's supervisor. Overtime pay is calculated at one and one-half times the employee's regular rate of pay for all time worked beyond the established work period. When computing overtime, time paid for but not worked (e.g., holidays, sick leave and vacation time), is not counted as hours worked.

Exempt employees are not covered by the FLSA or Washington Minimum Wage Act overtime provisions and do not receive either overtime pay or compensatory time in lieu of overtime pay.

### **4.3 COMPENSATORY TIME**

Non-exempt employees entitled to overtime pay may request compensatory time off instead of cash payment. This is approved on a case-by-case basis by the supervisor. The County is not required to grant compensatory time instead of overtime pay. If the compensatory time option is exercised, the employee is credited with one and one-half times the hours worked as overtime. Maximum accruals of compensatory time shall not exceed forty (40) hours for regular employees unless a higher limit has been authorized in writing by the Board of County Commissioners. After maximum accrual, overtime compensation shall be paid.

Employees may use compensatory time within a reasonable time period after making a request to their supervisor, unless doing so would unduly disrupt County operations. Compensatory time should be used for short term absences from work during times mutually agreed to by the employee and his/her supervisor.

### **4.4 ATTENDANCE**

Punctual and consistent attendance is a condition of employment. Each Elected Official and Department Head is responsible for maintaining an accurate attendance record of his/her employees.

Employees unable to work or unable to report to work on time should notify their supervisor as soon as possible, ordinarily before the work day begins or within thirty (30) minutes of the employee's usual starting time. If an absence continues beyond one day, the employee is responsible for reporting in each day unless excused from daily reporting by his/her supervisor. If the supervisor is unavailable, the employee may leave a message with the Elected Official/Department Head or his/her designated representative, stating the reason for being late or unable to report for work.

### **4.5 UNUSUAL WEATHER CONDITIONS/EXTREME CIRCUMSTANCES**

During times of inclement weather or natural disaster, it is essential that the County continue to provide vital public services. Therefore, it is expected that employees make every reasonable effort to report to work without endangering their personal safety.

An employee who is unable to get to work, arrives late to work, or leaves work early because of unusual weather conditions or other extreme circumstances shall charge the time missed to: vacation, floating holiday, compensatory time or if such leave is not available, to leave without pay. The employee shall advise their supervisor by phone or in person as in any other case of late arrival or absence.

In some extreme circumstances, including, but not limited to, flooding, fire or total power outages, one or more County work locations may not be suitable for employees to safely or effectively perform their jobs. Under such circumstances, if employees are sent home after reporting to work or told to report to work later than their regular starting time, they shall be paid for hours missed from work that day. If employees are advised before reporting to work, or if reasonable efforts were made to advise them before reporting to work, that they should not report to work, such absence for time missed from work shall be charged to: vacation, personal holiday, compensatory time or if such leave is not available, to leave without pay. In no event shall the decision that some employees cannot work due to conditions at their work location, entitle other employees who worked, compensation beyond their regular pay.

The decision to send employees home or tell them not to report to work shall be made by the Elected Official or Department Head responsible for the work location and is subject to the prior approval of the Board or a single Board member if only one Board member is available. If no Board member is available the decision of the Elected Official or Department Head shall be final. Such decision shall include consideration of the expected duration of the condition, safety issues affecting employees or the public and alternative work locations.

#### County Office Closure Procedure

1. When a major snow, ice or storm event is taking place or appears to be imminent, the road operations manager or their designee, shall collect information from a variety of community sources to prepare a road condition report as early as possible, but no later than 4:45 a.m. if possible.
2. On or about 4:45 a.m. the designated road operations manager shall contact the Public Works Director or their designee to discuss the road and weather conditions and latest weather forecast.
3. On or about 5:00 a.m. the Public Works Director or designee calls the Commission Chair to advise them of road conditions throughout the county and latest weather forecast and makes recommendation regarding suspending standard operations.
4. The Chair shall decide that:
  - a. **Situation does not merit suspending standard operations:** The County will observe normal business operations because road conditions in **most** areas of the County are not hazardous; all County operations will be conducted to facilitate justice and commerce. Staff may use leave as provided in the Personnel Policy 4.5 Unusual Weather Conditions/Extreme Circumstances; or
  - b. **Opening standard operations will be delayed until specified time later in the day (preferably 10:00 a.m. or 12:30 p.m.) [or closed early if conditions merit] because extremely hazardous conditions currently exist** and the safety risks



of travel for employees and the public and the associated County liability outweigh the benefit of commencing designated standard operations at the normal time; **or**

- c. **Extremely hazardous conditions exist and are likely to persist throughout the day** and the safety risks of travel for employees, the public, and the associated County liability outweigh the benefit of conducting designated standard operations this day. **Conduct of standard operations is suspended until a specified time the following day.**
5. The Chair will contact the Presiding Judges of Superior and District Courts to determine if it is necessary to make special accommodations for any of their operations during the suspension of standard operations.
6. By 6:00 a.m. the Chair calls Support Services staff to update the County closure information message number (360-427-9670 ext. 678) with information regarding the duration of the suspension. Support Services will contact the media and the Emergency Management/Information Technology Manager or designee.
7. The Emergency Management/Information Technology Manager or designee shall update the County website with the closure information and broadcast an AlertSense message.
8. If closure occurs during regular work hours, Support Services staff updates the County closure information message number (x678), contacts each county office, sends out an "all county" email, sends notice to website and the media. Emergency Management shall broadcast an AlertSense message.

**[RESOLUTION 06-13 – 2/12/13](#), updated [RESOLUTION 70-16 – 10/18/16](#)**

#### **4.6 BREAKS AND MEAL TIME**

Employees will be allowed up to a one (1) hour unpaid lunch period as approved and scheduled by the employee's supervisor. Employees may take one (1) fifteen-minute break for every four (4) hours worked. Breaks should be arranged so that they do not interfere with County business or service to the public. The scheduling of meal periods may vary depending on department workload. Meal periods are unpaid and usually one hour in length. Lunch periods and breaks shall not be combined and they may not be used to shorten an employee's workday.

**BREAK TIME FOR NURSING MOTHERS PROVISION:**

#### **Purpose and Overview**

The intent of this policy is to support Mason County employees who are breastfeeding and to meet the requirements of Section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) as

amended by the Patient Protection and Affordable Care Act (effective March 23, 2010). This policy applies to all Mason County employees.

## Procedures

This policy provides the following information:

1. A reasonable amount of time to express milk or breastfeed (lactation time)
2. Private and secure rooms to express milk or breastfeed (lactation room)
3. Employee responsibilities
4. Education and support
5. Anti-discrimination, harassment or retaliation
6. Employee Notification

### 1. Reasonable Amount of Time to Express Milk or Breastfeed (Lactation Time)

Managers must provide an employee a reasonable amount of time to express milk or breastfeed their infants during the workday. The frequency of breaks and the duration may vary. In the early months of a baby's life, nursing employees will typically need two to three breaks during an eight-hour shift. Typically the act of expressing breast milk alone will take 15-20 minutes. However, the actual length of break may vary depending on additional factors, such as the location of the private space and the amenities nearby (proximity to sink, milk storage area, etc.)

Reasonable accommodations shall be made to provide breaks of adequate timing and length to support the ongoing production of breast milk. This may necessitate total break time in excess of that regularly scheduled on a temporary basis during the breastfeeding experience. Managers and employees will discuss requested accommodations and any schedule adjustments needed. Nursing mothers may request a flexible work schedule, subject to approval by management, to address their individual needs (e.g. allow employee the flexibility to come in early or stay late, or use a portion of their lunch period, to make up time).

### 2. Private and Secure Rooms to Express Milk or Breastfeed (Lactation Room)

Federal guidelines provide that a bathroom may **NOT** serve as a lactation room. Lactation rooms shall be:

- private (window coverings are required);
- secure (lockable from the inside, if possible);
- accommodating (comfortable seating, a table, and power outlets);
- reasonably close to the employee's work area;
- provided with a sign to designate the space is in use.

Although not required, when possible, the lactation room should also:

- Be near a sink with hot water and soap for hand washing and equipment cleaning.
- Have a place where expressed breast milk can reasonably be stored. This does not mean refrigeration must be provided but, employees must be allowed to bring insulated food containers and ensure there is a place to store a pump and containers while they are at work.

Employees in outlying work locations that do not have a designated lactation room should arrange, with their managers, an intermittent or temporary location to be used as a lactation room. Designated lactation rooms may exist at some Mason County worksites; a list of rooms and scheduling information can be found at: {Mason County website link}

If no lactation room or other suitable space is available, contact Human Resources for additional assistance or questions at extension 268.

### **3. Employee Responsibilities**

Any necessary equipment (breast pump, storage containers, etc.) should be securely stored at the employee's workstation or at another storage area agreed upon by the employee and manager. Employees are responsible for keeping milk expression areas clean, using antimicrobial wipes. Breast milk may be stored in a labeled personal storage cooler or in a tightly closed container in a staff refrigerator.

### **4. Education and Support**

Employees have access to additional support and education for breastfeeding through the following resources.

- Health insurance benefits may cover breastfeeding-related resources and services. Contact your specific health insurance provider to inquire about resources available.
- Contact a Mason County Public Health Nurse at x400 for additional resource information.

### **5. Anti-Discrimination, Harassment or Retaliation**

Mason County is committed to supporting its employees who are nursing mothers. As with any right conferred under the FLSA, nursing mothers who express milk or nurse their infants during the workday are protected from discrimination, harassment or retaliation for doing so. In addition, Mason County does not tolerate discrimination, harassment or retaliation. Such action is a violation of this policy and any employee engaging in such misconduct may be subject to discipline, up to and including termination.

Any county employee who experiences or witnesses what may be discrimination, harassment or retaliation toward a nursing mother, is strongly encouraged to address it by asking the

person to stop the behavior; and/or reporting the alleged incident to the immediate supervisor, any other member of management within the agency, or to Human Resources.

## **6. Employee Notification**

- Human Resources shall notify all employees of Mason County's Breastfeeding Accommodation Policy and Procedures upon adoption.
- Employees will receive a copy of the Breastfeeding Accommodation Policy and Procedures during New Employee Orientation.
- Human Resources or management shall provide a copy of the Breastfeeding Accommodation Policy and Procedures when they become aware of an employee preparing for an approaching child birth or maternity leave.

**[[PER RESOLUTION 37-14 – 7/8/14](#)]**

### **4.7 CALL BACK**

Employees are subject to call back in emergencies or as needed by the County to provide necessary services to the public. Non-exempt employees called back to duty will be paid their appropriate rate of pay for hours worked (the overtime rate for hours worked over the applicable overtime threshold).

### **4.8 PAYROLL RECORDS**

The official payroll records are kept by the Auditor. Each Elected Official and Department Head shall submit monthly, a signed payroll worksheet for all employees within their department, noting hours worked, leave taken, overtime worked and compensatory time taken for each employee. Each Department Head shall submit monthly, a signed statement noting regular hours worked and leave taken to the Board of County Commissioners at the Department Head's first briefing on the following month.

## **CHAPTER 5 COMPENSATION**

### **5.1 SALARY CLASSIFICATION AND GRADES**

Each regular job title within the County is classified into one of the County's job classifications for salary purposes. Each job classification is designated a particular salary or salary range shown on the County's salary range alignment, which is modified periodically by the Board of County Commissioners, or as specified in the applicable union agreement.

### **5.2 EMPLOYEE PAY RATES**

Employees shall be paid within the limits of the salary range to which their positions are assigned. Usually, new employees will start their employment at the minimum wage rate for their classification. However, a new employee may, upon the written request of the Elected Official or Department Head and approval of the Support Services Director, be employed at a higher rate than the minimum.

When deemed appropriate, and approved by the Board of County Commissioners, an employee may be compensated at a Y-Rate which is a rate of pay that is either between steps of the salary range or exceeds the top step of the salary range. A Y-Rate shall remain in effect until such time as a step of the salary range for the employee's job classification equals or exceeds the Y-Rate or the Board of County Commissioners rescinds their authorization for the Y-Rate.

Pay increases are contingent on satisfactory performance. If an employee's performance is consistently unsatisfactory, the Elected Official or Department Head may defer a scheduled pay increase for a stipulated period of time or until the employee's job performance is satisfactory.

The Board of County Commissioners may grant a pay adjustment from time to time, raising the salaries of all classifications, a defined group of classifications, or a single classification. Such adjustments, if any, will not normally change an employee's pay anniversary date.

An employee who has been assigned to perform all of the significant duties of a higher level job classification, due to the absence of the employee who normally holds that position, and who performs such duties for five (5) or more consecutive days, shall be compensated on that step of the salary range of the higher job class that provides at least a five (5) percent increase over their (the employee working out of class) current rate of pay.

Any current employee who accepts a position in another county office or department (that is, a position under a different Elected Official or Department Head) and that position is of a higher classification and salary range than the employee's current position, will preferably

be placed on the step which results in a 5% increase over the employee's current salary. In the event that the Elected Official or Department Head determines that significant training is needed for the employee in the new position, the Elected Official or Department Head may offer the position at any step in the higher classification and salary range. [[RESOLUTION 61-06, 6/20/06](#)] Upon the request of the Elected Official or Department Head and approval of the Support Services Director, a promoted employee may be placed in a step higher than that specified above.

If the Support Services Director does not concur in a request for advanced step placement for a newly hired or promoted employee, the Elected Official or Department Head may appeal that decision to the Personnel Review Committee. The Personnel Review Committee is a three (3) member panel consisting of a County Commissioner, an Elected Official and a Department Head. The Board of County Commissioners appoints the members of the Personnel Review Committee.

### **5.3 RECLASSIFICATION**

A reclassification is a change in the allocation of a position from its current job classification to a different job classification as a result of changed duties, responsibilities, and/or authority of a position. Reclassification will be considered when an employee has been permanently assigned to perform the primary functions of a different job classification or has been permanently assigned significantly different duties which may warrant establishing a new job classification.

An employee may request reclassification by submitting a written request, which includes a justification, to their Elected Official or Department Head. The Elected Official or Department Head shall respond to the employee in writing within thirty (30) working days.

An Elected Official/Department Head may request reclassification of a position by submitting a written request with justification and a revised Job Description to the Human Resources. Human Resources shall respond to the request in writing within thirty (30) working days of receipt of the request.

If approved or denied by Human Resources, the request may then be submitted to the Board of County Commissioners, with written justification from the Elected Official/Department Head for their review. The Board of County Commissioners shall respond to the request in writing within thirty (30) working days of their receipt of the request. If approved by the Board, the reclassification shall be effective as of the date of Board's action or other effective date as may be set by the Board in such action. If the Board denies the request, the matter is closed.

Step placement of an employee who has been reclassified shall be the same as if the employee had been promoted, transferred, or demoted, whichever is applicable.

[\[PER RESOLUTION 71-15 – 12/22/15\]](#)

#### **5.4 PAYDAYS**

County employees are paid semi-monthly on the 10th and 25th of each month and the payroll will be a direct deposit into the bank of the employee's choice. If a regularly scheduled payday falls on Saturday or Sunday, payroll will be a direct deposit on Friday. If a regularly scheduled payday falls on a holiday, payroll will be a direct deposit on the last regular work day prior to the holiday.

[\[PER RESOLUTION 04-08, 1/8/08\]](#)

#### **5.5 DEDUCTIONS**

Some regular deductions from the employee's earnings are required by law; other deductions are specifically authorized by the employee. The County will withhold from the employee's paycheck those deductions required by law and any voluntary deductions authorized by the employee, by applicable union contract, or by statute. All deductions from pay are deducted from the last check of the month. If an employee is overpaid or required deductions were not withheld, the amount overpaid or not withheld will be deducted from future pay on a reasonable basis unless excused by the Board of County Commissioners.

[\[PER RESOLUTION 150-07, 11/27/12\]](#)

#### **5.6 TRAVEL EXPENSE REIMBURSEMENT**

Mason County recognizes that out of town travel and related business expenses can be an integral and necessary component of the operation of local government. This policy is intended to establish equitable standards and to provide consistent and fair treatment to all employees who incur such expenses. It is also intended to establish and maintain effective controls over those expenses.

County officials (department heads and elected officials) and County employees are expected to exercise prudent judgment when incurring travel expenses on behalf of the County doing official County business. The failure of employees to follow this policy, or incur excessive expenses, may be cause for disciplinary action. Non business related expenses and/or expenses not made in accordance with this policy will not be approved or reimbursed.

All travel and associated expenses must be approved in advance by the department head or elected official. Employees will be reimbursed for reasonable and customary expenses actually incurred in connection with doing business on behalf of the County. These may include: meals, lodging, transportation and other necessary expenses while away from the office. These expenses may not include: alcoholic beverages; tobacco; tips exceeding 15%; meals, lodging or transportation provided for the employee by an outside entity as part of the employees participation; any expenses for a person(s) traveling with the employee; any expenses incurred that are not in connection with the business of the County

All requests for payment of travel must be submitted to the Auditor's Financial Services department on forms approved and provided by the Auditor. All required documentation must also be submitted on the approved travel document form. Required travel documents include all itemized receipts, conference/seminar agendas, and all proof of costs incurred while doing business on behalf of the County. Travel documents should be presented to the Auditor's Financial Services department in the month the charges occur.

If an employee chooses to travel to a destination in advance of the necessary time for arrival, or remain at the destination following the official closing of the event, there will be no additional per diem, lodging or miscellaneous expenses paid to the employee.

All requests for payment must be signed by the department head or elected official and the employee that is requesting reimbursement. An employee may not request reimbursement on behalf of another employee.

If an employee is compensated by an outside entity for any travel costs while traveling on behalf of Mason County, the employee will deposit those funds with the Mason County Treasurer. The employee will provide the Auditor's Financial Services department with a copy of the Treasurer's deposit receipt and a detail of the expenses covered.

Any member of a board, committee or commission that is not a Mason County employee, but is an appointed member to do business on behalf of Mason County is subject to all travel rules and documentation noted herein.

#### **PER DIEM (meal reimbursement)**

All requested meal reimbursement must have a detailed receipt. Meals will be reimbursed, minus any alcohol or a tip exceeding 15%, using the Washington State Office of Financial Management (OFM) per diem rates and, for out of state travel, the U.S. General Services Administration (GSA) per diem rates. The meals will be reimbursed up to the allowable rate for the area and meal on those rate maps. Per diem will be reduced for any meals provided



through conference registration, seminars or similar events. Reimbursement will not be made if the employee chooses not to eat the meal provided and eats elsewhere.

#### **Single Day Per Diem (meal reimbursement):**

Single day per diem occurs when no overnight stay is required. Single day meal reimbursements are considered to be taxable wages according to the IRS and will be included as gross taxable income of the employee. An employee must use the single day per diem form and include it with their payroll timesheet information. The department supervisor will forward the per diem form to the Auditor's Financial Services department. The meal will be added to their taxable gross wages and taxed accordingly.

#### **Per Diem (meal reimbursement) while in overnight travel status:**

If an overnight stay is required, per diem will be based on either OFM (in state) or GSA (out of state) rates for each day the employee is in full travel status. The per diem rate will be based on the location the employee is in for that meal. On days of departure and return an employee will apply the Three Hour Rule (see rule below).

#### **Three Hour Rule for per diem (meal reimbursement):**

If an employee is in travel status for three hours beyond their regular work schedule for a single day, they may receive meal reimbursement. The three hours may consist of hours occurring before, after or a combination of both before and after the employee's regular work schedule for the day. The employee may not stop for a meal just to meet the three hour rule.

#### **Special Circumstances:**

During emergency situations such as, but not limited to, initial crime scene investigations, major crimes, emergency weather situation, natural disasters, etc., when employees are working extended hours and stopping for a meal break could worsen the emergency or increase costs to the County, departments may provide an on-scene meal of nominal cost. A detailed receipt, including names of all employees/volunteers involved, must be provided. All receipts and pertinent information involving the emergency situation must be included on the claim for payment voucher submitted to the Auditor's Financial Services department. An employee may not claim a per diem meal reimbursement if their County department is also submitting a claim for payment voucher for the same incident.

#### **Lodging**

All lodging is to be reserved using a government, or most economical, rate whenever possible. County credit cards may be used to secure lodging for a County employee. Reimbursement for lodging is allowed when the temporary duty station is located more

than fifty (50) miles, using the most direct route, of the closer of either the traveler's official residence or official work station.

Reimbursement will be made for the actual lodging expense and any applicable taxes. If there are additional charges for a person(s) traveling with the employee, who is not traveling on behalf of County business, the employee is responsible for all charges for that additional person(s) and it will not be reimbursed. An itemized statement is required for all charges.

If an employee shares an accommodation with another employee or an employee of another entity who is attending the same event, an equal share of the double room rate will be paid on behalf of the Mason County employee. Each employee must submit an original invoice showing the lodging charge for their portion of the room rate.

Not eligible for reimbursement on a lodging receipt are, but not limited to: laundry services; valet service; entertainment expenses; athletic room (gym) charges, internet charges (unless required by their supervisor).

### **Transportation**

Any employee driving a vehicle (either County car or personal vehicle) must have and must be able to provide proof of valid car insurance.

Employees are encouraged to reserve and use a pool car from ER&R as much as possible. All county vehicles shall be used in accordance with Mason County ER&R use policy.

If a personal vehicle is used, the mileage will be based on the current IRS standard POV rate. Mileage will be prohibited for normal travel between the usual place of business and employee's main place of residence. When traveling on behalf of the County, mileage will be paid from either the official work station or the employee's main residence, whichever is the closer and most direct route of the two, to the travel destination.

Mileage shall not exceed what the sum of a round trip coach airfare from a common carrier, any needed local ground transportation and other related costs for that destination.

Airfare (coach rate), car rentals, trains, ferry, tolls, shuttle/taxi, etc. will be reimbursed with a receipt and paid at actual costs. Personal travel insurance will not be reimbursed. Tickets purchased with an employee's individual frequent flyer miles will not be reimbursed.

**[[PER RESOLUTION 82-12, 11/27/12](#)]**

## 5.7 COMPENSATION UPON TERMINATION

When an employee's employment with the County is terminated, the employee will receive the following compensation on the next regularly scheduled payday:

1. Regular wages for all hours worked up to the time of termination which have not already been paid.
2. Any overtime or holiday pay due.
3. A lump sum payment for accrued but unused vacation provided the employee has completed six (6) months of employment, compensatory time and, for eligible employees, accrued but unused sick leave.
4. A lump sum payment for accrued but unused sick leave for eligible employees hired prior to April 13, 2010 (see Chapter 7.2 for eligibility requirements)

[[PER RESOLUTION 23-10, 4/13/10](#)]

Terminating employees entitled to payment for accrued leave time, and in the case of employees of the Sheriff's Department, banked holiday time, may request payment for such time in scheduled payments rather than a lump sum. To be eligible for scheduled payments the amount due must be \$10,000 or more, the scheduled payments must be \$500 or more per month and the employee must agree to conditions established by the county.

[[PER RESOLUTION 95-04, 10/26/04](#)]

## 5.8 RECRUITING EXPENSES

Reasonable expenses incurred by candidates for management level or hard to fill technical or professional level positions may be reimbursed when such candidates are invited by the appointing authority in writing to Shelton for personal interviews. Expenses will be limited to transportation, lodging and meals. The transportation reimbursement shall be limited to the amount the County would pay for round trip coach class airfare. The written invitation to the interview shall include an explanation of those expenses that will be reimbursed and the method for claiming reimbursement. Such expenses shall be approved by the Board of County Commissioners in advance.

At the discretion of the Board of County Commissioners and with their approval in advance, reasonable moving expenses of a new employee in a management level or hard to fill technical or professional level position may be reimbursed. Such reimbursement shall not exceed \$5,000. Moving expenses shall mean the cost of moving household goods, furniture, clothing and other personal effects of the new employee. To be eligible for reimbursement of moving expenses the new employee must agree in writing to refund to the County such

moving expenses if they voluntarily terminate their employment within one year of their hire date.

## **CHAPTER 6 BENEFITS**

### **6.1 RETIREMENT BENEFITS**

The County makes contributions to the Social Security System on behalf of all eligible employees in addition to those contributions made by the employee through FICA payroll deductions.

All regular uniformed employees in the Sheriff's Department are covered by the Law Enforcement Officers and Firefighters Retirement System (LEOFF). Benefit levels and contribution rates are set by the State of Washington. All regular full-time and eligible part-time non-uniformed employees are covered under the Public Employees Retirement System (PERS). Benefit levels and contribution rates are set by the State of Washington. Membership in PERS is optional for Elected Officials and the Board of County Commissioners.

Employees intending to retire should notify their Elected Official or Department Head of their intent to retire at least six (6) months prior to the date of retirement.

The County participates in a Section 457 Deferred Compensation Plan which allows employees to make tax deferred contributions up to certain dollar limits defined by the IRS. Contributions and interest earnings from investments are not subject to income tax withholding until time of receipt.

### **6.2 WORKERS COMPENSATION**

Most employees are covered by the State Workers' Compensation Program. This insurance covers employees in case of on-the-job injuries or job-related illnesses. For qualifying cases, State Industrial Insurance will pay the employee for work days lost and medical costs due to job-related injuries or illnesses. All job-related accidents should be reported immediately to the supervisor along with a completed accident/incident report.

When an employee is absent for one or more days or receives medical attention due to an on-the-job injury, he/she is required to file a claim for Workers' Compensation. If the employee files a claim and is unable to work, the County will continue to pay (by use of the employee's unused sick leave) the employee's regular salary pending receipt of Workers' Compensation benefits unless the employee requests that sick leave not be used. If the employee has no accrued sick leave, he/she may request use of vacation leave.

Coordination of Benefits: When the employee receives Workers' Compensation benefits, he/she is required to repay to the County the amount covered by Workers' Compensation and previously advanced by the County. This policy is to ensure that employee will receive

prompt and regular payment during periods of injury or disability caused by a work related injury so long as accrued leave is available, while ensuring that no employee receives more than he/she would have received had the injury not occurred. Upon the repayment of funds advanced, the appropriate amount of leave shall be restored to the employee's account.

The County may require an examination at its expense to determine when the employee can return to work and if he/she will be capable of performing the essential duties of the position with or without reasonable accommodation.

### **6.3 HEALTH INSURANCE BENEFITS**

Regular full-time employees and regular part-time employees working at least eighty (80) hours per month and their dependents are eligible to participate in the County's various insurance programs on the first day of the month following employment, except that if the first day of employment is the first of the month their eligibility shall commence immediately. The programs and criteria for eligibility will be explained upon hire. The County contributes toward the cost of premiums in the amounts authorized by the Board of County Commissioners. The remainder of the premiums, if any, shall be paid by the employee through payroll deduction. The County reserves the right to make changes in the carriers and provisions of these programs at its discretion, with prior notice to affected employees. Employees electing not to take coverage for those insurance programs that the County contributes toward the cost of premiums may be required to sign a waiver of coverage.

Extra help employees will normally not be eligible for insurance coverage.

### **6.4 CONTINUATION OF INSURANCE COVERAGE**

**Workers Compensation Leave:** An employee receiving Workers Compensation benefits who has exhausted their sick and vacation leave continues to accrue vacation leave and sick leave for up to six (6) months. The County also continues to pay for the employer's portion of health insurance premiums, provided that the employee continues to pay their share of premiums, if any. After six (6) months, the employee's benefits shall cease unless the Board of County Commissioners makes an exception based on the criteria stated in Section 1.4 of these policies. The employee may continue health care benefits by self-paying insurance premiums for the remainder of the time he/she receives Workers Compensation benefits.

**COBRA Rights:** When certain qualifying events occur, including an employee's termination from County employment, beginning an unpaid leave of absence, or a reduction in hours worked, at the employee's option and expense, the employee may be eligible to continue County health insurance benefits to the extent provided under the federal COBRA statutes and regulations. Covered dependents may also be eligible, at their option and expense, to

continue County health insurance coverage. To the extent allowed by law, an administrative handling fee over and above the cost of the insurance premium may be charged the employee or his/her dependents who elect to exercise their COBRA continuation rights. An explanation of COBRA rights will be provided to new hires, annually to current employees, and when a qualifying event occurs.

Termination, Retirement, Leave of Absence: For eligible employees who terminate, retire or are on an approved leave of absence, the County will pay the premium for the month the employee is leaving, provided the employee is on paid status for the ninety (90) hours in the month.

## **6.5 UNEMPLOYMENT COMPENSATION**

County employees may qualify for State Unemployment Compensation after termination from county employment depending on the reason for termination from employment.

## CHAPTER 7 LEAVES

### 7.1 VACATION LEAVE

Each regular full-time employee shall accrue paid vacation leave as follows:

#### Years of Continuous Service Vacation Days Earned

1-3 years	12 days per year
4-7 years	15 days per year
8-9 years	18 days per year
10-11 years	20 days per year
12-14 years	22 days per year
15-16 years	23 days per year
17-19 years	24 days per year
20 or more years	25 days per year

All new employees must satisfactorily complete their trial period to be entitled to the accrual and use of vacation leave. Regular part-time employees will receive vacation on a pro-rata basis. Extra help employees are not eligible for any vacation benefits. Employees do not accrue vacation benefits during a leave without pay.

Regular full-time employees must work, or be in a paid status, at least eighty (80) hours in a month to accrue vacation for the month. Regular part-time employees must work, or be in a paid status, at least in the same proportion to eighty (80) hours as their regular hours are to full-time employment to accrue vacation for that the month.

#### **[[PER RESOLUTION 95-04, 10/26/04](#)]**

The first day of the month of hire shall be the effective date of subsequent increases in the vacation accrual rate for employees hired between the first and the fifteenth of the month. The first day of the month following the month of hire shall be the effective date of subsequent increases in the vacation accrual rate for employees hired between the sixteenth and the last day of the month.

Each department is responsible for scheduling its employees' vacations without undue disruption of department operations. Leave requests shall normally be submitted at least two weeks prior to taking vacation leave.

The maximum number of vacation days which may be accrued is fifty (50) days. Any vacation days earned beyond fifty (50) days shall be forfeited. Employees will be paid for unused vacation time upon termination of employment, except in the case of termination during the first six months of employment. Employees who resign their position to assume an Elected Office will be paid for unused vacation time upon termination of employment.



## 7.2 SICK LEAVE

All regular full-time employees accrue sick leave benefits at the rate of one (1) day for each calendar month of continuous employment. Regular part-time employees may accrue sick leave benefits on a pro-rata basis according to hours worked. The maximum accumulation of unused sick leave is one hundred fifty (150) days, except for LEOFF I employees whose maximum accumulation shall not exceed twelve (12) days. LEOFF I employees whose sick leave accrual exceeds twelve (12) days, as of the adoption of this policy, shall keep the excess days but shall not earn additional sick leave until such time as their accrual is less than twelve (12) days. Extra help employees do not earn sick leave benefits. Employees do not accrue sick leave benefits during a leave without pay.

Regular full-time employees must work, or be in a paid status, at least eighty (80) hours in a month to accrue sick leave for the month. Regular part-time employees must work, or be in a paid status, at least in the same proportion to eighty (80) hours as their regular hours are to full-time employment to accrue sick leave for that the month. [[PER RESOLUTION 95-04, 10/26/04](#)]

Allowable Uses of Sick Leave: Sick leave covers those situations in which an employee is unable to work due to:

1. Employee's own health condition (illness, injury, physical or mental disability, including disability due to pregnancy or childbirth);
2. The need to care for the employee's children under the age of 18 with a health condition that requires treatment or supervision; or to care for the employee's spouse, parent, parent-in-law, or grandparent who has a serious health condition or an emergency condition. [[PER RESOLUTION 95-04, 10/26/04](#)]
3. Medical or dental appointments for the employee or dependent child, provided that the employee must make a reasonable effort to schedule such appointments at times which have the least interference with the work day;
4. The need to care for a spouse, parent, or child of the employee who is ill or injured and requires the presence of the employee, except that no more than five (5) days of sick leave may be taken for any occurrence unless the condition of the spouse, parent or child would qualify the employee for FMLA leave;
5. Exposure to a contagious disease where on-the-job presence of the employee would jeopardize the health of others;
6. Use of a prescription drug which impairs job performance or safety;
7. Additional leave, up to two (2) days, beyond bereavement leave for a death in the immediate family may be authorized by the Board.

A doctor's certificate may be required when an employee is absent for a period in excess of three (3) days or when a pattern of sick leave use indicates possible sick leave abuse. To the extent allowed by law, the County may also request the opinion of a second doctor at the County's expense to determine whether the employee suffers from a chronic physical or mental condition which impairs his/her ability to perform the job.

Employees who use all their accumulated sick leave and require more time off work due to illness or injury may, with their Elected Official's or Department Head's prior approval, request a leave without pay. (See Leave Without Pay Policy.)

Payment for unused sick leave shall be made only in the following circumstances:

1. Upon termination of employment with fifteen (15) years of continuous service with Mason County, and the employee's hire date was prior to April 13, 2010;
2. Upon termination of employment with Mason County, when the termination is contemporaneous with retirement from the applicable Washington State public employees retirement system, and the employee was hired prior to April 13, 2010 with continuous service; or
3. Upon the death of an employee, in which case payment shall be made to his/her estate, provided the employee was hired prior to April 13, 2010.

Terminating employees who are not eligible for payment of unused sick leave shall forfeit all sick leave accrual, with exception of employees who terminate employment to become an Elected Official of Mason County prior to the adoption of this policy.

[\[PER RESOLUTION 23-10, 4/13/10\]](#)

### **7.3 LEAVE WITHOUT PAY**

The Elected Official or Department Head may grant leaves of absence without pay, or authorize a reduced work schedule, for absence from work not covered by any other type of leave or if other leave balances are exhausted. Examples of situations for which leave without pay, or a reduced work schedule may be granted include time off work for personal reasons, such as prolonged illness, parenting, caring for an ill relative, or pursuing an education. Such leave will not normally exceed ninety (90) days.

### **7.4 JURY AND WITNESS LEAVE**

Jury Duty. The County provides all employees leave for jury service. Regular full-time and part-time employees who have completed their trial period receive paid jury duty leave each time they are called for jury service. Payment provided by the courts during periods of paid jury duty leave must be paid over to the County, excluding expense reimbursements, such as

mileage. You must provide your supervisor with a copy of the jury duty summons as soon as possible after receiving it. Upon completion of jury duty, you are required to provide your supervisor with proof of jury service. Employees who have been released by the court during their period of jury duty service may be required to report to work.

Witness Duty. All employees summoned to testify in court are allowed time off for the period they serve as witnesses. If you are paid by the County for time you are testifying, payment provided by the courts during periods of paid witness duty must be paid over to the County, excluding expense reimbursements, such as mileage. In general, witness duty leave is paid unless you are a party in the case.

### **7.5 ADMINISTRATIVE LEAVE**

On a case-by-case basis, the County may place an employee on administrative leave with or without pay for an indefinite period of time. Administrative leave may be used in the best interests of the County (as determined by the Board) during the pendency of an investigation or other administrative proceeding.

### **7.6 MILITARY LEAVE**

The County provides all employees leave while performing military service in accordance with federal and state law. Regular full-time and part-time employees receive paid military leave of up to 15 working days per year for military service. In general, if military service extends beyond 15 working days, the additional leave will be unpaid. All employees who are not eligible for paid military leave are provided unpaid leave for a period of their military service. Military service includes active military duty and Reserve or National Guard training. You are required to provide your supervisor with copies of your military orders as soon as possible after they are received. Reinstatement upon return from military service will be determined in accordance with applicable federal and state law.

### **7.7 FAMILY LEAVE**

The County complies with the Federal Family and Medical Leave Act of 1993 (the FMLA) and all applicable state laws related to family and medical leave. This means that, in cases where the law grants you more leave than County leave policies provide, the County will give you the leave required by law.

Family Leave Eligibility: The FMLA provides up to 12 weeks of unpaid, job-protected leave every 12 months to eligible male and female employees for certain family and medical reasons. To be eligible you must have worked for the County for at least one year, and for 1,250 hours over the previous 12 months.

Reasons for Taking Leave: Unpaid FMLA leave is granted for any of the following reasons:

- To care for your child after birth or placement for adoption or foster care.
- To care for your spouse, son, daughter or parent who has a serious health condition.
- For a serious health condition that makes you unable to perform the essential functions of your job.

Leave to care for a child after birth or placement for adoption or foster care must be concluded within 12 months of the birth or placement.

Under such circumstances as allowed by law, FMLA leave may be taken intermittently -- which means taking leave in blocks of time, or by reducing your normal weekly or daily work schedule.

Substitution of Paid Leave: At your request or the County's, certain kinds of paid leave may be substituted for unpaid FMLA leave. Accrued vacation may be substituted for any type of FMLA leave. Accrued sick leave may be substituted only in the circumstances where County policies or state law allow you to use that paid leave.

If you have any sick leave available that may be used for the kind of FMLA leave you are taking, it is the County's policy that you must use that paid sick leave as part of your FMLA leave. Use of vacation time for FMLA leave, however, is at your option.

If you use paid leave for a purpose for which FMLA leave would be available, it is the County's policy to designate your paid leave as counting against your FMLA leave allowance. You are required to notify us if you use paid leave for a reason covered by the FMLA so that we may properly account for the leave.

Advance Notice and Medical Certifications: The County requires that you provide us with advance leave notice, with medical certification, of the need for a leave related to a health condition, and with medical certification of your fitness to return to duty after medical leave. Taking leave, or reinstatement after leave, may be denied if these requirements are not met.

You must give us at least 30 days' advance notice of your request for leave if the reason for the leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment. If 30 days' notice is not practicable, you must give us notice as soon as practicable, usually within one or two business days of when the need for leave becomes known to you. If you do not give us 30 days' advance notice, and if the need for the leave and the approximate date of the leave were clearly foreseeable by you, we may deny your request for leave until at least 30 days after the date you give us notice.

We require that you provide a medical certification to support a request for leave because of a serious health condition (your own or your child's, spouse's or parent's) whenever the leave is expected to extend beyond five consecutive working days or will involve intermittent or part-time leave. We may require second or third opinions, at our option, at our expense.

We may require that you provide a medical certification of your fitness for duty to return to work after a medical leave.

**Periodic Reporting:** If you take leave for more than two weeks, we may require that you report to us at least every two weeks on your status and intent to return to work.

**Health Insurance:** If you are covered by our group health plan (medical, dental or vision), we will continue to provide paid health insurance during FMLA leave on the same basis as during regular employment. But if you don't return to work after the leave, you will be required to pay us back for our portion of the insurance premiums unless your failure to return was beyond your control.

**Other Insurance:** If you are covered by other insurance plans through us, such as life insurance, those coverages will continue during paid leave on the same basis as during regular employment. If you take unpaid FMLA leave, you will be responsible during the leave for the premiums you normally pay plus the premiums we normally pay for you. If you don't pay these premiums, we may choose to pay them for you, to keep your coverage from lapsing, but you will be responsible for repaying us whether or not you return to work.

**Couples Employed by Us:** If both you and your spouse work for us and you request leave for the birth, adoption or foster care placement of a child, to care for a new child, or to care for a sick parent, the total annual FMLA leave available to you as a couple for those purposes is 12 weeks.

**Determining Leave Availability:** FMLA leave is available for up to 12 weeks during a 12-month period. For purposes of calculating leave availability, the "12-month" period is a rolling 12-month period measured backwards from the date you use any FMLA leave.

**Leave Related to Pregnancy.** If you take leave for the disability phase of pregnancy or childbirth while you are physically unable to work, this time is counted against your annual 12-week FMLA leave allowance. For example, if you take six weeks of FMLA leave for childbirth and recovery from childbirth, you are entitled to only six weeks of FMLA leave after that to care for your new child.

You are entitled to unpaid leave for the full period of your physical disability resulting from pregnancy and childbirth, even if you are disabled for more than 12 weeks, and even if you don't qualify for leave under the federal law.

### **7.8 BEREAVEMENT LEAVE**

We provide regular, full-time and part-time employees with paid bereavement leave for up to three (3) days in the event of the death of an immediate family member. Two additional days chargeable to accrued sick leave will be granted at the request of the employee.

Immediate family for purposes of bereavement leave includes only the employee's spouse, parent, grandparent, child, grandchild, sister, brother, grandmother-in-law, grandfather-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, aunt, uncle, nephew or niece.

### **7.9 SHARED LEAVE PROGRAM**

The Human Resources Manager [[PER RESOLUTION 58-05, 6/28/05](#)] may authorize employees to donate their accrued vacation or sick leave to another County employee who is suffering from, or whose parent, spouse or child is suffering from an extraordinary or severe illness, injury, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or to terminate his/her employment. The following conditions apply:

1. To be eligible to donate vacation leave, the employee who donates leave must have more than ten (10) days of accrued leave. In no event shall a leave transfer result in the donor employee reducing his/her vacation leave balance to less than ten (10) days. To be eligible to donate sick leave, the employee who donates leave must have more than thirty (30) days of leave. In no event shall a leave transfer result in the donor employee reducing his/her sick leave balance to less than thirty (30) days. Transfer of leave will be in increments of one day of leave. All donations of leave are strictly voluntary.
2. The employee receiving donated leave shall have exhausted all his/her accumulated leave time. Donated vacation leave shall be converted to sick leave for the recipient.
3. While an employee is using shared leave, he or she will continue to receive the same treatment, in respect to salary and benefits, as the employee would otherwise receive if using vacation or sick leave.
4. The transfer of leave and the amount of leave shall be authorized by the Board in advance.
5. No employee shall receive more than 260 days of donated leave during their employment with the County.

## 7.10 HOLIDAYS

The following are recognized as paid holidays for all regular full-time and part-time employees:

<u>Holiday</u>	<u>Day Observed</u>
New Year's Day	January 1
Martin Luther King's Birthday	3rd Monday in January
President's Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1st Monday in September
Veteran's Day	November 11
Thanksgiving Day	4th Thursday in November
Day after Thanksgiving	Day after Thanksgiving
Christmas Day	December 25
(2) Floating Holidays	As scheduled with supervisor

Any holiday falling on Saturday will be celebrated on the preceding Friday. Any holiday falling on Sunday will be celebrated on the following Monday.

[[PER RESOLUTION 06-02, 1/22/02](#)]

Floating holidays must be used by the end of the calendar year or they will be forfeited.

Non-exempt regular full-time or part-time employees will be given equivalent time off for any time worked on a holiday. Such work on a holiday must be pre-authorized by the supervisor.

Extra help employees will be paid at their regular straight-time rate for hours worked on a holiday.

## 7.11 HOLIDAYS FOR REASONS OF FAITH OR CONSCIENCE

Employees are entitled to two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization, as pursuant to [SB 5173 - 2013-14](#) (or successor legislation).

The employee may select the days on which the he or she desires to take the two unpaid holidays off with their supervisor's approval. The unpaid holiday may be compensated through utilization of vacation or comp time or by making alternative work schedule arrangements and following the department's customary process in which to request approval and scheduling of time off. Such requests shall not be unreasonably denied unless the absence would unduly disrupt operations, impose an undue hardship, or the employee is necessary to maintain public safety.

The two holidays allowed by this section must be taken during the calendar year, if at all; they do not carry over from one year to the next.

[[PER RESOLUTION 37-14, 7/08/14](#) ]

#### **7.12 BENEFITS FOR PART-TIME AND EXTRA HELP EMPLOYEES**

Unless noted otherwise in these policies, benefits for regular part-time and extra help employees are as follows:

Regular Part-Time Employees: All leaves, including holidays, are pro-rated. Pro-rated means the ratio between the number of hours in the employee's normal work schedule and [forty (40) hours] per week. Regular part-time employees working three-quarter time or more shall receive the same insurance premium contribution as regular full-time employees. Regular part-time employees working between eighty (80) hours per month and three-quarter time shall receive one-half the insurance premium contribution of regular full-time employees. Regular part-time employees, whose hours may drop below the eligibility thresholds referenced above for one or more months during the calendar year due to work requirements, will be eligible for insurance premium contributions for all months if their average hours for the calendar year meet the eligibility criteria.

Extra help Employees: Extra help employees normally are not eligible to receive benefits, including leaves, holidays and insurance.



## **CHAPTER 8 EMPLOYEE RESPONSIBILITIES AND CONDUCT**

### **8.1 GENERAL CODE OF CONDUCT**

All County employees are expected to represent the County to the public in a professional manner which is courteous, efficient and helpful. Employees must maintain a clean and neat appearance appropriate to their work assignment, as determined by their position and Elected Official or Department Head.

Since the proper working relationship between employees and the County depends on each employee's on-going job performance, professional conduct and behavior, the County has established certain minimum standards of personal conduct. Among the County's expectations are: Basic tact and courtesy towards the public and fellow employees; adherence to County policies, procedures, safety rules and safe work practices; compliance with directions from supervisors; preserving and protecting the County's equipment, grounds, facilities and resources; and providing orderly and cost efficient services to its citizens.

The County is a relatively small organization. To function as efficiently as possible, we may ask you to perform seemingly "menial" duties outside your regular assignments. It is no reflection on your worth to the County, but a necessary arrangement for most small organizations.

To make the most efficient use of personnel, the County also reserves the right to change your work conditions and the duties originally assigned. If these arrangements become necessary, we expect your best cooperation.

### **8.2 OUTSIDE EMPLOYMENT AND CONFLICTS OF INTEREST**

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

1. prevents the employee from being available for work beyond normal working hours, such as emergencies or peak work periods, when such availability is a regular part of the employee's job;
2. is conducted during the employee's work hours;
3. utilizes County telephones, computers, supplies, or any other resources, facilities or equipment;
4. is employment with a firm which has contracts with or does business with the County; or

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

Employees considering or engaged in an additional job, contractual commitment or self-employment, who are concerned about a conflict of interest should discuss the matter with their Elected Official or Department Head.

### 8.3 REPORTING IMPROPER GOVERNMENTAL ACTION

#### General Policy:

In compliance with the Local Government Employee Whistleblower Protection Act, [RCW 42.41.050](#), this policy is created to encourage employees to disclose in good faith, improper governmental action taken by County officials or employees without fear of retaliation. This policy also safeguards legitimate employer interests by encouraging complaints to be made first to the County, with a process provided for speedy dispute RESOLUTION.

#### Key Definitions:

**Improper Governmental Action:** any action by a County Officer or employee that is:

1. undertaken in the performance of the official's or employee's official duties, whether or not the action is within the scope of the employee's employment, and
2. in violation of any federal, state or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds.
3. "improper governmental action" **does not** include personnel actions including but not limited to employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployment, performance evaluations, reductions in pay, dismissals, suspensions, reprimands, demotions, violations of the local government collective bargaining and civil service laws, alleged labor agreement violations or any action that may be taken under Chapter [41.14](#) or [41.56](#) RCW.

**Retaliatory Action:** means any (a) adverse change in a local governments employee's employment status, or the terms and conditions of employment including denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand or unsatisfactory performance evaluations, demotion, transfer , reassignment, reduction in pay, denial of promotion, suspension, dismissal or any other disciplinary actions; or (b) hostile actions by other employees toward a local government employee that were encouraged by a supervisor or senior manager or official.

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

**Procedure for Reporting Improper Government Action:** County employees who become aware of improper governmental action shall follow this procedure:

1. Bring the matter to the attention of the Board of County Commissioners or the Prosecuting Attorney, preferably in writing, stating in detail the basis for the employee's belief that an improper action has occurred. This shall be done as soon as the employee becomes aware of the improper action.
2. The Board of County Commissioners or the Prosecuting Attorney, or their designee, shall respond to the report of improper government action, within thirty (30) days of the employee's report. The employee shall be advised of the County's response.
3. The identity of a reporting employee shall be kept confidential to the extent possible under the law, unless the employee authorizes the disclosure of his or her identity in writing.

An employee who fails to make a good faith effort to follow this policy shall not be entitled to the protection of this policy against retaliation, pursuant to RCW [42.41.030](#).

In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may bypass the above procedure and report the improper action directly to the appropriate government agency responsible for investigating the improper action.

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

**Protection Against Retaliation:** It is unlawful for a local government to take retaliatory action because an employee, in good faith, provided information that improper government action occurred. Employees who believe they have been retaliated against for reporting an improper government action shall follow this procedure:

**Procedure for Seeking Relief Against Retaliation:**

1. Employees shall provide a written complaint to the Board of County Commissioners within thirty (30) days of the occurrence of the alleged retaliatory action.
  - a. The written charge shall specify the alleged retaliatory action; and
  - b. Specifies the relief requested.

2. The Board of County Commissioners or their designee shall respond in writing within thirty (30) days of receipt of the written charge.
3. After receiving the County's response, the employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief under the law. The request for hearing must be delivered within the earlier of either fifteen (15) days of receipt of the County's response to the charge of retaliatory action or forty-five (45) days of receipt of the charge of retaliation to the Board of County Commissioners for response.
4. Within five (5) working days of receipt of a request for hearing the County shall apply to the State Office of Administrative Hearing's for an adjudicative proceeding before an administrative law judge. At the hearing, the employee must prove that a retaliatory action occurred by a preponderance of the evidence in the hearing. The administrative law judge shall issue a final decision not later than forty-five (45) days after the date of the request for hearing, unless an extension is granted.
5. The final decision of the administrative law judge is subject to judicial review under the arbitrary and capricious standard. Relief ordered by the administrative law judge may be enforced by petition to superior court.

**Policy Implementation:** The Board of County Commissioners is responsible for implementing these policies and procedures. This includes posting the policy on County bulletin boards, making the policy available to any employee upon request, and providing the policy to all newly hired employees. Officers, managers and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility.

**Prohibition on intimidation of whistleblower – Nondisclosure of protected information:** County Elected Officials or employees may not use his or her official authority or influence, directly or indirectly to threaten, intimidate, or coerce an employee for the purpose of interfering with that employee's right to disclose information concerning an improper governmental action in accordance with the provisions of this policy.

**[[PER RESOLUTION 27-16, 5/24/2016](#)]**

#### **8.4 POLITICAL ACTIVITIES**

County employees may participate in political or partisan activities of their choosing provided that County resources and property are not utilized, and the activity does not adversely affect the responsibilities of the employees in their positions. Employees may not campaign on County time or in a County uniform or while representing the County in any way.

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

## 8.5 NO SMOKING POLICY

For health and safety considerations, the County prohibits smoking by employees on all County-owned, leased, or operated and all county property is designated as non-smoking. Smoking is prohibited in all buildings and vehicles owned or leased by the County are offices or other facilities rented or leased by the County.

**Public Areas:** The term “public area” is defined for the purpose of the No Smoking Policy , but not limited to: all hallways, conference rooms, elevators, restrooms, lobbies, stairwells, reception areas, and any other areas which are: (1) open to the public, or (2) areas which employees are required to pass through during the course of employment.

**Smoking:** The term “smoking” is defined for the purpose of the No Smoking Policy, but not limited to; all smoking of cigarettes, pipes, cigars, chewing of tobacco, vaping and the use of e-cigarettes.

**County Property:** The term “county property” is defined as the grounds and parking lots surrounding county buildings and all county parks. County property does not include:

- (1) Private vehicles and residences unless otherwise required by individual or group contracts with the county;
- (2) County roads;
- (3) Any person passing by or through county property while on a public sidewalk or public right-of-way has not intentionally violated this chapter.

**No smoking signs and removal of ashtrays:** The department of Facilities, Parks & Trails shall post and maintain no-smoking signs in all public areas and county property as defined herein, and remove ashtrays from those public areas.

Pursuant to RCW 70.160.070 – Intentional Violators, any person intentionally violating this policy by smoking in a public place, place of employment or within twenty-five feet of doors, windows that open and ventilation intakes or any person removing, defacing or destroying a sign required by this policy is subject to a civil fine of up to one hundred dollars. The county sheriff’s department shall enforce this policy by issuing a notice of civil infraction to be assessed in the same manner as traffic infractions.

All county employees shall be encouraged to help educate the public about the non-smoking policy by reminding violators not to smoke on the property and by adding the policy to all use agreements and event publications. Violators, who refuse to comply with the smoking policy, may be asked to leave the county property.

The appropriate department director or elected official shall be responsible for educating employees about the non-smoking policy and shall resolve intentional employee violations of the policy through disciplinary action.

Interpretation of this chapter shall be in a manner that is consistent with RCW Chapter 70.160 Washington Clean Indoor Air Act, prohibiting smoking in all public places and places of employment.

**[PER ORDINANCE 91-06, 8/22/2006]**

#### **8.6 PERSONAL POSSESSIONS AND ELECTRONIC COMMUNICATIONS**

The County furnishes desks, closets, and/or lockers for security of employee coats, purses, and other personal possessions. Desks, closets, lockers, cabinets and furniture are county property for the purpose of-county operations.

The County also furnishes computers, voice mail, facsimile (fax) communications, electronic mail (E-Mail), data and file transfers using electronic means and Internet access for use in conducting County business only.

Because these systems are for County business, none of the communications or information transmitted or stored on these systems is private and may be reviewed by the County and otherwise may be subject to public disclosure. County electronic communications systems are not for personal use. (See RESOLUTION No. 129-04 attached as Appendix A for further information on the Mason County Electronic Information Acceptable Use Policy.)

**[PER RESOLUTION 130-04, 12/21/2004]**

#### **8.7 USE OF COUNTY EQUIPMENT**

Use of County phones for local personal phone calls should be kept to a minimum; long distance personal use must be approved in advance by the Elected Official or Department Head. Other County equipment, intruding vehicles, should be used by employees for County business only. An employees' misuse of County services, telephones, vehicles, equipment or supplies can result in disciplinary action including termination.

## **8.8 BULLETIN BOARDS**

Information of special interest to all employees is posted regularly on the County bulletin boards. Employees may not post any information on these bulletin boards without the authorization of their Elected Official or Department Head. Legally required notices shall not be covered or obscured by other materials on any bulletin board.

## **8.9 CONTACT WITH THE NEWS MEDIA**

The Board of County Commissioners, Elected Officials or Department Heads authorized by the Board shall be responsible for all official contacts with the news media, including answering of questions from the media. They may designate specific employees to give out procedural, factual or historical information on particular subjects.

## **8.10 SOLICITATIONS**

Most forms of selling and solicitations are inappropriate in the workplace. They can be an intrusion on employees and citizens and may present a risk to employee safety or to the security of County or employee property. The following limitations apply:

1. Persons not employed by us may not solicit, survey, petition, or distribute literature on our premises at any time. This includes persons soliciting for charities, salespersons, questionnaire surveyors, or any other solicitor or distributor. Exceptions to this rule may be made in special circumstances where the County determines that an exception would serve the best interests of the organization and our employees. An example of an exception might be the United Way campaign or a similar, community-based fund raising effort.
2. Employees may not solicit for any purpose during work time. Reasonable forms of solicitation are permitted during non-work time, such as before or after work or during meal or break periods. Soliciting employees who are on non-work time may not solicit other employees who are on work time. Employees may not distribute literature for any purpose during work time or in work areas. The employee lunchrooms are considered a non-work area under this policy.

## **8.11 SAFETY**

Every employee is responsible for maintaining a safe work environment and following the County's safety rules. Each employee shall promptly report all unsafe or potentially hazardous conditions to his/her Elected Official or Department Head. The County will make every effort to remedy problems as quickly as possible.

In case of an accident involving a personal injury, regardless of how serious, employees shall immediately notify their supervisor and complete an accident/incident report.

Employee safety depends on the safety consciousness of everyone. In order to facilitate a safe work environment, employees may not bring dangerous weapons to the workplace. This includes, but is not limited to, weapons for which employees have a valid permit. The only exception to this rule involves law enforcement positions for which the job regimes possession of dangerous weapons.

Employees should consult the County's Safety Policy and Accident Prevention Program for additional details concerning safety.

## **8.12 SUBSTANCE ABUSE**

The County's philosophy on substance abuse has two focuses: (1) a concern for the well-being of the employee and (2) a concern for the safety of other employees and members of the public.

**Availability of Rehabilitation or Treatment:** As part of our employee assistance program, we encourage employees who are concerned about their alcohol or drug use to seek counseling, treatment and rehabilitation. Although the decision to seek diagnosis and accept treatment is completely voluntary, the County is fully committed to helping employees who voluntarily come forward overcome substance abuse problems. In most cases, the expense of treatment may be fully or partially covered by the County's benefit program. Please contact the EAP or Human Resources for more information. Employees who seek advice or treatment will not be subject to retaliation or discrimination.

**Substance Abuse Policy for Operators of Commercial Motor Vehicles:** County employees who hold commercial driver's licenses ("CDLs") and who operate commercial motor vehicles while employed by the County are subject to additional rules and regulations imposed by the federal government. These regulations require urine drug testing and alcohol breath testing in the following circumstances:

1. pre-employment;
2. reasonable suspicion;
3. post-accident;
4. return to duty testing;
5. random testing.



CDL holders who test positive must be removed from service and are subject to discipline, up to and including termination. CDL holders should consult the County's CDL policy for additional details concerning these rules.

Drug-Free Workplace: The manufacturing, distribution, dispensation, possession and use of unlawful or alcohol on County premises or during work hours by County employees is strictly prohibited. Employees also must notify the County within five (5) days of any conviction for a drug violation in the workplace. Employees should consult the Drug-Free Work Place Policy for additional details on this subject.

### **8.13 USING POSITION FOR PERSONAL GAIN**

No County employee will use their position with Mason County for personal gain from any source. Personal gain is receiving any money, item or benefit for personal use, which is not available to the general public. Exception: Nominal value items (\$10.00 or less) with company logos, given for advertising purposes such as samples, pens, calendars, coffee cups and ball caps are acceptable. Requesting, or knowingly accepting, discounts on purchases, tickets, meals, travel, clothing, etc., for personal use is not acceptable.

Threats or promises of future business or lack of future business with the County to influence personal business will be referred to the Prosecuting Attorney.

[[PER RESOLUTION 95-04, 10/26/04](#)]

## **CHAPTER 9 LAYOFF AND RESIGNATION**

### **9.1 LAYOFF**

The County may lay off employees for lack of work, budgetary restrictions, reorganization or other changes that have taken place.

In determining who is to be laid off, consideration will usually be given to individual performance and the qualifications required for remaining jobs. Seniority will be considered when performance and qualifications are equal, as determined by the County. Employees who are laid off may be eligible to be re-employed for up to one (1) year after layoff, if a vacancy occurs in a position for which they are qualified.

### **9.2 RESIGNATION**

An employee should provide two (2) weeks written notice of resignation. This time limit may be waived by the employee's Elected Official or Department Head (if retiring see 6.1).

## CHAPTER 10 COMPLAINT PROCEDURES

### 10.1 COMPLAINT PROCEDURES

The County recognizes that sometimes situations arise in which employees feel that they have not been treated in accordance with County policies. For this reason the County provides its employees with procedures for resolving complaints.

Step 1: Employees should first try to resolve any problem or complaint with their supervisor.

Step 2: When normal communication between an employee and the supervisor is not successful, or when an employee disagrees with the application of County policies and procedures, the employee should attempt to resolve the problem with his/her Elected Official or Department Head. The Elected Official or Department Head will usually respond to the employee in writing within five (5) days after meeting with him/her, if possible.

Step 3: If the employee is not satisfied with the response in Step 2 above, the employee may submit the problem, in writing, to the Board of County Commissioners or their designee. The written complaint must contain, at a minimum:

1. A description of the problem;
2. A specific policy or procedure which the employee believes has been violated or misapplied;
3. The date of the circumstances leading to the complaint or the date when the employee first became aware of those circumstances;
4. The remedy sought by the employee to resolve the complaint.

The written complaint must be filed within ten (10) working days of receiving a response from Step 2 above.

The Board of County Commissioners or their designee may meet with the parties, either individually or together, and will usually respond in writing to the aggrieved employee within ten (10) days of the meeting. The response and decision shall be final and binding.

Certain employees may have more than one source of dispute RESOLUTION rights, i.e., the County's Civil Service rules, a collective bargaining agreement, if any, and this complaint process. Employees represented by a bargaining unit or who are covered under civil service rules should follow grievance procedures set out in their respective labor contracts or civil service rules, where applicable. In all other cases, the procedures described in this section shall be used. Under no circumstances shall an employee have the right to utilize both this process and any other complaint or appeal procedure that may be available to an employee.

## **CHAPTER 11 EDUCATIONAL ASSISTANCE**

### **11.1 INTRODUCTION**

If budgetary considerations permit, Mason County may reimburse full-time regular employees for education costs for courses approved by the respective Elected Official or Department Director. Approval for reimbursement will be dependent upon the course and its relevance to the employee's current position. Approval must be obtained prior to commencement of each course per semester. Attendance at all course offerings will be outside the employee's regular duty schedule.

### **11.2 OBJECTIVE**

The objective of this policy is to assist employees in furthering their education in an effort to enhance current skills for the benefit of the County and the general public.

### **11.3 PROCEDURES:**

1. Educational assistance will be authorized only when the budget of the Office or Department contains sufficient funds to support this policy AND the course of study will be of benefit to the Office or Department. Access to educational assistance will be solely determined by the Elected Official or Department Head, as appropriate.
2. If approved, reimbursement for coursework relevant to the employee's current position is subject to the limitations in paragraphs 8 and 9, below. Approval of a course of study by the Elected Official or the Department Director is required prior to approval of the courses required in that course of study. Accordingly, the Elected Official or Department Director will review employee applications for educational assistance on a course-by-course basis.
3. All relevant bachelor's degrees and associate's degrees, assuming that the employee does not already have a bachelor's or associate's degree, may, upon approval of the Elected Official or Department Head, be reimbursed subject to the limitations in paragraphs 8 and 9, below. This would apply regardless of the position the employee holds.
4. Certificates or continuing education units (CEU) required for continued certification may be reimbursed at 100 percent.
5. A second degree directly relevant to the employee's current position as determined by the Elected Official or Department Director to be in the best interests of the County may be reimbursed subject to the limitations in paragraphs 8 and 9, below, only if: 1) the first degree is not directly applicable to the employee's position; or, 2) it is an advanced degree in a field of study relevant to the employee's current position.

6. There is no limit to the number of credit hours eligible for reimbursement per semester/quarter. Employees are encouraged to be prudent in the selection of the number of courses attempted each semester. Employees must be in paid status when reimbursement is sought. For the purpose of this policy, paid status is defined as working the employee's regular schedule or on approved vacation leave.
7. Employees must satisfactorily complete the course work to be considered for reimbursement. Satisfactory completion is defined as award of a grade of "C" or higher, or the equivalent, in the coursework for which reimbursement is sought.
8. Reimbursement will be up to the tuition rate at the University of Washington or Washington State University, whichever institution offers the course of instruction concerned. If both Universities offer the course of instruction, the reimbursement rate will up to the lower rate of the two universities. This rate will apply to courses of instruction at private universities, correspondence programs or other high cost programs.
9. All required fees may be reimbursed at the designated approval percentage. Books, lab and building use fees will be reimbursed at 50 percent, regardless of the course of study.
10. Initial approval of a course of study does not obligate the County to future/continued approval of courses in that course of study. Course approvals are only valid for the course and semester/quarter given.

## CHAPTER 12 NON-DISCRIMINATION & HARASSMENT POLICY

### 12.1 PURPOSE

The purpose of this policy is to provide guidelines to elected officials, department heads, employees, volunteers, and members of the public to ensure equal access to County services and employment opportunities regardless of a person's sex, race, national origin, religion, age, disability, marital status, creed, political belief, sexual orientation, veteran's status, or any other protected status under federal or state statute. Additionally, the policy provides guidelines for identifying, reporting, and resolving claims of discrimination or related retaliation. This policy supersedes all previous non-discrimination and sexual harassment policies issued by Mason County.

### 12.2 NONDISCRIMINATION

The Board of Mason County Commissioners shall demonstrate its commitment to non-discrimination and equal opportunity by making available this Non-Discrimination Policy to recruiting sources, organizations representing protected groups, vendors, suppliers, contractors, community-based organizations, service organizations, community leaders, secondary and postsecondary schools, and other governments. The policy will be distributed on a continuing basis as appropriate individuals and entities are identified.

The County will incorporate appropriate non-discrimination language in all its contracts and collective bargaining agreements. The words "Equal Opportunity Employer" will be included on employment applications and recruitment materials.

To further promote the Board of County Commissioners' commitment to non-discrimination, the County will conduct periodic meetings with executive, management, and supervisory personnel to explain the intent of the non-discrimination policies and to clarify management's responsibility for effective implementation. This Non-Discrimination Policy will be distributed and reviewed in new employee orientation sessions.

### 12.3 POLICY

The County takes complaints of discrimination, harassment and retaliation seriously and will investigate and resolve such complaints in a timely manner.

- A. Discrimination. Mason County is committed to a workplace that is free from unlawful discrimination. The County prohibits discrimination against elected officials, employees, and volunteers based on race, color, creed, religion, national origin, ethnicity, age, sex, marital status, veteran status, sexual orientation, and disability (known or perceived). Employees who engage in discrimination will be subject to disciplinary action, up to and including termination of employment.

B. Harassment. Mason County prohibits harassment and is committed to providing a workplace that is free from such harassment. Harassment is a form of discrimination that is unwelcome verbal or physical conduct directed toward or relating to a person on the basis of the person's race, color, creed, religion, national origin, ethnicity, age, sex, marital status, veteran's status, sexual orientation, or disability (known or perceived), where the conduct is sufficiently pervasive or severe as to alter the terms and conditions of employment. Such conduct can take many forms, including unwelcome slurs, comments, joking, touching, innuendo, gestures, display or transmission of materials, and other similar conduct. Employees who engage in harassment will be subject to disciplinary action, up to and including termination of employment.

C. Sexual Harassment. Mason County prohibits sexual harassment, which is a type of harassment that consists of unwelcome verbal or physical conduct directed toward or relating to a person because of his or her gender that is sufficiently pervasive or severe as to alter the terms or conditions of employment. Such conduct can take many forms including unwelcome slurs, comments, joking, touching innuendo, repeated request for dates, display or transmission of materials, gestures, compliments, and other similar conduct. Sexual harassment also includes unwelcome conduct based on an individual's gender where submission to the conduct or rejection of the conduct is used as a basis for employment decisions regarding the individual. Employees who engage in sexual harassment will be subject to disciplinary action, up to and including termination of employment.

D. Retaliation. Mason County prohibits any adverse employment action against employees for complaining in good faith of discrimination, harassment or retaliation, or for assisting or participating in an investigation of such complaints. Employees who engage in retaliation will be subject to disciplinary action, up to and including termination.

#### **12.4 EQUAL OPPORTUNITY FOR PERSONS WITH DISABILITIES**

It is the policy of Mason County to guarantee equal opportunity to persons with disabilities to participate in and enjoy the benefits of County services, programs and activities, and to allow disabled employees a bias-free work environment. The County, upon request, will provide reasonable accommodation in compliance with the Americans with Disabilities Act (ADA) and the Americans with Disabilities Act Amendment Act (ADAAA).

Mason County is committed to providing accessible facilities for public meetings and general public use. Services will be provided for County sponsored activities if such can be made available without undue hardship to the County. Upon receiving a request for services, the preference of the person with a disability will be given primary consideration.

Mason County is committed to providing equal opportunities for County employees with disabilities. Every reasonable effort will be made to create an accessible work environment to the extent possible without undue hardship to the County. Employment practices will be administered to allow a person with a disability to participate at the same level as a person without a disability.

Mason County is committed to providing equal opportunity for persons with disabilities seeking employment with the County or appointment to County boards and commissions. Every reasonable effort will be made to create an accessible hiring or selection process and a working environment for board and commission members that will allow a person with a disability to participate at the same level as a person without a disability. Board and commission meetings will be held in accessible locations.

It is the responsibility of the person with the disability to disclose the existence of the disability if reasonable accommodation is to be requested.

#### **12.5 EMPLOYEE RESPONSIBILITIES**

Each employee is responsible for supporting and adhering to this policy. It is the responsibility of all County employees to bring instances of inappropriate behavior to the attention of management. This includes employees who believe they are the recipient of discriminatory behavior as well as those who believe they have witnessed such behavior directed at another employee. Employees should never tolerate inappropriate or harassing behavior. If possible, they should make their feelings known to the offending employee. Whether they confront the harasser or not, employees must promptly report any offending behavior to their department head or elected official or to the County Human Resources Department. Employees are strongly encouraged to report concerns about discrimination or harassment before behaviors become severe or pervasive. This will assist the County in its efforts to stop discrimination or harassment before it rises to the level of a violation of anti-discrimination laws.

#### **12.6 SUPERVISOR / MANAGER RESPONSIBILITIES**

When a supervisor, manager, department head or elected official suspects or has reason to believe that discriminatory behavior has occurred, he or she shall immediately notify the Manager of Human Resources or the Office of the Prosecuting Attorney and report the incident.

#### **12.7 COUNTY RESPONSIBILITIES**

County Management representatives will promptly and thoroughly investigate all reports of discrimination or harassment. Complaints against either the Human Resources Department or the Prosecuting Attorney's Office will be investigated by a non-county agency. Complaints of



discrimination and harassment will be handled with sensitivity, discretion, and confidentiality to the extent allowed by the circumstances and the law.

If the County concludes that a violation of this policy occurred, prompt and effective remedial action will be taken. This may include disciplinary action and/or other actions needed to remedy the effects of the discrimination and prevent further incidents.

## **12.8 COMPLAINT PROCEDURE**

Mason County is committed to maintaining a work environment free from bullying, discrimination, or sexual harassment. As such, Mason County shall strictly enforce this policy against unlawful discrimination, including sexual harassment, and encourages those who feel aggrieved to seek assistance as outlined in this policy.

Persons who feel that they may have been bullied, discriminated against or sexually harassed, or are aware of actions against another person that may be in violation of this policy, shall immediately contact either his/her immediate supervisor, his/her department official, or the Human Resources Department. Complaints should be submitted in writing using the Mason County Internal Discrimination Complaint Form, a copy of which must be submitted to the Human Resources Department.

If the complaint is reported to the employee's supervisor or department official, that individual may investigate the complaint or may request that the Human Resources Department perform the investigation. Any person may file a complaint under this policy when the person believes:

- He or she has been the target of discrimination or harassment (including bullying);
- He or she has personal and first-hand knowledge of behavior believed to be in violation of this policy; or
- He or she has been retaliated against for having reported behavior believed to be in violation of this policy.

The complaint must be filed within 180 days of the alleged violation of this policy. The complaint should include a description of the alleged violation, the date it occurred, and the name, signature, address and phone number of the person filing the complaint. The complaint must include sufficient information to allow for investigation into the allegations.

In addition to filing a complaint with Mason County, an individual may file a written complaint within 180 days of the alleged violation with the Washington State Human Rights Commission and/or the Equal Employment Opportunity Commission. Employees are encouraged to exhaust administrative remedies outlined in this policy before outside agencies are consulted. The use of the County's internal discrimination complaint procedure is not a prerequisite to the pursuit of such statutory remedies.

When an employee or union files both a grievance and an internal discrimination complaint regarding the same alleged acts or incidences, the investigation and processing of one shall be suspended until the other is completed.

**INTERNAL DISCRIMINATION COMPLAINT FORM**

Pursuant to Chapter 12 Non-Discrimination & Harassment Policy of the Mason County Personnel Policies, reports of discrimination and/or harassment may be reported to your department official/supervisor, to the Human Resources Department, or to the Prosecuting Attorney.

\_\_\_\_\_  
Name and department of person filing complaint

\_\_\_\_\_  
Work Phone Home Phone (optional)

\_\_\_\_\_  
Home address City State Zip

Name of the person(s) whom you feel violated the Non-Discrimination & Harassment policy:  
Department involved:

Alleged violation related to:  Employment  Services

Basis of alleged violation is:

Race/Color  Disability  Marital Status  Veteran's Status

Age  Religion  National Origin  Sex

Creed  Retaliation  Sexual Orientation  Ethnicity

Harassment/Sexual Harassment

Describe in detail the incidents or actions, including names, dates and times, that are believed to be in violation of this policy. Include the names and contact information of any individuals who may have witnessed this behavior. (Attach additional sheets as needed)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By signing below, I declare under penalty of perjury of the laws of the State of Washington that the foregoing information is true and correct.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

## CHAPTER 13 VEHICLE USE POLICY

### 13.1 VEHICLE USE AND SCOPE

This policy addresses assignment of county vehicles for business use, for home-to-work commuting and after-hours use, use of personal vehicles for county business, mileage allowances, general motor vehicle safety expectations, and reporting requirements for commercial vehicle operators as per [RCW 46.25.030](#). All employees who operate motor vehicles for county-related business are responsible for operating the vehicle in a lawful, safe and prudent manner.

This policy applies to:

1. Departments reporting to the Board of County Commissioners.
2. Elected Officials' Offices with the proviso that those officials are responsible for application of this policy, or a comparable alternative, in their departments. All allowances, mileage reimbursement rates, and other cash disbursements require approval of the Board of County Commissioners.
3. Represented and non-represented employees - Where permitted, the policy is applicable to bargaining unit employees depending on the collective bargaining agreement for that unit and the requirements of [RCW 41.56](#).
4. Where provisions of this policy address topics covered in the Sheriff's Office Vehicle Use policy, those rules shall apply.
5. All users of county vehicles (owned, leased, or rented) or personal vehicles being used for county business purposes, including regular employees, temporary employees, contractors, volunteers and citizens.

### 13.2 VEHICLE USE POLICY DEFINITIONS

**Vehicle:** Per [RCW 46.04.670](#) includes every device capable of being moved upon a public highway an in, upon, or by which any persons or property is or may be transported or drawn upon a public highway, including bicycles. This includes motorized or non-motorized vehicle to include boats, aircraft, and utility tractors designed to transport persons or goods on public roadways, waterways, or federal airspace.

**Motor vehicle:** Per [RCW 46.04.320](#) means every vehicle that is self-propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

**Special Mobile Equipment:** Per [RCW 46.04.552](#) means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including but not limited to: ditch digging apparatus, well boring apparatus and road construction and maintenance machinery such as asphalt spreaders,

bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earthmoving carryalls and scrapers, power shovels and draglines, and transportation of persons or property to which machinery has been attached.

**Specialized Equipment:** Per [WAC 468-38-270](#) certain vehicles are designed and built for very unique functions other than transporting persons. The federal highway administration classifies and references some of these vehicles as specialized equipment in Title 23 C.F.R. Part 658.13(e) and sets minimum and/or maximum parameters for the vehicle to operate. The department adopted these specialized classifications and accepted or further defined the legal parameters for operation on state highways.

**Weapon:** A tool or instrument used with the aim of causing damage or harm to living beings or artificial structures or systems.

**Assigned Take-Home Vehicle:** A county vehicle, which is used by a County employee for county business and for regularly commuting to and from the employee's home and workstation.

**Assigned Vehicle:** A county vehicle assigned to a department or county employee for county business, but not for employee commuting to and from the employee's home and workstation.

**Call-Out:** A directive to an employee to report to a work site during off duty time or day, and to respond to emergencies, which require immediate response to protect life and property.

**Commissioned Officers:** All officers commissioned by the Sheriff's Office.

**Commute Trip Mileage:** The mileage from an employee's home to their regular place of work and back, or the actual daily mileage from home to the first work-site and from the last work-site to home.

**Designated Parking Area:** A county parking facility or lot, which has been identified by an employee's Elected Official or the Risk Manager as an acceptable overnight location for parking the employee's assigned county vehicle.

**Emergency Response:** An employee has primary responsibility for immediate response, to protect life and property, and to maintain and enforce law.

**Occasional overnight usage of county-owned vehicles:** County employees taking home county-owned vehicles for conducting county business away from the employee's normal place of work and outside an employee's normally scheduled work hours.

### **13.3 ASSIGNMENT OF COUNTY VEHICLES FOR TAKE-HOME and OPERATIONAL CONSIDERATIONS**

#### **PURPOSE and RESPONSIBILITY**

It is the responsibility of the Board of County Commissioners (BOCC) to ensure the proper use of public funds concerning the County practice of allowing employees to commute to and from work in County-owned and leased vehicles. The BOCC is to assure all County owned and leased vehicles are used responsibly and centralized controls are in place to report taxable benefits if applicable. All Take-Home Vehicle assignments for County issued vehicles will be reviewed by the BOCC annually.

The BOCC wish to restrict the number of county-owned and leased vehicles used by employees to commute to and from work.

This policy is applicable to all Mason County Departments and Elected Officials' Offices.

#### **AUTHORITY and REFERENCES**

IRS Publication 15-B Fringe Benefit

IRS Publication 5137 Fringe Benefit Guide

IRS Substantiation Requirements §1.274-5

Take-Home Vehicles are only to be assigned to those meeting the IRS requirements of Qualified Non-personal Use Vehicles as identified in Publication 5137, or meet the Emergency Response, Specialized Equipment, or Economic Benefit as defined below.

Take-Home Vehicle assignment must be preapproved by BOCC, unless for a temporary assignment.

### **13.4 QUALIFIED NON-PERSONAL USE VEHICLES (as of 12/31/16)**

- (A) Clearly marked police, fire, and public safety officer vehicles
- (B) Ambulances used as such or hearses used as such
- (C) Any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds
- (D) Bucket trucks (cherry pickers)
- (E) Cement mixers

- (F) Combines
- (G) Cranes and derricks
- (H) Delivery trucks with seating only for the driver, or only for the driver plus a folding jump seat
- (I) Dump trucks (including garbage trucks)
- (J) Flatbed trucks
- (K) Forklifts
- (L) Passenger buses used as such with a capacity of at least 20 passengers
- (M) Qualified moving vans
- (N) Qualified specialized utility repair trucks (as defined in Publication 5137)
- (O) Refrigerated trucks
- (P) School buses
- (Q) Tractors and other special purpose farm vehicles
- (R) Unmarked vehicles used by law enforcement officers if the use is officially authorized
- (S) Pickup Trucks and Vans that meet the specifications as defined in Publication 15-B

The use of County vehicles or travel reimbursement is preferred over the assignment of take-home vehicles for conducting county business.

Assignment of a County vehicle is neither a privilege nor a right of any County employee.

Assignment of a County vehicle shall not be made based on employee merit or employee status.

The need for communication access (car radio, telephone, etc.) shall not be considered adequate justification for a County vehicle assignment.

Wherever possible, assigned County vehicles shall be picked up and dropped off at designated County parking area, thereby avoiding the assignment of Take-Home Vehicles.

### **13.5 EMERGENCY RESPONSES**

Take-Home Vehicles may be assigned to county employees who:

1. Are called out at least 12 times per quarter, or 48 times a year and have primary responsibility to respond to emergencies which require immediate response to protect life or property; and
2. Cannot use alternative forms of transportation to respond to emergencies; and
3. Cannot pick-up County-owned assigned vehicles at designated sites without impacting the employee's ability to respond to emergencies, which require immediate response to protect life or property.

Emergency response assignments should be supported by data demonstrating the actual number and nature of emergency responses in the prior year, and estimates of future emergency responses. There must be an explanation as to why an employee cannot use alternative forms of transportation to respond to the emergencies or pick up county-owned or leased assigned vehicles at designated parking areas.

### **13.6 SPECIAL EQUIPMENT VEHICLES**

Take-home vehicles may be assigned if an employee needs specialized equipment or a special vehicle to perform county work outside of an employee's normally scheduled workday.

1. Communication access shall not normally be considered a valid justification for a specially equipped take-home vehicle.
2. Employees must have primary responsibility to respond to emergencies.
3. Special equipment vehicle assignments shall be supported by information describing the special equipment needed to perform the county work.

### **13.7 ECONOMIC BENEFIT TO THE COUNTY**

Take-home vehicles may be assigned if employee's private vehicle mileage reimbursement costs are greater than the commuting costs for an assigned county vehicle with overnight vehicle usage.

1. Lost productivity costs, the cost of the time it takes an employee to travel from a designated county parking facility to their work station, shall not be included in the calculation of economic benefit to the county.
2. There must be an explanation as to why an employee cannot use alternative forms of transportation or pick up county-owned or leased vehicles at designated parking areas.
3. Tax treatment of all vehicle assignments shall be subject to current regulations.

### **13.8 TEMPORARY TAKE-HOME VEHICLE ASSIGNMENT**

Occasional overnight usage of County-owned or leased vehicles is permitted. Such occasional usage of County vehicles may occur when an employee conducts County business away from the employee's normal place of work, and outside an employee's normally scheduled workday. Other types of occasional overnight usage is permitted when the following conditions exist:



1. Inclement weather conditions: When employee is on-call and has primary responsibility to respond.
2. Emergency preparedness or seasonal assignment: County-owned or leased vehicle is permitted when an employee is on-call and vehicle is taken home less than 12 times per quarter on average.
3. Collective Bargaining Agreement: Authorization for take-home assignment may be granted to employees represented by collective bargaining agreements with language that provides for take-home vehicle assignment.

### **13.9 BOARD OF COUNTY COMMISSIONERS RESPONSIBILITIES**

The BOCC will evaluate, authorize, or deny the current Take-Home vehicle assignments and any new requests from all departments and elected offices by October 31st of each year.

Take-home vehicle authorization shall be for the following periods of time: January 1<sup>st</sup> to December 31<sup>st</sup> of each year, unless otherwise specified by a collective bargaining agreement.

### **13.10 RISK MANAGEMENT RESPONSIBILITIES**

**Risk Management shall be the department in charge of the following provisions:**

1. Maintaining the listing of BOCC approved Take-Home vehicle assignments.
2. Maintain the supporting documents for each Take-Home vehicle assignment. Documents will be compiled, calculated and submitted to payroll for fringe benefit, per the IRS rules and regulations.
3. Provide Fair Market Value of vehicles for auto fringe benefit calculation if applicable.
4. Develop and maintain records of all take-home vehicle assignments for Risk Management provisions.

### **13.11 DEPARTMENT HEADS AND ELECTED OFFICIALS RESPONSIBILITIES**

**Department Heads and Elected Officials shall:**

Prepare a Vehicle Take-Home Authorization Request Form and submit to Risk Management for presentation to the BOCC. These forms should be submitted by September 30<sup>th</sup> of each year or when a new Take-Home assignment is issued to Risk Management.

Each department and office shall maintain a list of authorized Take-Home Vehicles. This list shall include:

1. Employee name
2. Rank or Title

3. Work location
4. Vehicle number
5. Vehicle type
6. County of residence
7. Miles outside the County, if applicable

An updated list shall be transmitted to Risk Management by September 30<sup>th</sup> each year or upon request by the Risk Manager.

Apply the following standards and criteria for proposing all take-home assignments.

The employee shall reside within Mason County. The elected may propose a take-home vehicle assignment for employees residing outside the county if **both** the residence is within 15 miles of the county line and a reasonable 30-minute response time can be met. In addition, there are reasonable and compelling justifications and if such requests meet, the criteria contained in sections 1 through 6 found below.

1. The employee commute mileage shall not be greater than the business mileage.
2. In cases where the Take-Home Vehicle Assignment requests are based on Emergency Response or Special Equipment, the Elected must show that emergency response outside of the employee's normal working hours is necessary due to an eminent threat to life or property.
3. The employee must provide historical data showing the number of emergency responses made during the same time period in the previous year.
4. There must be no other employees on duty and available to respond or perform the emergency work during their normal work shift.
5. Before approving Take-Home Vehicle Assignment, the Elected shall first consider whether occasional overnight assignment, temporary on-call status or reimbursement for the use of a private vehicle will be of greater economic benefit to the county than a Take-Home Vehicle Assignment.
6. The employee has primary countywide custodial control of resources used during emergency response, and who must be available for any and all emergencies.

### **13.12 SHERIFF'S OFFICE RESPONSIBILITIES**

#### **The Sheriff or the Sheriff's designee shall:**

Prepare a Vehicle Take-Home Authorization Request Form and submit to Risk Management for presentation to the BOCC. These forms should be submitted by September 30<sup>th</sup> of each year or when a new Take-Home Vehicle assignment is issued to Risk Management.

Each Department shall maintain a list of authorized Take-Home Vehicles. This list shall include:

1. Employee name
2. Rank or Title
3. Work location
4. Vehicle number
5. Vehicle type
6. County of residence
7. Miles outside the County, if applicable

An updated list shall be transmitted to Risk Management by September 30<sup>th</sup> each year or upon request by the Risk Manager.

Commissioned employees of the Sheriff's Office are exempt under IRS Publication 15-B Fringe Benefit, however, for Non-Commissioned employees, this is considered a fringe benefit and may create a tax liability.

### **13.13 EMPLOYEE'S RESPONSIBILITIES**

A County owned or leased Take-Home vehicle is a fringe benefit that may generate a tax liability. If a request for a Take-Home Vehicle is approved, it is the responsibility of the employee to contact payroll and determine the tax liability.

The employee is also responsible for submitting monthly mileage report to Risk Management by the 5<sup>th</sup> working day of the month. Monthly mileage reports are required for all Take-Home assignments, with the exception of Commissioned Officers of the Sherriff.

### **13.14 FINANCIAL SERVICES – PAYROLL RESPONSIBILITIES**

Payroll will update fringe benefit data in the payroll system.

**[PER RESOLUTION 19-17, 04/11/2017]**

### **13.15 DRIVERS LICENSE AND INSURANCE REQUIREMENTS**

The County has auto liability coverage on its Mason County vehicles. Authorized employees, appointed or authorized representatives and persons, or volunteers driving Mason County vehicles are covered under the County's liability coverage. However, employees using their personal vehicles for County business are not included in the County's insurance coverage and, therefore their personal vehicle insurance is responsible for accidents, regardless of whether the accident occurred while they were on County business. The mileage reimbursement received by employees for approved use of personal vehicles includes, in part, a reimbursement for personal insurance coverage. Employees should consult with their

insurance agent/company to inquire about what coverage exists while using their personal vehicles for County business.

1. Employees shall provide valid proof of automobile liability/property damage insurance with policy coverage limits that meet the Washington State minimum requirements.
2. When an employee is using their privately owned vehicle pursuant to County policy, the individual's insurance shall be considered the primary insurance coverage with County coverage potentially available for secondary or excess coverage.
3. Job applicants who have reached the final interview stage of the employment selection process will provide the county with a "Driving Record" prior to being offered the position. This applies to both internal and external applicants and only to those applicants whose job would require them to operate county owned or leased vehicles on a regular (routine) basis.

### **13.16 USE OF PERSONAL VEHICLES FOR COUNTY BUSINESS**

Employee's use of personal vehicles for county business travel purposes is subject to the approval of the department head or elected official. Employees may be required to utilize a county vehicle based on cost or safety considerations. Authorization to use private vehicles may be given on a trip-by-trip or standing approval basis. Upon request, employees are required to provide to their supervisor proof that they possess a valid motor vehicle operator's license, proof of current vehicle liability insurance and a current year Vehicle Use Agreement on file.

Private vehicles utilized for county business are considered official vehicles and must conform to the following requirements:

1. The vehicle must meet legal requirements to operate on a public highway.
2. The vehicle must be in sound mechanical condition and present no safety risks.
3. Employees must submit a mileage reimbursement form, to receive reimbursement based on the county's current mileage rate allowance. The standard mileage rate reimbursement covers gas, maintenance, repairs and insurance for work related driving.

### **13.17 USE OF COUNTY VEHICLES FOR PERSONAL BUSINESS**

Employees using county vehicles on a continuing assignment or trip-by-trip basis are prohibited from using vehicles for personal business except as provided herein.

Unauthorized personal use of a county vehicle may result in disciplinary action, up to and including termination of employment.

All employees should exercise reasonable judgment regarding the use of a county vehicle for personal purposes. Personal use of a county vehicle may be permitted, subject to the approval of the applicable department head or elected official, when the use serves the county's interests, results in negligible expense, and/or is justified by compelling circumstances and doesn't pose a "bad appearance" even if on personal time — (e.g., at a bar or liquor store).

### **13.18 INCIDENTAL TRAVEL AND STOPS**

Employee-drivers should remember that public perception of county employees is important and influenced by how and where the public observes county vehicles being used. Employee-drivers should not make incidental stops at locations the public would generally perceive as inappropriate.

### **13.19 POLITICAL USE OF COUNTY VEHICLES**

No employee or person may use any vehicle owned, leased or operated by the county for any trip which is exclusively for the purposes of campaigning in support of, or in opposition to, any candidate or cause for national, county or local office, unless use of the vehicle is required for purposes of security protection provided by the county or local governmental unit.

### **13.20 USE OF COUNTY VEHICLES BY OTHER INDIVIDUALS**

1. Use of county vehicles by temporary employees or volunteers requires authorization from the department head or elected official. Temporary county employees and volunteers are subject to the applicable provisions of this policy, including signing the Vehicle Use Agreement and providing proof of valid driver's license.
2. Interagency use of a county vehicle requires authorization from the county's ER&R Manager, department head or elected official. Use of a county vehicle under an interagency agreement is subject to the provisions mutually agreed upon by the agencies involved.

### **13.21 PERMITTED AND PROHIBITED USES OF COUNTY AND PERSONAL VEHICLES FOR COUNTY BUSINESS**

The following policies govern all vehicle use for county business:

1. All drivers and passengers must comply with all the motor vehicles laws of the state of Washington or any other state in which the vehicle is operated, including seatbelt and cell phone laws.

2. Vehicles shall be locked when unattended with the engine turned off. Keys shall not be left in the ignition unless authorized by the department head or elected official.
3. No person may use a county vehicle, or permit the use of a county vehicle, or operate a personal vehicle for county business in the following prohibited manners:
  - a. The driver is impaired by fatigue or any other known mental or physical condition that affects the safe operation of the vehicle.
  - b. The driver is impaired because of prescribed appliances (e.g., cast, sling, brace), prescribed or over-the-counter medications that causes or results in adverse side effects (e.g., drowsiness or impaired reflexes or reaction time). As described in Policy 8.12- Substance Abuse, employees are responsible for informing their supervisor of the possible effects of the medication and expected duration of its use.
  - c. Tobacco use (smoking and non-smoking products) is prohibited in county-owned or leased vehicles. This does not include smoking in personal vehicles used for county-related business.
  - d. Transporting non-county employee passengers, including family members, is not permitted unless authorized by the employee's department head or elected official.
  - e. Permitting non-authorized individuals to drive a county-owned/leased vehicle unless it is for a bona fide emergency purpose.
  - f. Drivers of motor vehicles are prohibited from reading, manually writing or sending a message on an electronic wireless communications device or holding a wireless communication device to their ear while the vehicle is moving. Exceptions to this section include: operators of an authorized emergency motor vehicle; a driver using a wireless communications device in the hands-free mode; using devices to report illegal activity or summon medical aid or other emergency assistance or to prevent injury to a person or property; using hearing aids.
  - g. Use for personal gain, such as delivering goods or services.
  - h. Modifications including affixing signs, stickers, antennas, bike racks, ski racks, etc. Modifications to county vehicles may be undertaken only with the prior written consent of the department head or elected official and the ER&R Manager. The County Shop or its designee will perform any modification to a county-owned or leased vehicle.
  - i. Transporting of animals — Allowed only with prior written consent of the department head or elected official - (excludes Animal Control activities and transportation and use of canines or other animals by the Sheriff's Office).

- j. Hauling loads that exceed the rated capacity of the vehicle or that could cause damage to the vehicle (i.e., hauling firewood or gravel in a passenger vehicle).
- k. Use of trailer hitches and towing – allowed only with prior approval by the County Shop. The County Shop must evaluate hitches and lights.
- l. Installation or use of any radar or speed detection devices.
- m. Transporting hitchhikers.
- n. Use or consumption of alcohol and/or illegal drugs is prohibited while operating a county-owned/leased vehicle or personal vehicle for county business.
- o. Use for vacations, side trips or any other use not expressly authorized by this policy or department head or elected official.

Drivers who have questions regarding the appropriate use of a county vehicle or a personal vehicle while in use for county business should consult with their supervisor, department head, elected official, or the Risk Management Office.

### **13.22 VEHICLE USE AGREEMENT (VUA) - REQUEST FOR DRIVING RECORD**

The purpose of the VUA is to ensure employees are licensed to operate a motor vehicle and possess auto liability insurance to operate their personal vehicle for county business. Use of a county (owned, rented or leased) or personal vehicle for business purposes is contingent upon the following conditions and requirements:

1. Vehicle Use Agreement - Each department head and elected official or their designee will acquire a signed Vehicle Use Agreement (VUA), annually from each of their employees that operate a personal or county-owned/leased vehicle for business purposes. This includes those employees required to hold a Commercial Driver's License (CDL).
2. Driving Record Request
  - a. Employees who are required to operate a vehicle on a regular (routine) basis to perform their job shall, as part of the Vehicle Use Agreement, authorize Mason County to acquire a copy of their driving abstract from the Department of Licensing per [RCW 46.52.130](#).
  - b. All other employees who may drive a county vehicle or a personal vehicle for the use of county business may have their driver abstract requested from the Department of Licensing per [RCW 46.52.130](#) if requested by their department head, elected official and/or the Risk Management Office.

### **13.23 DRIVER DISQUALIFICATION AND REVIEW**

County employees and other authorized agents of the county may become disqualified as a driver for county business for any of the following conditions:

1. Three or more moving violations in the past three years.
2. Two accidents if one or more results in injury, loss of life or significant property damage. Note: This includes only accidents where the driver was substantially at fault.
3. Suspension or revocation of driver's license.
4. Drivers must immediately inform their supervisor, department head, or elected official in writing if they become disqualified under this policy.
5. Any change in the status of an employee's driver record resulting in disqualification or the failure to report such change may result in revocation of the privilege to drive a county-owned/leased vehicle or a personal vehicle utilized for county business and/or disciplinary action up to and including termination.
6. Drivers denied the use of a county vehicle based on an unsatisfactory driving record may request a review of the denial through their department head or elected official. The Risk Management Office should be consulted regarding any requests for review.
7. A requested review will be investigated by the department head or elected official and the Risk Management Office then approved or denied by the elected official in writing. Approval or denial will be documented and kept on file in the Risk Management Office.

### **13.24 ACCIDENTS AND CITATIONS**

Employees are fully responsible to operate vehicles on county business in a legal, safe, and prudent fashion and are subject to appropriate corrective action for failure to do so, up to and including termination.

1. Employees shall immediately report all traffic accidents and/or damage to their vehicle to their supervisor or department head or elected official while operating a personal or county-owned/leased vehicle while on county business. In addition to any state required accident reports, employees shall complete the Risk Management Vehicle Accident Report form within the first business day following the accident. The report will be forwarded to Risk Management and ER&R Manager. A review by the department head or elected official may be convened to evaluate the accident depending on the severity.
2. Drivers are personally responsible for the cost of all traffic citations, parking tickets, etc. Passengers are personally responsible for the cost of any traffic citation they may



receive while riding in a county-owned/leased vehicle or a personal vehicle being used for county business - (i.e. seatbelt violations, parking violations, throwing object from vehicle). The offending employee shall pay citation fines promptly.

3. Employees shall report moving violation citations that occur while operating a vehicle for county business within the first business day of the issuance of the citation. Employees will notify their immediate supervisor, who in turn, will forward the report to the Risk Management Office.

### **13.25 COMMERCIAL DRIVER LICENSE**

In addition to the conditions and requirements for all motor vehicle operators, employees who hold a commercial driver's license (CDL) are subject to all requirements applicable to state and federal laws.

### **13.26 COUNTY VEHICLE RELATED PURCHASES**

Supervisors shall inform employees of acceptable vendors, gas stations, and other services that may be utilized for county vehicle related purchases. Repair and towing services are primarily acquired through county contracts. If services are needed while traveling out of the county, the employee should contact the County Shop, or use their best judgment if outside of work hours.

### **13.27 VEHICLES FUEL POLICIES AND FUEL CREDIT CARD USES**

1. County-owned fuel dispensers should be used whenever possible. There is one fill up per fuel card use. No doubling up on one card with more than one respective, associated vehicle is permitted. Department supervisors should provide directions to those locations and instruct their assigned drivers on the uses of these dispensers.
2. Public self-service, regular unleaded and diesel dispensers should be used if county fuel dispensers are not available. The most cost-effective vendor should be used whenever possible. Receipts must be submitted for reimbursement.
3. The use of premium grades of fuel is not authorized, unless required by the vehicle's owner's manual.

### **13.28 REPAIRS AND PREVENTATIVE MAINTENANCE**

When a vehicle is assigned to an employee or department, the driver or department supervisor is responsible for ensuring that all preventative maintenance is performed on schedule and the vehicle is serviced in a timely manner when notified by the County Shop.

### 13.29 GENERAL MOTOR VEHICLE SAFETY

1. In the interest of safety, supervisors may elect to have assignments, jobs or tasks delayed or postponed during inclement weather until driving conditions improve. Only essential vehicles equipped with necessary traction devices should be required to operate during hazardous conditions (e.g., Sheriff's vehicles, snow plows, sanding trucks, etc.). Vehicles used during inclement weather may require the use of tire chains it is the responsibility of the vehicle/equipment operator to install tire chains when needed.
2. Operators shall conduct a safety check of the vehicle each day. The minimum operator's check should consist of a check for body damage, mechanical problems (tire inflation & tread, brakes, steering, turn signals, wipers, horn, etc.) and verification that all lights are functioning and windows are cleaned to present a clear field of view. All items requiring repair shall be reported to your immediate supervisor and the County Shop.
3. County departments may have additional requirements for the safe operation of motor vehicles and equipment.

## CHAPTER 14 ELECTRONIC INFORMATION ACCEPTABLE USE POLICY

### 14.1 ELECTRONIC INFORMATION POLICY

Mason County provides a communications and data network capable of offering Electronic Mail (e-mail), Voice Mail, Internet access, data storage and data processing to employees to assist and facilitate legitimate Mason County business operations. Mason County information and information resources shall be used in an approved, lawful manner to avoid loss or liability to Mason County and/or loss of public confidence in the operation of Mason County.

Utilization of these systems is a privilege. Employees should never put information on or access services unless they would be comfortable with the information associated with their name in public. By using Mason County's communications and data systems, employees agree that they are aware of, understand and comply with the provisions of this policy.

### 14.2 ELECTRONIC INFORMATION POLICY DEFINITIONS

**Computers Systems:** Includes individual desktop and laptop computers (PCs), e-mail system, internet access, file servers, digital media such as floppy disks, Compact Digital disks (CDs) and Digital Video disks (DVDs), and all other components of Mason County's computer systems.

**E-Mail:** The County's e-mail system.

**Intranet:** Web site containing content for internal use.

**Internet:** The worldwide network of computers.

**Software:** The digital programs that perform functions on the PCs and network. All software normally has a copyright and is licensed.

**Streaming Audio (or Video):** Technology used to "play" or view audio/video on a PC from a remote source or Web site over the network. Can be used for music, voice, lectures, videos and other audio/video material. It generally consists of a continuous stream of data coming over the network.

**Web Browsing:** Use of a software tool to access Web sites on the Internet.

### 14.3 ROLES AND RESPONSIBILITIES

Mason County owns all information services resources; use of such resources constitutes consent to monitor, inspect and audit any data or information resident on those resources without permission or further notice.

Board of County Commissioners shall approve the Acceptable Use Policy.

Elected officials and Department Heads shall be responsible for the following:

- a. Informing their personnel of acceptable use policies and acceptable use of information resources.
- b. Ensuring that personnel under their supervision comply with these policies.
- c. Ensure the contract personnel under their supervision comply with these policies and procedures.

#### **14.4 EQUIPMENT AND PROGRAMS**

**Acquiring Hardware and Software:** To prevent the introduction of malicious code and protect the integrity of County information resources, all hardware and software shall be obtained through or with the advice of Information Services.

**Complying with Copyright and Licensing:** All software utilized shall be procured by Mason County and shall be licensed and registered in the name of Mason County. All personnel shall abide by software copyright laws and shall not obtain, install, replicate, or use software except as permitted by the software licensing agreements.

**Using Personally Owned Software:** To protect the integrity of County resources and licensing requirements, personnel shall not use personally owned software on Mason County information systems. This includes, but not limited to, personally purchased and licensed applications and shareware. **Exception:** Personally owned Personal Digital Assistant (PDAs) that are compatible with the County systems, may be installed with the authorization of the Elected Official or Department Head. The software licensing that accompanies the PDA must allow concurrent home and business use.

#### **14.5 E-MAIL AND VOICE MAIL (Electronic Communications)**

Access to Mason County's electronic communication systems is provided to personnel for the conduct of government business. Since electronic communications may be monitored, all personnel using government resources for the transmission or receipt of electronic communications shall have no expectation of privacy.

E-mail and voice mail are not considered records storage systems. E-mail is only held by the system for 30 days and is automatically deleted after that time. County's Information Technology Department may retain emails for longer than 30 days, when so directed by the Support Services Director or Information Technology Manager, Risk Manager, any person from the Prosecutor's Office, any Commissioner and whenever the County is in receipt of a public records request that may include a request for emails. Once a public records request

has been properly investigated and answered, the 30-day retention period noted above may recommence. Voice mail is only held by the system for 90 days and is automatically deleted after that time. Public record information should only be retained on the e-mail or voice mail systems while it is being worked on or distributed. Upon completion, e-mail or voice mail that is considered official correspondence, minutes or official messages documenting action must be printed or transcribed by the author, filed and the electronic copy deleted. Informational e-mail or voice mail may be deleted at any time. Voice mail is only held by the system for 90 days and is automatically deleted after that time. Public record information should only be retained on the e-mail or voice mail systems while it is being worked on or distributed. Upon completion, e-mail or voice mail that is considered official correspondence, minutes or official messages documenting action must be printed or transcribed by the author, filed and the electronic copy deleted. Informational e-mail or voice mail may be deleted at any time. The use of e-mail or voice mail for legal advice or to respond to legal questions is highly discouraged.

**Acceptable Use:** Mason County provides electronic communications to facilitate the conduct of government business. Occasional and incidental personal electronic communications use shall be permitted if it does not interfere with the government's ability to perform its mission. However, while they remain in the system, personal messages shall be considered to be in the possession and control of Mason County and shall be deemed public information, unless specifically protected by law.

**Prohibited Use:** Prohibited activities when using government electronic mail shall include, but not be limited to, sending or arranging to receive the following:

- a. Information that violates county, state or federal laws and regulations.
- b. Any material that may defame, libel, abuse, tarnish, or portray in false light, the recipient, the sender, or any other person.
- c. Pornographic, racist, sexually oriented, offensive material, chain letters, unauthorized mass mailings, or malicious code.

**Encryption:** Encrypting electronic mail, messages or data shall comply with the following:

- a. Use of encryption will be approved by the Commissioners.
- b. Place the key or other similar file for all encrypted electronic mail in a directory or file system that can be accessed by the responsible Elected Official or Department Head prior to encrypting email.
- c. Supply the key or other device needed to decrypt the electronic mail upon request by authorized management.
- d. Use of encryption without prior authorization will be considered violating this policy.

## 14.6 INTERNET ACCESS

Access to the Internet is available to employees, contractors, whose duties require it for the conduct of government business. Since Internet activities may be monitored, all personnel accessing the Internet shall have no expectation of privacy.

**Acceptable Use:** Mason County provides Internet access to facilitate the conduct of government business. Occasional and incidental personal internet use shall be permitted if it is not a Prohibited Use activity, is not conducted during county work time and does not interfere with the government's ability to perform its mission. Elected officials and Department Heads shall determine when usage is acceptable for their employees.

**Prohibited Use:** Prohibited activities when using the Internet include, but are not limited to, the following:

- a. Browsing explicit pornographic or hate-based web sites, hacker or cracker sites, or other sites that Mason County has determined to be off-limits.
- b. Posting, sending, or acquiring sexually explicit or sexually oriented material, hate-based material, hacker-related material, or other material determined to be off-limits.
- c. Posting or sending sensitive information without management authorization.
- d. Accessing outside personal e-mail accounts such as Hotmail or Yahoo mail.  
Downloads or attachments from these accounts could bypass the County e-mail virus software. Information needed from these accounts should be forwarded to your County e-mail address.
- e. Using other services available on the Internet, such as FTP or Telnet, on systems for which the user does not have an account, or on systems that have no guest or anonymous account for the service being used.
- f. Posting commercial announcements or advertising material.
- g. Promoting or maintaining a personal or private business.
- h. Receiving news feeds and push data updates, unless the material is required for government business.
- i. Using non-work related applications or software that occupy excess workstation or network processing time (e.g., processing in conjunction with screen savers, streaming audio or video feeds).
- j. Conducting fund-raising, endorsing any product or service, lobbying, or participating in any political or campaign activity.

## 14.7 GENERALLY PROHIBITED USES OF INFORMATION RESOURCES

Generally prohibited activities when using government information resources shall include, but are not limited to, the following:

- a. Stealing or copying of electronic files without permission.
- b. Violating copyright laws. This includes downloading copyright music or video files.
- c. Browsing the private files or accounts of others, except as provided by appropriate authority.
- d. Performing unofficial activities that may degrade the performance of systems or waste employee time, such as the playing of electronic games.
- e. Performing activities intended to circumvent security or access controls of any organization, including the use of hardware or software tools intended to defeat software copy protection, discover passwords, identify security vulnerabilities, decrypt encrypted files, or compromise information security by any other means.
- f. Writing, copying, executing, or attempting to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of or access to any computer, network, or information.
- g. Accessing the County network via modem or other remote access service without the approval of management.
- h. Promoting or maintaining a personal or private business, or using County information resources for personal gain.
- i. Using someone else's logon ID and password.
- j. Disclosing any County information that is not otherwise public.

#### **14.8 MONITORING, AUDITING AND INSPECTION**

Elected Officials and Department Heads may monitor, inspect or audit the e-mail, data or information their employees create or utilize on the County information services resources at any time.

System administrators and other personnel with unrestricted access to email, files, data and similar services shall receive approval from the supervising Elected Official or Department Head prior to decrypting, opening or reading the e-mail, data or information of their employees.

If due to unusual circumstances, such as result of viruses, malicious programs, equipment failure or error, employee e-mail, data or information is read or intercepted, then system administrators and other employees that intercept, read, or view the information shall inform the responsible Elected Official or Department Head at the first opportunity.

An Elected official may only be monitored, inspected or audited only with the express authorization of the Prosecutor.

## CHAPTER 15 – SOCIAL MEDIA POLICY

### 15.1 SOCIAL MEDIA POLICY

To address the fast-changing landscape of the Internet and the way residents communicate and obtain information online, Mason County departments may consider using social media tools to reach a broader audience. The County encourages the use of social media to further the goals of the County and the missions of its departments, where appropriate. This policy is not meant to address one particular form of social media; rather social media in general, as advances in technology will occur and new tools will emerge.

Mason County has an overriding interest and expectation in deciding what is "spoken" on behalf of the County on social media sites. This policy establishes guidelines for the use of social media.

1. Definitions:

**BLOG:** A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for "Web log."

**Page:** The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.

**Post:** Content an individual shares on a social media site or the act of publishing content on a site.

**Profile:** Information that a user provides about himself or herself on a social networking site.

**Social Media:** A category of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, MySpace), micro-blogging sites (Twitter, Nixle), photo- and video-sharing sites (Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).

**Social Networks:** Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

**Speech:** Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

**Web 2.0:** The second generation of the World Wide Web focused on shareable, user generated content, rather than static web pages. Some use this term interchangeably with social media.

**Wiki:** Web page(s) that can be edited collaboratively.



2. The Mason County website ([www.co.mason.wa.us](http://www.co.mason.wa.us)) will remain the County's primary and predominant internet presences.
  - A. The best, most appropriate Mason County uses of social media tools fall generally into two categories:
    - i. As channels for disseminating time-sensitive information as quickly as possible (example: emergency information).
    - ii. As marketing/promotional channels which increase the County's ability to broadcast its messages to the widest possible audience.
  - B. Wherever possible, content posted to Mason County social media sites should contain links directing users back to the County's official website for in-depth information, forms, documents or online services necessary to conduct business with Mason County.
  - C. As is the case for Mason County's web site, assigned department staff will be responsible for the content and upkeep of any social media sites their department may create.
  - D. All Mason County social media sites shall comply with all appropriate Revised Code of Washington (RCW), Mason County policies and standards, including but not limited to:
    - i. Mason County Electronic Information Acceptable Use Policy (Revision F)
    - ii. Mason County Blogging Policy
    - iii. Mason County Electronic Communications Policy
    - iv. Mason County Personnel Policy
    - v. [RCW 42.52 Ethics in Public Service](#)
    - vi. Mason County Social Media Standards for Facebook and Twitter
    - vii. State of Washington public records laws
3. Mason County's social media sites are subject to State of Washington public records laws ([RCW 42.56](#)). Any content maintained in a social media format that is related to County business, including a list of subscribers and posted communication, is a public record. The Department maintaining the site is responsible for responding completely and accurately to any public records request for public records on social media. Content related to County business shall be maintained in an accessible format and so that it can be produced in response to a request utilizing an approved retention and archiving program. Wherever possible, such sites shall clearly indicate that "any articles and any other content posted or submitted for posting are subject to public disclosure". Users shall be notified that public disclosure requests must be directed to the relevant departmental public disclosure officer.
4. Washington state law and relevant Mason County records retention schedules apply to social media formats and social media content. Unless otherwise

addressed in a specific social media standards document, the Department maintaining a site shall preserve records required to be maintained pursuant to a relevant records retention schedule for the required retention period on a County server in a format that preserves the integrity of the original record and is easily accessible through the approved retention and archiving program. Appropriate retention formats for specific social media tools are detailed in the Mason County Social Media Standards for Facebook and Twitter.

5. Users and visitors to social media sites shall be notified that the intended purpose of the site is to serve as a mechanism for communication between Mason County departments and members of the public. Social media pages should state, where possible, that “Opinions expressed by visitors to the page(s) do not reflect the opinions of Mason County”.

Pages shall clearly indicate that posted comments will be monitored and that the department reserves the right to remove obscenities, off-topic comments, and personal attacks. Mason County social media site articles and comments containing any of the following forms of content shall not be allowed:

- A. Comments not topically related to the particular social medium article being commented upon;
  - B. Comments in support of or opposition to political campaigns, ballot measures or pending action items;
  - C. Profane language or content;
  - D. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
  - E. Sexual content or links to sexual content;
  - F. Solicitations of commerce;
  - G. Conduct or encouragement of illegal activity;
  - H. Information that may tend to compromise the safety or security of the public or public systems; or
  - I. Content that violates a legal ownership interest of any other party.
6. These guidelines must be displayed to users or made available by hyperlink. Any content removed based on these guidelines must be retained, including the time, date and identity of the poster when available.
  7. Mason County Information Services Department reserves the right to restrict or remove any content that is deemed in violation of this social media policy or any applicable law posted on a Mason County social media site.

8. Mason County personnel will approach the use of social media tools as consistently as possible, County Government wide.
9. Administration of Mason County's social media sites.
  - A. The Mason County Information Services Department will maintain a list of social media tools which are approved for use by County departments and staff.
  - B. The Mason County Information Services Department will maintain a list of all Mason County social media sites, a list of logins and passwords will be supplied by department / Office directors / managers. (The Mason County Information Services Department must be able to immediately edit or remove content from social media sites.)
  - C. Official Mason County logo must appear somewhere on the "cover page" of the social media site.
  - D. Mason County personnel use of personally owned devices to manage the County's social media activities or in the course of official duties is prohibited without express written permission by their department director.
  - E. Mason County personnel shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.
10. For each social media tool approved for use by the County the following documentation and financial planning will need to be developed and adopted by each department/office:
  - A. Standards and processes for managing and administration of accounts
  - B. Written operational and use guidelines
  - C. Secured budgeting for the approved retention and archiving program

The following social media sites and networks have been approved for use by Mason County:

- Twitter – Mason County Twitter Standard
- Facebook – Mason County Facebook Standard

All additional social media tools proposed for County use will be forwarded to the Information Services Manager for review and processing for approval with the Board of County Commissioners.

## 15.2 BLOGGING POLICY

Mason County departments Facebook and Twitter accounts, commonly referred to as "blog" sites, provide County officials the ability to post short articles, exchanges of information, post status updates and photos, and receive notifications related back to those postings. County blogs facilitate further discussion of those articles by providing members of the public the opportunity to submit comments regarding the articles. Comments submitted by members of the public must be directly related to the content of the article. Submission of comments by members of the public constitutes participation in a limited public forum.

### 1. Definitions:

**Blog:** (an abridgment of the term web log) is Facebook or Twitter accounts/website with regular entries of commentary, descriptions of events, or other material such as graphics or video.

**Mason County blog author:** An authorized Mason County employee/official that creates and is responsible for posted blog articles (see blog article below).

**Blog article:** An original posting of content to a Mason County blog site by a Mason County blog author.

**Blog commenter:** A member of the public who submits a comment for posting in response to the content of a particular Mason County blog article.

**Blog comment:** A response to a Mason County blog article submitted by a blog commenter.

**Mason County blog moderator:** An authorized Mason County employee/official, who reviews, authorizes and allows content submitted by a Mason County blog authors and public commenters to be posted to a Mason County blog site.

### 2. All County blogs shall be:

- A. Approved by the Mason County department/office Elected Official and the Mason County Information Services Manager
- B. Published using the approved County blog sites (see Social Media Policy)
- C. Administered by the Mason County Information Technology Department (except Mason County Sheriff's Office).

### 3. All Mason County blogs shall adhere to the following Revised Codes of Washington and County policies:

- A. Mason County Electronic Information Acceptable Use Policy (Revision F)
- B. Mason County Electronic Communications Policy

- C. Mason County Personnel Policy
  - D. [RCW 42.52](#) Ethic in Public Service
  - E. Mason County Facebook Standards
  - F. Mason County Twitter Standards
4. Mason County blogs are subject to State of Washington public records laws. All blog sites shall clearly indicate that any content posted or submitted for posting are subject to public disclosure. All blog sites shall include a notification on the home page that public disclosure requests must be directed to the department's public disclosure officer. (see Mason County Social Media Policy)
  5. Relevant Mason County records retention schedules apply to blogs and blog content. Records required to be maintained pursuant to a relevant records retention schedule shall be maintained for the required retention period in a format that preserves the integrity of the original record and is easily accessible using the approved retention and archiving program. Content submitted for posting that is deemed not suitable for posting on a Mason County Blog by a moderator because it is not topically related to the particular blog article being commented upon, or is deemed prohibited content based on the criteria in Section 7 of this policy, shall be retained pursuant to the records retention schedule along with a description of the reason the specific content is deemed not suitable for posting.
  6. The Mason County department/office or Information Services Department reserves the right to restrict or remove any content that is deemed in violation of this blogging policy or any applicable law.
  7. Each County blog shall include an introductory statement which clearly specifies the purpose and topical scope of the blog.
  8. County blog articles and comments containing any of the following forms of content shall not be allowed for posting:
    - i. Comments not topically related to the particular blog article being commented upon;
    - ii. Profane language or content;
    - iii. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
    - iv. Comments that support or oppose political campaigns or ballot measures;
    - v. Sexual content or links to sexual content;

- vi. Solicitations of commerce;
  - vii. Conduct or encouragement of illegal activity;
  - viii. Information that may tend to compromise the safety or security of the public or public systems;
  - ix. Content that violates a legal ownership interest of any other party
9. Mason County blog moderators shall allow blog comments that are topically related to the particular blog article being commented and thus within the purpose of the limited public forum, with the exception of the prohibited content listed in Section 8 above.
  10. All Mason County blog moderators shall be trained regarding the terms of this Mason County Blogging Policy, including their responsibilities to review article content submitted for posting to ensure compliance with the Policy.
  11. All blog sites shall clearly indicate that they are maintained by a particular Mason County department/office and shall have the Mason County department's/office contact information prominently displayed.

#### **Author and Commenter Identification**

1. All Mason County blog authors shall be clearly identified by entering their name at the end of the post.
2. Public commenters shall be accompanied by valid contact information including the poster's Facebook or Twitter I.D. Anonymous posting shall not be allowed.
3. Authentication credentials used for posting blog articles and blog comments by authorized Mason County department/office blog authors shall conform to the County's password standard.

#### **Ownership and Moderation**

1. The content of each Mason County blog shall be the sole responsibility of the department/office producing and using the blog.
2. Comments submitted to a Mason County blog shall be moderated by an authorized blog moderator that has been trained and assigned by the department/office manager.

#### **Blog Comments & Responses**

1. Whenever possible, all blog articles shall be reviewed and approved by an authorized blog moderator before posting on a Mason County blog.
2. All blog articles submitted with attached content shall be scanned using antivirus technology prior to posting.

3. The linked content of embedded hyperlinks within any Mason County blog articles or blog comments submitted for posting shall be evaluated prior to posting. Any posted hyperlinks shall be accompanied by a disclaimer stating that “Mason County guarantees neither the authenticity, accuracy, appropriateness nor security of the link, web site or content linked thereto.”

### 15.3 FACEBOOK STANDARDS POLICY

Facebook is a social networking site. Businesses and governments have joined individuals in using Facebook to promote activities, programs, projects and events. This standard is designed for County departments / Offices looking to drive traffic to the Mason County Web sites ([www.co.mason.wa.us](http://www.co.mason.wa.us)) and to inform more people about County’s activities. These standards should be used in conjunction with the County's Blogging Policy and Social Media Policy. As Facebook changes, these standards may be updated as needed.

#### Establishing a Page

When a department determines it has a business need for a Facebook account, it will submit a request through their chain of command to the Elected Official or Division Director. Once approved by their Elected Official or Division Director, the department social media personnel will create the page which will include the official County logo.

#### Content

1. Type of 'pages'
  - A. The County department will create “pages” in Facebook not “groups”. Facebook “pages” offer distinct advantages including greater visibility, customization and measurability. Related community pages are unofficial representations of county business created by Facebook. Community pages will currently be accepted as is unless there is a copyright/trademark issue.
  - B. For “type” description, choose “government”.
2. Page Design Requirements
  - A. The Mason County logo is to be added to the cover photo.
  - B. Departments will complete the Page Info section as fully as possible.
  - C. If comments are turned on, the Facebook page should include a tab/link to a Comment Policy tab with the following disclaimer:

Comments posted to this page will be monitored. Under the Mason County blogging policy, the County reserves the right to remove inappropriate comments including those that have obscene language or sexual content, threaten or defame any person or organization, violate the legal ownership interest of another party, support or oppose political candidates or ballot propositions, promote illegal activity, promote commercial services or products or are not topically related to the particular posting.

3. Link to the Mason County Website
  - A. Link to ([www.co.mason.wa.us](http://www.co.mason.wa.us)) will be included on the “Page” information section.
  - B. County department and project pages should be page favorites of other County Facebook pages.
4. Page Naming
  - A. Page name should be descriptive of the department.
    1. Departments will choose carefully with consideration for abbreviations, slang iterations, etc.
    2. The Division Director will approve proposed names.
5. Page Administrators
  - A. A successful page requires "babysitting." Each department communications officer is responsible for monitoring the Facebook page. Posts should be approved by the Division Director or a designated alternate.
  - B. The department communications officer is responsible for making sure content is not stale. Departments will designate a back-up editor in communications officer's absence.
  - C. Information Service department will be provided logins, passwords and editing rights by the Division Director or Elected Official for emergency editing.
6. Comments and Discussion Boards
  - A. Comments to department / office postings generally will be allowed but will be monitored by department / office communications officer for proper content.
  - B. Discussion boards will be monitored by the communications officer for proper content.
7. Style
  - A. County Department Facebook cover page will display the official County logo. The Information Services Department will provide departments with the official county logo.
  - B. Departments will use proper grammar and standard Associated Press (AP) style, avoiding jargon and abbreviations. Facebook is more casual than most other communication tools but still represents the County at all times.
8. Applications and Security
  - A. There are thousands of Facebook applications. Common applications can allow users to stream video and music, post photos, and view. While some



may be useful to the page's mission, they can cause clutter and security risks.

- B. An application should not be used unless it serves a business purpose, adds to the user experience, comes from a trusted source and is **approved** by the Elected Official or Division Director.
- C. An application may be removed at any time if there is significant reason to think it is causing a security breach or spreading viruses.
- D. For security purposes, all Facebook accounts logins and password will be kept by the assigned department communications officers, Division Director / Elected Official, and Information Services.

### Archive

- Each Facebook page will be set up in conjunction by Information Services to a designated county account.
- Mason County's social media sites are subject to State of Washington public records laws [RCW 42.56](#) .
- Content that cannot be retrieved from Facebook via the approved retention and archiving program, but need to be retained as a record, will be printed and maintained according to the County's records retention policy by that individual department / office utilizing the account.

### 15.4 TWITTER STANDARDS POLICY

Twitter is a micro blogging tool that allows account holders to tweet up to 140 characters of information to followers. By procuring and maintaining Twitter accounts, County departments will communicate information directly to their Twitter followers, alerting them to news and directing them to the Mason County Website ([www.co.mason.wa.us](http://www.co.mason.wa.us)) for more information. These standards should be used in conjunction with the County's Social Media Policy.

#### Content

1. Department communications officer shall hold and maintain their department's Twitter account.
  - A. Each department will have only one Twitter account, unless otherwise approved by the Elected Official or Division Director. Account information, including usernames and passwords, shall be registered and updated with the department Communications officer, Division Director and Elected Official. Information Service department will be provided logins, passwords and editing rights by the Division Director or Elected Official for emergency editing.

2. All Mason County department's Twitter bio will read: (Department name) Comments, list of followers subject to public disclosure ([RCW 42.56](#)). If appropriate the following will be added: This site is not monitored. Call 911 for emergencies.
3. Twitter usernames shall begin with "Mason" (MasonParks, MasonPW and MasonPH). In cases where the username is too many characters, begin with "MC" (MCProsecutor).
4. Department Twitter account backgrounds will share an official Mason County logo provided by the Information Services Department.
5. Twitter accounts shall serve three primary purposes:
  - A. Get emergency information in/out quickly
  - B. Promote County-sponsored events
  - C. Refer followers to content hosted at [www.co.mason.wa.us](http://www.co.mason.wa.us)
7. Information posted on Twitter shall conform to the policies and procedures of the County Social Media Policy and the department / office posting the information. Tweets shall be relevant, timely and informative.
8. Twitter content is short synopsis of information presented on the Mason County Website and other existing information dissemination mechanisms. Department communications officer shall ensure that information is posted correctly the first time. Twitter does not allow for content editing.
9. Department communications officer shall be responsive to those citizens who communicate via Twitter's @reply or direct message functions. Communication with followers will be timely and consistent with existing protocols.
10. Mason County Information Services Department shall have the right to suspend or close a Twitter account for improper usage in alliance with the Mason County Social Media Policy.

### Archive

1. Department communications officer shall be responsible for archiving Twitter posts. Initial policy will be to archive Twitter postings with the approved retention and archiving program selected by the Information Services in accordance to [RCW 42.56](#). In the retention and archiving program Twitter archives may not be visible to the public, but will be accessible for public document retention purposes.

## CHAPTER 16 CELLULAR TELEPHONE POLICY

**SCOPE:** This policy applies to all employees of Mason County, unless otherwise addressed by a current collective bargaining agreement or public safety policy.

### 16.1 CELLULAR TELEPHONE POLICY DEFINITIONS

**Cellular Telephones:** This includes, but is not limited to: Mobile devices that can be used for phone calls and/or texting messages, internet and network features.

**Electronic Files:** Information stored electronically residing on storage media containing data, images, programs or other information. This includes all files produced or copied onto County-owned or operated hardware, or files produced or copied either to or from other information systems on behalf of the County.

**Text Messages:** The act of composing and sending brief, electronic messages between two or more mobile phones, or fixed or portable devices over a phone network.

**Internet:** Refers to connectivity with other agencies, networks and/or services outside local area networks established and maintained by Mason County.

### 16.2 COUNTY OWNED CELLULAR PHONES

It is the policy of Mason County to provide employees with efficient, cost effective telephone communication equipment and services. The purchase and utilization of cellular telephones shall be limited to the requirement and specification contained in this policy.

The acquisition of cellular telephones shall be limited to those instances in which there is a demonstrated need for such equipment to perform essential County business or to improve safety, increase productivity, increase service to the public, or in situations in which necessary communications cannot be provided by any other means. The purchase of cellular telephones shall be subject to approval by the department head and completed by Mason County Information Services.

County Information Services Department shall install, service and support cellular telephones software connected to the County's network system. All equipment purchases, including hardware (phones) or software (applications), shall be approved, in writing, by the department head prior to purchase or installation on to cellular phone or communications equipment by Information Services.

Additionally, electronic communication equipment purchased and owned by employees with the intent of using it for County purposes will not be eligible for County reimbursement or to be placed on the County's network system.

### **16.3 USE OF CELLULAR PHONES**

Discretion is to be used in discussing confidential information using cellular communication. Cellular transmissions can be overheard by others. Employees are responsible for taking reasonable precautions to prevent theft and/or vandalism of cellular equipment. In an event an employee fails to use reasonable precautions, the county may require the employee responsible for such cellular telephone to reimburse the county for the reasonable cost to replace such telephone.

### **16.4 PERSONAL USE OF CELLULAR PHONES**

The County recognizes that occasions arise in which personal calls or text messages need to be made or received on a cellular telephone. However, it is intended that cellular telephones be used for County business-related purposes. Personal calls and text messages are to be minimized. Calls or text messages home or to the family, etc., by County staff when required to work extended hours shall be considered business calls or texts.

Making and receiving personal calls or text messages should be limited. Use of personal cellular telephones and/or County telephone equipment and services should not result in additional costs to the County and should not interfere with performance of official duties or normal business operations. Employees are trusted to exercise good judgment in both the duration and frequency of such calls and text messages. The County reserves the right to monitor the billing and use of all County owned cellular telephones. The County normally does not reimburse employees for calls made on personal cellular phones.

### **16.5 TERMINATION OF USE OF COUNTY OWNED CELLULAR PHONES**

If the conditions of this policy are violated by the employee, the department head may restrict or terminate the use of County owned cellular phones by the employee.

### **16.6 RECORDS RETENTION OF CELL PHONE RECORD**

The County Auditor's Office will retain copies of the County cellular telephone billing records. These billing records must include call history (all numbers called and text messages) in accordance with the laws set forth by the State of Washington. Billing records sent to the Auditor's Office without the call history will not be paid and sent back to the department due to lack of information. Text message contents will be retained the in the same fashion as the County's e-mails.

Cellular phone calls, text messages, e-mails, electronic files and internet usage made on County owned phones are subject to the Public Records Act (RCW 42.56), and the Washington Court Rules and specifically General Rules (GR) 22, 31 and 31.1 for courts. Therefore, there is an extremely narrow scope of expectation of privacy. All calls and text messages are open to public records requests. Information Services will provide text message management; install the application for and storage of text messages.

## 16.7 SERVICE BILLING

Information Services will manage and administer all County cellular phone contracts to include service plans, maintenance agreements and upgrades. The retention software will be purchased and funded by Information Services.

The cellular company will provide Information Services with individual department statements of monthly services. Each County department / office will be responsible for yearly budgeting and pre-approve the payment of their individual monthly invoices by Support Services Budget Office from their budget for their cellular telephone usage billing.