



**King County Housing Authority**  
Revised as of September 2013



## **WELCOME**

Welcome to the King County Housing Authority! The Authority strives to provide consistently outstanding services to its many clients and to maintain a positive and productive work environment for its employees.

The purpose of this Human Resources Policy Manual is to provide you with information about KCHA's personnel policies, procedures, practices and benefits. We hope that it will be a helpful resource for you in the course of your employment and ask that you take the time to read it and become familiar with its contents. The Manual provides a "snapshot" of current policies and procedures and incorporates federal and state mandates as well. Because we recognize that change is the norm, we will review this Manual periodically to amend these policies where necessary to reflect ongoing change in the KCHA workplace.

We know that no Human Resource policy manual can answer all questions that might arise in the day-to-day workings of a complex organization like KCHA. An employee with questions about any policy or its interpretation may contact their immediate supervisor, Department Director, Director of Human Resources or the Deputy Executive Director of Administrative Services for an explanation.

Again, welcome to KCHA.

Stephen J. Norman  
Executive Director

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## 1.0 INTRODUCTION

### 1.1 About This Human Resource Policy Manual

#### **Purpose**

This Human Resource Policy Manual (the manual) is designed to provide the King County Housing Authority (KCHA or Authority) with a human resource management system which clarifies the rights and responsibilities of both employees and KCHA's employer.

#### **Policy**

It is the policy of KCHA to develop and implement policies and procedures which will provide guidelines by which all employees are expected to carry out their work responsibilities and assignments. This manual contains general statements of KCHA's policy and should not be read as including all details of each policy. However, in many cases details are provided and appropriate cross-references are made. This manual should not be interpreted as forming an express or implied contract or promise that the policies discussed in it will be applied in all cases. It in no way creates a cause of action or any other rights of employees or management.

The policies contained in this manual represent the general policies and procedures of KCHA and are not intended in any way to supersede any collective bargaining agreements, individual employment contracts, KCHA written resolutions, or state or Federal law. In the event of conflict between any of these sources and this manual, the terms and conditions of the collective bargaining agreement, employment contract, resolution or law shall prevail.

This manual supersedes and replaces any earlier manuals, policies, practices, guidelines, or descriptions of the terms and conditions of employment, as well as any previous agreements, whether written or oral, expressed or implied, related to the subjects covered in this manual.

#### **Human Resources Manual Administration**

Except for the policy of at-will employment which can only be changed with the signed written consent of the Executive Director, the provisions of this manual may be amended or canceled in whole or in part at any time, with or without notice, at the sole discretion of KCHA or because of changes in local, state or Federal law. KCHA will try to keep the manual current, but there may be times when policy will change before this material can be revised.

The Deputy Executive Director and/or the Director of Human Resources have the primary responsibility for the provisions contained in this manual; however, all members of management share this responsibility and are required to administer these provisions as part of their management position.

Amendments to these provisions are by resolution of the Board of Commissioners of KCHA or administrative action by the Executive Director. Amendments, as they occur, will be forwarded by the Department of Human Resources to all manual holders to ensure a current and up-to-date reference source.

All questions relating to the provisions contained in this manual, or to human resources policies and procedures in general, should be directed to your supervisor, department director, the Director of Human Resources or the Deputy Executive Director of Administration.

## **2.0 NATURE OF THE EMPLOYMENT RELATIONSHIP**

### **2.1 Employment At-Will**

Employment with KCHA is at-will, which means that both employees and KCHA may terminate the employment relationship at any time, with or without notice, with or without cause, for any reason whatsoever. KCHA does not promise that the employment relationship will continue for a set period of time or specific term, or that the employment relationship can be terminated only under particular circumstances. KCHA reserves the right to exercise its discretion to change an employee's rate of pay, hours of work, benefits, and job duties, and to impose disciplinary action when warranted.

Only the Executive Director has the authority to enter into any agreement for employment for any specified length of time that is contrary to the policy of at-will employment. Any such agreement must be in writing and signed by the Executive Director in order to be valid unless otherwise subject to the terms and conditions of a collective bargaining agreement, if any. Nothing in this manual or in any oral or written statement shall limit the right to terminate employment at-will.

### **2.2 Equal Employment Opportunity**

KCHA is an equal opportunity employer that believes in promoting a diverse workplace in order to create a working environment in which all employees are provided with equal employment opportunities. KCHA will not discriminate against qualified applicants or employees with respect to any term or condition of employment based on race, color, national origin, ancestry, sex, gender identity, transgender status, sexual orientation, age, religion, creed, physical or mental disability, medical condition, genetic information, pregnancy, childbirth, or related medical condition, marital status, veteran status, or any other characteristic protected by Federal, state or local laws.

KCHA's compliance with equal employment opportunity laws applies to hiring, placement, reclassification, transfer, promotion, demotion, recruitment, advertising or solicitation for employment, treatment during employment, rates of pay or other forms of compensation, leaves of absences, and selection for training, layoff or termination. In accordance with this policy, KCHA maintains and annually updates an Affirmative Action Plan to ensure equal employment opportunity for all persons and to facilitate equal representation in the workforce. The spirit and intent of this policy also applies to all of our customer, vendor and professional relationships.

The Department of Human Resources is responsible for ensuring compliance and continued implementation of this policy with the full support of management. However, employees also share this responsibility. Any employee with questions or concerns about any type of discrimination in the workplace is encouraged to bring these issues to the attention of his/her immediate manager or the Department of Human Resources. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

### **2.3 Resident Employment Program and Economic Opportunities**

KCHA will direct job training, employment and economic opportunities to low income persons, particularly those who are residents of housing owned, managed or assisted by KCHA. This includes, but is not limited to:

- Advising residents and other low income persons of jobs and training opportunities at KCHA.
- Identifying residents and other low income persons seeking jobs and training opportunities.
- Linking residents and other low income persons with jobs and training opportunities available both within the community and with KCHA.
- Insuring that KCHA contractors, vendors and suppliers comply with requirements to provide job and economic opportunities to project area residents pursuant to Section 3 of the HUD Act of 1968.

### **2.4 Reasonable Accommodation for Persons With Disabilities**

#### **KCHA Is An Equal Opportunity Employer**

KCHA provides equal employment opportunities for individuals with mental or physical disabilities, and does not tolerate any discrimination, harassment or retaliation against anyone with a disability who requests or is provided with a reasonable accommodation. This policy applies to all areas of employment, including, but not limited to, recruitment, hiring, training, promotion, compensation, and benefits.

#### **Reasonable Accommodations for Applicants and Employees With Disabilities**

KCHA provides reasonable accommodations for job applicants and employees with disabilities to enable them to apply for positions and to perform their essential job functions, unless it would result in an undue hardship or such individuals pose a direct threat to the health and safety of themselves or others.

Employees who need an accommodation are encouraged to begin the process by discussing their needs with the Human Resources Department for assistance, including but not limited to requests for equipment purchases, ergonomic adjustments or physical modifications to the workplace, accessible materials, job restructuring, working at home, schedule modification, leave, policy modifications, modifying supervisory methods, job coaches, and reassignment.

#### **A. Initiating Reasonable Accommodations Process**

An employee who needs an accommodation due to a mental or physical disability can request reasonable accommodations by submitting a completed Request for Reasonable Accommodations form ([8025HR](#)) which can be obtained from KCHA Intranet or Human Resources. Once KCHA receives the form, it will initiate an interactive dialogue with the employee about the employee's functional capabilities, work limitations and what if any reasonable accommodations may be appropriate to enable the employee to perform the essential job functions.

#### **B. Medical Documentation May Be Required and Will Be Maintained Confidentially**

KCHA may request medical documentation from a health care provider that evaluates the employee's ability to perform the essential job functions, verifies the employee's work

limitations and need for reasonable accommodations. Although employees who request an accommodation are not required to disclose the underlying nature or diagnosis of their disability, they are expected to provide sufficient information about their functional capabilities and work limitations to enable KCHA to evaluate the need for job-related accommodations. Any information related to an employee's disability or medical condition will be maintained confidentially by KCHA, but may be disclosed to supervisors and managers where they need medical information in order to provide a reasonable accommodation or to meet an employee's work restrictions; to first aid and safety personnel if an employee would need emergency treatment or require some other assistance (such as help during an emergency evacuation) because of a medical condition; to individuals investigating compliance with the ADA and with similar state and local laws; and pursuant to workers' compensation laws (e.g., to a state workers' compensation office in order to evaluate a claim) or for insurance purposes.

### **C. Requests for Reasonable Accommodations May Be Denied Under Certain Circumstances**

Under certain circumstances, KCHA may refuse to provide the requested accommodation, including when an employee:

- Refuses to disclose information pertaining to his or her work limitations and functional capabilities to enable KCHA to determine what, if any accommodations are necessary to enable the employee to perform essential job functions;
- Fails to provide medical documentation to support the need for reasonable accommodations;
- Poses a direct threat to the health and safety to themselves or others;
- Removes or alters a job's essential functions;
- Lowers production or performance standards;
- Excuses violations of conduct rules that are necessary for KCHA's operations; or
- Requests an accommodation that would cause an undue hardship. A manager should not make the determination that a requested accommodation would impose an undue hardship without first consulting with Human Resources, who will assist in the assessment of the impact of the proposed accommodation on the overall financial resources, operations and workflow of the department and KCHA.

### **D. Reasonable Accommodations for Religious Beliefs and Practices**

KCHA will reasonably accommodate employee's religious beliefs and practices (as defined under applicable law). If an employee has a religious belief or practice for which he or she needs accommodation, he/she must notify their manager and the Department of Human Resources as soon as possible to determine whether the religious belief or practice can be reasonably accommodated.

Upon receipt of a request for an accommodation, the Department of Human Resources and the employee's manager will meet with the employee to identify what accommodation may be needed and whether the accommodations are reasonable. The Department of Human Resources, in conjunction with appropriate management staff having a need to know, such

as the employee's manager, will determine the reasonableness of potential accommodations.

## **2.5 Open Door Policy**

KCHA believes in fostering a positive working environment in which all employees will be able to achieve their highest potential and accordingly maintains an open door policy. The open door policy is designed to encourage employees to discuss work-related concerns or problems with their manager. Employees are encouraged to express any constructive concerns, raise questions and make suggestions for improvement. If an employee has a concern about his or her manager engaging in harassment, discrimination, or illegal conduct, the employee should discuss the concern with the Human Resources Department.

If resolution of the issue cannot be achieved through open discussion, then the employee has the right to present a written grievance. A grievance is an issue raised by an employee relating to the interpretation of rights, benefits and/or conditions of employment.

## **2.6 Internal Complaint Procedures (Grievances)**

If employees feel that they are being treated unfairly they are invited to promptly make use of the Open Door Policy in the following way:

### **Step 1: Report Any Concerns to Manager or Human Resources**

An employee with concerns about work-related issues (except job classifications), including complaints of discrimination and harassment are encouraged to speak directly with their manager in consultation with the Department of Human Resources within fifteen (15) calendar days after the incident that is the subject of the complaint. If the complaint is about the conduct of the employee's manager, the employee may skip Step 1 and proceed directly to Step 2 within fifteen (15) calendar days after the incident that is the subject of the complaint.

### **Step 2: Submit Complaint to The Department of Human Resources**

If the complaint is not resolved at Step 1 and the employee wishes to pursue a grievance, the employee shall submit a written complaint to the Department of Human Resources within fifteen (15) calendar days after the consultation with the manager described in Step 1. The complaint shall set forth in detail the basis for the employee's complaint and the specific relief requested. After the written complaint is filed with the Department of Human Resources, a representative from the Department of Human Resources or a neutral third party, will meet with the employee and investigate the complaint, as necessary, interview any witnesses with direct knowledge relevant to the complaint, and review any supporting documents or other evidence. As soon as practicable after the conclusion of the investigation, the Department of Human Resources or its designee will notify the employee of the outcome of the investigation and any action taken to resolve the issue. If the complaint concerns conduct by any Department of Human Resources personnel, an employee may skip Step 2 and proceed directly to Step 3 within ten (10) calendar days after such conduct occurred.

**Step 3: Appeal Decision to The Executive Director**

If the grievance is not resolved at Step 2, the complainant may pursue the grievance further by submitting a written request for review directly to the Executive Director or designee in writing within ten (10) calendar days after being notified of the outcome of the investigation or, in the case of conduct by the Department of Human Resources personnel, within ten (10) calendar days after such conduct occurred. The employee's written request for review by the Executive Director or designee shall state the basis for the complaint or disagreement with Human Resource's decision and the specific relief that the employee is seeking. The Executive Director or designee will investigate each complaint received, and may interview any witnesses and arrange to meet with the parties involved. As soon as practicable after the conclusion of its investigation, the Executive Director or designee will notify the employee of the outcome of any investigation and his or her decision, this is final. If the complaint concerns conduct by the Executive Director, an employee may skip Step 3 and proceed directly to Step 4 within ten (10) calendar days after such conduct occurred.

**Step 4: Appeal to The Board of Directors**

If the complaint concerns conduct by the Executive Director, a written request for review may be submitted directly to the President of the Board of Directors within ten (10) calendar days after such conduct occurred. The written request for review shall state the basis for the employee's complaint or disagreement with the decision and the specific relief that the employee is seeking. A representative of the Board or his or her designee will investigate each complaint received, and may interview any witnesses and arrange to meet with the parties involved. As soon as practicable after the conclusion of its investigation, the Board will notify the employee of the outcome of any investigation and their decision, which will be considered final.

## 3.0 WORK RULES AND STANDARDS OF CONDUCT

### 3.1 Standards of Conduct

To ensure the best possible work environment, KCHA expects employees to observe certain standards of job performance and follow rules of conduct. The rules of conduct set forth below and elsewhere in this manual are intended to provide employees with examples of prohibited conduct, but is not meant to be comprehensive of all conduct that would be considered in violation of KCHA policy. Violation of any KCHA policy or procedure, as revised from time to time, may result in disciplinary action, up to and including termination of employment.

When job performance or conduct does not meet acceptable standards, KCHA will endeavor, in its sole discretion, to provide employees with a reasonable opportunity to correct the deficiency. If an employee fails to correct the conduct or improve performance, he or she will be subject to disciplinary action, up to and including termination of employment. Moreover, misconduct not specifically listed below, but which adversely affects the interests of KCHA, may also lead to disciplinary action, including immediate termination of employment. Examples of conduct warranting disciplinary action include, but are not limited to:

- Harassment or discrimination against employees, managers, directors, vendors, independent contractors or consultants, agents, volunteers, residents or customers;
- Fraternizing with a resident which may include dating, engaging in a personal relationship, and socializing to the extent not necessary for valid, work-related reasons;
- Providing false information or omitting material facts on any documents in connection with employment including, but not limited to job applications, resumes, employment, medical, payroll, financial or time keeping records;
- Violation of the Policy Against Workplace Violence, including engaging in violent, abusive or disorderly conduct, or possession, use, sale or purchase of weapons on work property, during work hours, or while performing work-related functions;
- Violation of the Drug and Alcohol Free Workplace Policy, including possession, use, sale or purchase of illegal drugs, prescription drugs by someone other than the prescribed user, or controlled substances on work property, during working hours, or while performing work-related functions;
- Poor performance, unsatisfactory work quality or quantity;
- Unauthorized use, theft or damage of any KCHA property or the property of any employee, director, vendor, independent contractor, consultant, agent, volunteer, resident or customer;
- Removing or borrowing KCHA property without prior authorization;
- Participating in horseplay or practical jokes during work hours or on premises owned or occupied by KCHA;
- Engaging in criminal conduct whether or not related to job performance;

- Insubordination, including but not limited to failure or refusal to obey the order or instruction of any manager or management official;
- Using profane, abusive, threatening or disrespectful language at any time during working hours or while on premises owned or occupied by KCHA;
- Violation of the Use of Office Technology and Security Policy regarding use of the office's computer, e-mail, Internet, phones and voicemail systems;
- Excessive/unexcused tardiness or failing to timely notify the appropriate immediate manager when unable to report for work on a scheduled workday;
- Failing to observe work schedules, including rest and lunch periods;
- Abusing annual leave time or sick leave, including failing to provide a doctor's or other authorized medical professional's certificate when requested or required to do so;
- Sleeping, gambling or malingering on the job;
- Violating any safety, health, or security policy, rule, or procedure; or
- Committing a fraudulent act or a breach of trust, including, but not limited to breaches of ethical conduct or unauthorized disclosure of KCHA's confidential, proprietary or trade secrets or other confidential obligations in any circumstances.

### **3.2 Anti-Discrimination and Workplace Harassment**

KCHA believes in respecting the dignity of each employee and expects every employee to show respect for all co-workers, residents, customers, vendors, volunteers, agents and the general public. Respectful, professional conduct furthers KCHA's mission, promotes productivity, minimizes disputes, and enhances our reputation. Accordingly, this policy prohibits discrimination or harassment that is based on an individual's race, color, national origin, ancestry, sex, gender identity, transgender status, sexual orientation, age, religion, creed, physical or mental disability, medical condition, genetic information, pregnancy, childbirth or related medical condition, marital status, veteran status, or any other characteristic protected by federal, state or local laws. KCHA is committed to providing a work environment that is free of unlawful discrimination, including harassment that is based on any legally protected characteristic.

#### **Coverage**

These policies prohibit employees, of KCHA from engaging in discrimination or harassment of any KCHA employee or applicant. KCHA will also take action against vendors, independent contractors or consultants, agents, volunteers, residents or customers who engage in discrimination or harassment.

#### **Prohibited Conduct**

The conduct prohibited by this policy, includes any discriminatory employment action or unwelcome conduct, whether **verbal, written, physical, or visual** that adversely affects someone based on protected characteristics which:

- Affects tangible job benefits (e.g., wages, promotions, or any other conditions of employment).
- Unreasonably interferes with work performance.
- Creates an intimidating, hostile or offensive work environment.

Among the types of unwelcome conduct prohibited by this policy include any actions that show hostility toward individuals because of their protected characteristics as covered in KCHA's Equal Employment Opportunity policy. Examples of harassment prohibited by this policy include, but are not limited to:

- **Verbal harassment**: use of derogatory words, phrases, slurs or epithets;
- **Written harassment**: sending obscene or offensive memos, letters, notes, e-mails, text messages or cards;
- **Physical harassment**: offensive or overly aggressive physical contact, intimidating acts, bullying, horseplay; or
- **Visual harassment**: leering, displaying or distributing offensive cartoons, drawings, pictures, posters, or websites on the Internet.

Employees may say things or engage in conduct without intending to cause harm or offense to others. However, employees will be held responsible for the impact of their actions regardless of their intent. Even where the conduct is not sufficiently severe or pervasive to constitute a violation of the law, KCHA prohibits any such conduct in the workplace.

In addition, conduct prohibited by this policy is unacceptable in any work-related setting outside of the workplace, such as during business-related trips, meetings or social events. Employees engaging in such conduct in violation of this policy will be subject to disciplinary action, up to and including termination of employment. Employees who experience or witness any conduct they believe to be in violation of this policy should immediately follow the reporting procedures described under the Internal Complaint Procedures in this manual. KCHA will promptly and confidentially investigate any reports of inappropriate conduct and will take prompt and remedial action. To the extent possible, the employee's privacy, and that of any witnesses, as well as of the alleged harasser, will be protected against disclosure, except as necessary to conduct the investigation and take appropriate disciplinary action. All employees must cooperate fully with any investigation pursuant to this policy. Failure to cooperate or any attempt to interfere with, influence or impede an investigation shall be grounds for disciplinary action up to an including termination of employment.

### 3.3 Anti Sexual Harassment

KCHA policies prohibit employees, managers, directors, vendors, independent contractors or consultants, agents, volunteers, residents or customers of KCHA from engaging in sexual harassment. Sexual harassment generally consists of unwelcome sexual advances, requests for sexual favors, or other **verbal, written, physical or visual** conduct of a sexual nature when:

- Submission to such conduct becomes an implicit or explicit term or condition of employment;
- Submission to or rejection of the conduct is used as the basis for any employment decision; or
- It creates an intimidating, hostile or offensive work environment.

Examples of sexual harassment prohibited by this policy include, but are not limited to:

- **Verbal harassment**: requests for sexual favors, unwelcome sexual advances, graphic or degrading conversation containing sexual comments, derogatory comments or slurs about someone's body.
- **Written harassment**: sending sexually suggestive, obscene or offensive memos, letters, notes, e-mails, text messages or cards.
- **Physical harassment**: offensive physical contact, including grabbing, pinching, patting, or brushing up against another person's body.
- **Visual harassment**: leering, making sexual gestures, displaying or distributing sexually suggestive cartoons, drawings, pictures, posters, or websites on the Internet.

#### **Complaint Procedures, Investigation and Corrective Action**

Employees at KCHA can help assure that our workplace is free from discrimination and harassment. Employees are expected to avoid any behavior or conduct that could reasonably be perceived as offensive or harassing.

Employees who experience or witness any conduct they believe to be in violation of this policy should immediately follow the reporting procedures described under the Internal Complaint Procedures in this manual.

KCHA maintains posters on bulletin boards that provide information about employee's rights to a workplace free of discrimination and harassment. These posters also identify governmental agencies such as the federal Equal Employment Opportunity Commission (EEOC), of which an employee may contact directly for information on how and when to file a complaint.

All employees will be required to attend regular training on how to address and prevent sexual harassment in the workplace. Any manager who witnesses or becomes aware of discrimination and/or harassment and who fails to take immediate action may be subject to disciplinary action, up to and including termination of employment.

KCHA will promptly and confidentially investigate any reports of inappropriate conduct and will take prompt and remedial action. To the extent possible, the employee's privacy, and that of any witnesses, as well as of the alleged harasser, will be protected against disclosure, except as necessary to conduct the investigation and take appropriate disciplinary action. All employees must cooperate fully with any investigation pursuant to this policy. Failure to cooperate or any attempt to interfere with, influence or impede an investigation shall be grounds for disciplinary action up to and including termination of employment.

In some circumstances, a violation of this policy may occur and disciplinary action may be imposed, even when the conduct does not rise to a violation of the law.

### **3.4 Anti Retaliation**

KCHA prohibits retaliation against any employee for good faith reporting of discrimination or harassment, for assisting another employee or applicant in making a report, for cooperating in an investigation of such a complaint, or for filing an administrative claim with the EEOC or a state governmental agency. Employees who experience or witness any conduct they believe to be retaliatory should immediately follow the reporting procedures described under the Internal Complaint Procedures in this manual.

### **3.5 Anti Workplace Violence**

KCHA is committed to working with all employees to maintain a work environment that is free from violence, threats of violence, harassment, intimidation, and other disruptive behavior. The work environment includes all buildings, grounds, parking lots and vehicles. KCHA strictly prohibits employees, managers, directors, vendors, independent contractors or consultants, agents, volunteers, resident or customers of KCHA from behaving in a violent or threatening manner. To prevent workplace violence, KCHA reserves the right to deal with behavior that suggests a propensity towards violence before the occurrence of any violent behavior.

#### **Prohibited Conduct**

Conduct prohibited by employees, managers, directors, vendors, independent contractors or consultants, agents, volunteers, resident or customers includes, but is not limited to:

- Threats of any kind.
- Intimidating, menacing, hostile, physically aggressive, or violent behavior, including stalking and surveillance.
- Behavior that suggests a propensity towards violence, including belligerent speech, excessive arguing or swearing, or a demonstrated pattern of refusal to follow company policies and procedures.
- Defacing or causing physical damage to company property.
- Possession, use, sale or purchase of weapons\* or firearms of any kind on work premises, whether during working hours or work-related functions, or while conducting company business.
- Any conduct that adversely affects legitimate business interests and which could potentially result in violation of any criminal laws relating to threats of violence or violent acts.

\*Weapons shall mean any device or implement designed, intended or used for inflicting bodily injury including but not limited to firearms; swords, spears, javelins, knives, daggers, dirks, or any weapon with a blade in excess of 3-1/2 inches in length; bows, cross-bows, arrows, slingshots or any other device designed to throw a missile or other object; clubs, bats, sticks, saps, brass knuckles or any device capable of inflicting bodily injury; explosives and explosive devices; electronic stunning devices; and any device discharging a chemical designed to incapacitate.

### **Reporting Procedures, Investigation and Corrective Action**

If an employee is aware of any conduct that creates a potentially violent or dangerous situation, the employee should immediately call 9-1-1 for help. Otherwise, employees who experience or witness any conduct they believe to be in violation of this policy should immediately follow the reporting procedures described under the Internal Complaint Procedures in this manual. Employees are expected to cooperate fully with security, law enforcement, emergency and medical personnel that respond to a call for help. Employees must not put themselves in peril, but if qualified, may provide first aid to injured persons.

All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. All employees must cooperate fully with any investigation pursuant to this policy. Failure to cooperate or any attempt to interfere with, influence or impede an investigation shall be grounds for disciplinary action up to and including termination of employment.

Workplace violence will not be tolerated and could be the basis for immediate disciplinary action, even if not sufficiently serious to constitute a violation of any law. KCHA will take appropriate corrective action and impose disciplinary action on offending employees, up to and including termination of employment. In addition, an employee who commits or threatens to commit acts of workplace violence may be required to undergo a fitness for duty medical examination to determine if the employee is fit to work or presents a safety risk to him or herself or to others.

KCHA will not tolerate retaliation or intimidation against any employee for making a good faith report of workplace violence, or for participating in an investigation of such a complaint.

### **3.6 Drug and Alcohol Free Workplace Policy**

KCHA has a strong commitment to maintaining a safe and healthy work environment for its employees. Employees who work under the influence of drugs and alcohol may compromise these interests by endangering the health and safety of themselves and others. Alcohol and substance abuse in the workplace can cause a number of work-related problems, including absenteeism and tardiness, poor productivity and substandard job performance, an increased workload for co-workers, and inferior quality of service to customers. To further its interest in maintaining a safe and healthy working environment, and preventing accidents and injury to its employees and others, KCHA has a policy against working under the influence of drugs and alcohol.

This policy applies whenever an employee's drug or alcohol use may adversely affect KCHA interests by:

- Interfering with employee's own performance or others' job performance.
- Impeding the safe and efficient operation of KCHA business.

- Endangering the health or safety of the employee or other employees, managers, directors, vendors, volunteers, independent contractors or consultants, agents, customers or residents of KCHA.
- Posing a risk of damage to KCHA property or equipment.

This policy is not limited to employee conduct on work premises or facilities, but also covers activities that occur:

- While an employee is conducting or performing work on behalf of KCHA, regardless of the location, even if it is off work premises.
- In any work-related setting outside of the workplace, such as during business-related trips, meetings or social events.
- While an employee is operating or responsible for the operation, custody, or care of facilities, equipment, property or vehicles owned or leased by KCHA.

### **Prohibited Conduct**

No employee may use, abuse, possess, transfer, share, distribute, manufacture, or sell any illegal drugs, controlled substances or alcohol, during working hours, on work premises, while conducting business for KCHA or in any manner inconsistent with state, federal or local law. In some instances, employees may consume alcoholic beverages at company-sponsored events when appropriate monitoring is in place and with the appropriate level of approval.

Employees do not have a reasonable expectation of privacy in KCHA property, such as but not limited to desks, lockers, toolboxes, and vehicles, and can search KCHA property at any time, with or without reasonable suspicion. In cases of reasonable suspicion of possession of illegal or unauthorized drugs, alcohol, or in cases otherwise involving some risk or harm, KCHA reserves the right to search not only all KCHA property but also an employee's personal belongings, with or without notice. Such belongings might include, but are not limited to any bags, purses, briefcases, and clothing. In addition, KCHA may request the assistance of law enforcement officials in order to search an employee's vehicle as appropriate.

The legal use of prescription drugs that endanger the employee or others is also prohibited. Any employee who is using prescription or over-the-counter drugs that may impair his or her ability to safely perform the job or may affect the safety or well-being of others must submit a physician's statement that the prescription drug use will not affect job safety. In addition, an employee may be required to see a doctor or take a leave of absence (use sick or annual leave if available) if the doctor finds that the employee cannot do his or her job safely and efficiently because of the use of prescription or over-the-counter medication. Possession and use of prescription drugs must also be consistent with state, federal and local law.

Any employee found to be in violation of this policy will be subject to disciplinary action, up to and including termination of employment. A violation of this policy can be found even if the conduct at issue does not violate any laws or the employee is not criminally prosecuted or convicted for such conduct. Employees who experience or witness any conduct they believe to be in violation of this policy should immediately follow the reporting procedures described under the Internal Complaint Procedures in this manual.

All employees are required to notify the Director of Human Resources of any criminal drug statute conviction or violation occurring in the workplace or during work hours related to the unlawful manufacture, distribution, dispensation, possession or use of any drug within five (5) days of such conviction or violation. Depending on the circumstances, conviction for the illegal use, sale, or possession of narcotics, drugs, or controlled substances off duty or off the premises or working under the influence of alcohol, can result in immediate termination of employment.

### **3.7 Attendance and Punctuality**

KCHA's ability to effectively operate depends upon the cooperation and commitment of each employee. Regular attendance and consistent punctuality is required, as co-workers must inevitably bear the impact of an employee's absence and tardiness. KCHA employees will be present at their jobs in accordance with policies regarding hours of work, holidays, annual leave, sick leave, alternative work schedules, and recognized leaves of absence.

Employees are expected to report and be ready to begin work at their scheduled starting time and should not leave the work premises without prior approval during work hours or prior to the end of a scheduled work shift, except for meal periods and rest breaks.

Employees who are absent or late for any reason, must notify their manager as soon as possible before their scheduled workday for each day they will be absent unless extenuating circumstances prevent an employee from reasonably being able to do so. Unless there is a policy that specifically provides otherwise, use of annual leave must be scheduled in advance. For attendance procedures during inclement weather, please refer to the Emergency and Non-Emergency Closure policy in this manual. Otherwise, all unreported absences will be considered an unauthorized absence without pay. In addition, absences without authorization or approval are not considered annual leave or sick leave and a deduction will be made from the employee's paycheck for the period of unauthorized absences.

Failure to properly notify the Department Manager in advance of an absence, late arrival, and early departure from work, frequent or prolonged unexcused absenteeism, or falsification of time records may result in disciplinary action, up to and including termination of employment.

An employee, who fails to report to work for three (3) consecutive workdays without notifying his or her manager, will be deemed to have voluntarily resigned. If an employee is absent for three (3) or more work days due to illness or injury of the employee or a minor child, parent, parent-in-law, spouse or domestic partner, grandparent, or adult child with a disability, a health care provider's verification may be required to verify the illness or injury, its beginning and expected ending dates, and/or to verify that the employee is well enough to return to work. An employee who is absent due to a work-related illness or injury must report it and apply for workers' compensation benefits.

### **3.8 KCHA Driving Policy**

Driving a vehicle (personal or KCHA owned) on KCHA business is an essential job function and a job requirement for a number of positions. Employee driving, as part of a job description, shall be classified as an essential job function; or an occasional part of the job function that may or may not be essential. Unless a KCHA vehicle is available, an employee may need to drive their own personal vehicle in order to perform essential or occasional job duties.

Driving on KCHA business involves significant responsibility. This is due to potential bodily injury and property damage associated with vehicular accidents along with KCHA's potential liability in the event of an accident. Pursuant to this responsibility and potential liability exposure, KCHA has established minimum driver qualification standards for driving on KCHA business. The Driver Table of Qualifications in this policy sets out the criteria that will be used to evaluate new and existing employees for their eligibility to operate a vehicle on KCHA business. The intent of these standards is so that public safety is promoted, insurance coverage is maintained and coverage is guaranteed in the event of an accident. An employee's inability to meet the requirements or to comply with this policy may make the employee unable to perform the essential functions of the position and therefore unqualified for his/her job.

### **Basic Requirements and Practices**

All applicants for employment in positions that require driving must submit to a background check which includes a driving record review and evaluation as a condition of employment.

- For positions which require driving as an essential part of the job duties, the applicant's Washington State Department of Licensing (DOL) record must meet KCHA's driver qualification standards and be consistent with this policy. If not, an employment, promotion or transfer offer will not be extended.
- If an offer for a position which requires driving as an essential part of the job duties has been made pending verification of the DOL record, and the prospective employee does not meet KCHA's driver qualification standards, the offer will be rescinded.
- If driving is not an essential function of the job and the applicant's DOL record does not meet KCHA standards or is inconsistent with this policy, employment will be offered at the discretion of the Human Resources Director, Department Director and the Executive Director or designee.

An employee who is selected for promotion and/or transfer to a position which requires driving as an essential function must submit to the background check, DOL record check and evaluation and must comply with the provisions of this policy.

All employees, who regularly or periodically drive for KCHA business, will be subject to periodic and/or random DOL driving record review and evaluation as a condition of continued employment. In the event that a review or notification reveals that an employee's driving record or license status does not meet the driver qualification standards as set forth in this policy, the employee will not be able to operate a vehicle on KCHA business.

Within two (2) business days of occurrence, an employee shall notify his/her manager, the Risk Manager and the Director of Human Resources of any change in his/her driving record and driver's license status. This includes but is not limited to: DUI's, driver's license revocations, suspensions, expirations, and restrictions.

### **Driver Qualification Criteria and Evaluation**

#### **A. Driver Record Evaluation**

- No person shall drive a KCHA or personal vehicle for use in official KCHA business without possessing a valid Washington State Driver License. Employees who are newly hired and have a valid driver's license from another state will have thirty (30) days from the date of hire, transfer, promotion, etc. to obtain a valid Washington State Driver's License.

- All employees with the above driving privileges may be subject to periodic or random evaluation of their driving record. The results may be included as part of their performance review by the Department Director or direct Manager. The evaluation will identify all events that have resulted in a traffic citation or incident identified on the driver's abstract that may affect their ability to retain a valid Washington State Driver License.
- The evaluation time period for the driver's abstract review is the past 3 years; however, major convictions will be included for the past 5 years.
- The qualification criteria listed below will be used to evaluate applicants and existing employees for their eligibility to operate vehicles, KCHA owned or private, for KCHA business.

**B. General Disqualifying Factors for Applicants**

- Under 18 years of age and has less than one year of documented driving experience.
- Driver's license suspended once (or more) in the last three years, or twice (or more) in the last five years.
- Driver's license revoked once (or more) in the last five years.

**C. Point Criteria for Qualifications to Drive**

<b>Point Criteria for Qualifications to Drive</b>		
<b>Criteria for Qualifications</b>	<b>Points</b>	
Minor Citation, No-Fault Crash involved (within 3 years)	1	
At-Fault Citation (within 3 years)	2	
Major Conviction (within last 3 years)	6	
Major Conviction (within last 5 years)	4	
2 Incidents (within last 18 months), adds	1	
3 Incidents (within last 18 months), adds	2	

  

<b>Qualification Status</b>		
<b>Employment Status</b>	<b>Point Totals</b>	<b>Qualification Status</b>
New Hire/Promotion/Volunteer	6 or more points	Not Qualified to Drive
All Employees	6 or more points	One Year Probation
All Employees	8 points	Disqualified from Driving until they have 6 or less points.

**D. Loss of Vehicle Use for KCHA Business**

- If an employee or applicant is not qualified to drive a vehicle (including personal vehicles) for KCHA business, the Department Director and the Director of H will determine the next course of action.

**E. Additional Requirements for Current Employees**

- Any employee whose job description requires him/her to maintain a valid Washington driver's license and is found to have been cited for any of the above driving violations may be subject to disciplinary action in accordance with Human Resources policies.
- Any employee who is convicted and/or pleads guilty to a driving violation charge involving driving under the influence of alcohol, controlled substances, or other drugs will be placed on driving probation and shall not drive on KCHA business. The Department Director and the Director of Human Resources will approve a return to work action plan for such an employee in accordance with KCHA Human Resources Policies and Procedures Manual and the KCHA Drug Free Workplace Policy.
- Any employee who has been involved in multiple collisions or receives citations or convictions relating to driving violations may have their driving abstract reviewed by the Department Director, the Human Resources Department and/or Risk Management to evaluate the individual's driving record for trends and/or patterns. Such review may result in KCHA determining that the employee shall not drive for work purposes.

**F. Definitions**

- **Minor Citation:** Any moving traffic violation (excluding parking tickets), unless it falls under the major violations definitions and criteria.
- **Major Conviction:** Any violation that involves the following:
  - Reckless or negligent driving or other similar offense (e.g., careless driving)
  - Failure to stop and report a vehicle incident (e.g., hit and run)
  - Any driving offense involving the use of drugs, alcohol, controlled substances, or other gross misdemeanors or felonies
  - Driving while license is suspended or revoked
  - Eluding an officer of the law
  - Possession of open container of alcoholic beverage
- **At-fault collision:** A collision arising out of the use of a motor vehicle due to the negligence of the operator or for which the operator was at fault.
- **Vehicle collision:** Any occurrence in which the KCHA-owned or operated vehicle comes in contact with another vehicle, a person, object or animal or is damaged.
- **Vehicle Incident:** Includes all of the above for the purposes of assessing and evaluating an existing employee's driving record or the hiring of a new employee.

**Employees Not Meeting Driver Qualification Standards**

Any employee who does not meet the KCHA driver qualification standards shall immediately cease driving on KCHA business until such time as an alternate resolution, or decision with respect to continued employment, is made and approved by the Department Director, Director of Human Resources and the Executive Director or designee. If driving is an essential job requirement the employee may, at KCHA's option, be offered the following alternate resolutions:

- Transfer to a position where the driving can be restricted;

- Demotion to a position where driving can be restricted;
- Suspension without pay until the employee meets the qualifications;
- Termination of employment; or
- Other acceptable solutions as determined by the Deputy Executive Director or designee and Risk Manager.

**Commercial Driver's License** If an employee is required to possess a commercial driver's license to drive or operate a commercial vehicle as part of his/her job duties, then he/she will be subject to several types of State of Washington administered drug and alcohol testing pursuant to the Omnibus Transportation Employer Testing Act which currently include:

- Post-accident testing;
- Random testing;
- Reasonable suspicion testing;
- Return to duty testing; and
- Accident follow-up testing.

### **Vehicle Use Policy**

Anyone driving on KCHA business or using a KCHA vehicle is expected to comply with the following requirements:

- **KCHA Business Only:** KCHA owned, leased, or rented vehicles shall be operated only by authorized KCHA employees or agents for business related activities, except where reasonably necessary to accommodate employee meal breaks, other physical needs, approved breaks and incidental uses while commuting. Vehicles may not be used for personal business even though the personal business may not result in additional cost to KCHA, unless otherwise authorized by the Deputy Executive Director or designee.
- **Observe Traffic Rules:** All employees driving on KCHA business must possess a valid Washington State Driver License (or, if they are in the first thirty (30) days of employment, a valid driver's license from another state) and shall observe all traffic laws, regulations and courtesies at all times, including wearing seatbelts. Traffic fines, parking tickets, and/or penalties levied for violations of law and for which the employee is directly responsible shall be paid by the employee.
- **Driving Record/Training:** All employees driving on KCHA business must have a satisfactory driving record pursuant to this policy. Employees who operate a vehicle as an essential function of their job shall be required to complete a drivers' training course every three years.
- **Cell Phone Usage:** Wireless communication, including talking, emailing, instant messaging, checking web pages or other electronic information sources, or texting, is prohibited while driving on KCHA business. This prohibition applies to both handheld and hands-free devices.

- **Transportation of Persons:** Unless authorized by the Deputy Executive Director or designee, passengers shall be restricted to KCHA employees, and/or employees of other agencies or organizations on KCHA business.
- **Personal Vehicle Liability Insurance:** Employees utilizing personal vehicles on KCHA business shall maintain automobile liability insurance coverage as required by Washington state law. At any time, an employee's manager or the Risk Manager may request verification of the employee's automobile liability insurance coverage for the personal vehicle driven on KCHA business. When using a personal vehicle on KCHA business, the employee's vehicle insurance is primary.
- **Abuse of Vehicles:** Employees will operate all vehicles used for KCHA business in a safe, courteous, and prudent manner at all times, including maintaining the contents of the vehicle in such a manner that they do not pose a hazard to the driver, occupants, or other vehicles, persons, and property. All collisions or damage to KCHA vehicles must be promptly reported to the employee's manager and Risk Manager no later than the end of the employee's work day.
- **Personal Responsibility:** The employee, department or area office assigned a KCHA vehicle is responsible for keeping the vehicle clean, washed and serviced on a regular basis as prescribed by the Fleet Administration Program. Employees using KCHA vehicles are responsible for ensuring that the vehicles have sufficient gas, oil, water, air and other fluids and must immediately report to the manager any problems with respect to KCHA vehicles.
- **Loss/Damage of Personal Items:** KCHA shall not be responsible for loss or damage to personal property in KCHA vehicles.
- **Right to Search:** KCHA reserves the right to search any KCHA vehicle at any time without notice and without cause.
- **Tobacco and Marijuana Use:** Smoking and/or use of tobacco and marijuana is prohibited in KCHA vehicles. Possession of marijuana in KCHA vehicles is also prohibited.
- **Parked Vehicles:** No vehicle will be left unattended with the key in the ignition or with the key in the vehicle. Vehicles shall be locked when not occupied by the employee.

Failure to comply with these usage policies may result in disciplinary action up to and including termination and/or revocation of the right to operate a KCHA vehicle.

The following guidelines also apply to general usage of vehicles while conducting KCHA business:

- The use of KCHA vehicles shall be managed with priority given to safety, cost effectiveness and fuel conservation.
- Employees, departments or area offices assigned a KCHA vehicle must provide a "Quarterly Motor Vehicle Report" to the Fleet Manager unless this requirement is waived.
- The use of KCHA vehicles assigned to a department or area office and mileage reimbursement for personal vehicles are preferred over KCHA vehicles assigned to employees.
- Assignment of a KCHA vehicle is neither a privilege nor a right and will not be made solely on the basis of merit or status.

### **Vehicle Assignment**

KCHA vehicles may be assigned to an employee, a department or an area office. At least one of the following conditions, as determined by the Department Director and approved by the Executive Director or designee, should exist prior to the assignment of a vehicle:

- When travel requirements of the employee, department or area office are demonstrated to average not less than 750 miles per month. This travel does not include home to work commuting.
- When an employee requiring a vehicle is on 24-hour call as determined and approved by the Executive Director or designee, and it is not practical to provide any other means of transportation.
- When a need exists for a specially equipped or special purpose vehicle.

Assignment of a vehicle for any purpose other than those listed above is done only after justification by the Department Director and approved by the Executive Director or designee. Assignment of a vehicle to an employee is not in itself sufficient justification for assignment of a take-home vehicle for commuting purposes. Annually, the Executive Director or designee, Department Director and Risk Manager will reevaluate, reassign and update all vehicle assignments.

### **Criteria for Assigned Take-Home Vehicle**

KCHA take-home vehicles may be assigned to an employee when at least one (1) of the following conditions, as determined by the Department Director and approved by the Executive Director or designee exists:

- **24-Hour On-Call:** When an employee requiring a vehicle is on 24-hour call as determined and approved by the Executive Director or designee, and it is not practical to provide any other means of transportation.
- **More Economical:** When storing the vehicle at an employee's home is more advantageous and economical than the purchase, lease, or rental of a commercial garage or other parking facility. Security and safety are to be considered when determining storage location of vehicles.
- **Outside of Normal Working Hours:** When an employee regularly commences business activity prior to the opening time of an area office, or outside an employee's normally scheduled work hours, or later than the closing time of the vehicle's customary storage area.
- **Safety & Security:** When, because of darkness, late hour, isolated location, that area has a record of crime, there is a threat to personal safety, or there is a reasonable basis for fear or uneasiness in returning a vehicle to its customary storage area.
- **Incidental Travel:** When it is economical and advantageous to KCHA to allow such incidental travel in a vehicle.

Department Directors may approve employees occasionally taking home KCHA vehicles when employees are attending night meetings or other business activities that might occur outside normal work hours (“occasional overnight usage”).

### **3.9 Restrictions on Political Activities**

KCHA is an entity subject to federal, state, and local laws and regulations regarding political and campaign activities. While all employees are free to express political opinions and engage in political activities, it is important that they do so only in their individual capacities and avoid even the appearance that they are speaking or acting for KCHA in political matters.

#### **Prohibited Conduct**

Notwithstanding the above, KCHA does not seek to inhibit the expression of personal political views by any individual. Employees may display materials that encourage people to vote and/or support a particular candidate, but may not actively campaign during work hours or on KCHA property. Some examples of prohibited activities include, but are not limited to the following:

- Soliciting political contributions from employees.
- Soliciting political support for a party faction or candidate from employees.
- Use of official authority or influence to interfere with or affect the result of an election or nomination for office.
- Becoming a candidate for nomination or election to any public office which is to be filled in an election in which party candidates are involved, if the employee’s salary is paid for completely by federal loans or grants.

Failure to comply with this policy may result in disciplinary action, up to and including termination of employment.

### **3.10 Ethics and Conflicts of Interest**

Employees are expected to devote their best efforts and attention to the full-time performance of their jobs. Moreover, employees are expected to use good judgment, to adhere to high ethical standards, and to avoid situations that create an actual or potential conflict between their personal interests and the interests of KCHA. A conflict of interest exists when the employee's loyalties or actions are divided between KCHA’s interests and those of another, such as a competitor, supplier, resident, friend, family member, or customer. Both the fact and the appearance of a conflict of interest should be avoided. Employees unsure as to whether a certain transaction, activity, or relationship constitutes a conflict of interest should discuss it with their immediate manager or the Department of Human Resources for clarification. Any exceptions to this policy must be approved in writing by the Executive Director or designee.

Public confidence in government is essential and must be sustained by establishing and enforcing rules to assure the impartiality and honesty of officials and employees in all public transactions and decisions.

Commissioners and employees shall not acquire any interest, direct or indirect, in any housing project or in any property included or planned to be included in any project, nor shall they have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used in connection with any housing project. If any employee or commissioner

owns or controls an interest, direct or indirect, in any property included or planned to be included in any housing project, he/she shall immediately disclose same in writing. Failure to disclose such interest shall constitute misconduct in office. Upon such disclosure such employee or commissioner shall not participate in any action by KCHA affecting such property.

**Prohibited Conduct**

Examples of other prohibited conduct include, but are not limited to the following:

**A. Use of Public Property**

No KCHA employee shall request or permit the use of KCHA vehicles, equipment (including all phones and computer equipment), tools, materials or property or the expenditure of KCHA funds for personal convenience or profit or for the convenience or profit of another who has a connection to the employee, such as but not limited to the employee's friends, co-workers, and family members. Use or expenditure is to be restricted to such services as are available to the public generally or for such employee in the conduct of official business.

**B. Personal Work by Employees**

Management staff is prohibited from requesting or permitting KCHA subordinates to perform any work for the personal benefit of such management staff. Such prohibited personal work includes, without limitation, work on such management staff's residence(s), vehicle(s), equipment, business interests, or other real or personal property, whether or not the work is compensated.

Management staff is defined for purposes of this subsection as KCHA staff that have supervisory authority over other KCHA staff. Subordinates are defined as persons over whom such management staff has direct or indirect supervisory authority.

**C. Obligations to Others**

No KCHA employee shall grant any special consideration, treatment or advantage to himself or herself or to any third party beyond that which is available to every other person.

**D. Use of Power and/or Authority**

Except as authorized by law and in the course of his or her official duties, no KCHA commissioner or employee shall use the power or authority of his or her office or position with KCHA in a manner intended to induce or coerce any other person to provide such KCHA commissioner or employee or any other person with any compensation, gift, or other thing of value directly or indirectly.

**E. Compensation for Performance of Duty**

No KCHA commissioner or employee may ask for or receive, directly or indirectly, any compensation, gift, or thing of value, or promise thereof, for performing or for omitting or deferring the performance of any official duty, or action by KCHA other than the compensation, costs or fees provided by law.

**F. Personal Use of KCHA Vendors and Suppliers**

Employees shall not knowingly acquire or purchase goods or services for personal use from vendors or suppliers who regularly contract business with KCHA unless:

- The employee is purchasing common retail materials or goods from a general retail supplier at the same price as is generally available to the public, or
- The employee first obtains approval in writing for the acquisition or purchase of goods or services from the Executive Director or the Deputy Director. Such approval shall be predicated on the submission of a recommendation for approval by the appropriate Department Manager, including a statement affirming that the employee does not and will not have any direct or supervisory role in the bid, award or administration of any KCHA contract involving the vendor or supplier in question and that no potential for a conflict of interest exists.

**G. Personal Gifts/Favors to/from Residents.**

Commissioners and employees may not directly or indirectly solicit or accept personal fees, commissions, gifts, gratuities or favors of any kind from any resident, or group of residents, or any other person in connection with KCHA. Special favors to residents are prohibited. All residents must be treated equally.

**Conflict of Interest**

No KCHA commissioner or employee shall engage in any act, which is in conflict with the performance of official duties. While it is not feasible to describe all possible conflicts of interest that could develop, a KCHA employee shall be deemed to have a conflict of interest if the employee directly or indirectly:

- A. Receives or has any financial interest in any purchase, sale or lease to or by KCHA of any service or property when such financial interest was received or obtained with the prior knowledge that KCHA intended to purchase, sell or lease such property or service.
- B. Is beneficially interested, directly or indirectly, in any contract, sale, lease, option or purchase that may be made by, through, or under the supervision of the employee, in whole or in part, or accepts, directly or indirectly, any compensation, gift or thing of value from any other person beneficially interest therein.
- C. Accepts or seeks for others, directly or indirectly, any employment, travel expense, service, information, compensation, gift or thing of value on more favorable terms than those granted to other KCHA employees or the public generally, from any person, doing business, or seeking to do business with KCHA for which the employee has responsibility or with regard to which he or she may participate, provided that this subsection shall not apply to the receipt by commissioners or by employees of meals, refreshments or transportation within the boundaries of King County when given in connection with meetings which are informational or ceremonial in nature.
- D. Accepts, directly or indirectly, any gift, favor, loan, retainer, entertainment, travel expense, compensation or other thing of value from any person doing business or seeking to do business with KCHA when such acceptance may conflict with performance of the employee's official duties. A conflict shall be deemed to exist where a reasonable and prudent person would believe that the gift, compensation, thing of value, or more favorable terms, was given for the purpose of obtaining special consideration or to influence KCHA action.

- E. Participates in, influences, or attempts to influence, directly or indirectly, the selection of, or the conduct of business or a transaction with a person doing or seeking to do business with KCHA if the employee has a financial interest in or with said person.
- F. Discusses or accepts an offer of future employment with any person doing or seeking to do business with KCHA if either:
  - The employee knows or has reason to believe that the offer of employment was or is intended, in whole or in part, directly or indirectly, as compensation or reward for the performance or non-performance of a duty by the employee during the course of KCHA employment or to influence KCHA action pertaining to the business, or
  - The employee has the responsibility for a matter upon which the person is doing or seeking to do business with KCHA unless the employee has first disclosed in writing to his or her manager that the employee intends to discuss future employment with a specific person and the manager has designated, in a memorandum filed with the Board of Commissioners, a method of providing for an alternative decision maker with regard to matters involving such person for which the employee otherwise would have responsibility.
- G. Within one year of entering KCHA employment awards a KCHA contract or participates in a KCHA action benefiting a person that formerly employed him or her provided, that participation other than contract award may be authorized in a memorandum by the manager following written disclosure by the affected employee and that such authorization shall be filed with the Board of Commissioners.
- H. Is an employee, agent, officer, partner, director or consultant of any person doing or seeking to do business with KCHA, unless such relationship has been disclosed as provided by this policy.
- I. Engages in or accepts compensation, employment or renders services for any person or a governmental entity other than KCHA when such employment or service is incompatible with the proper discharge of official duties or would impair independence of judgment or action in the performance of official duties.
- J. Enters into a business relationship outside KCHA with any other employee for whom he or she has any supervisory responsibility.
- K. Enters into a business relationship outside KCHA with any person with regard to a matter for which the employee has responsibility as a KCHA employee.
- L. Appears on behalf of a person before any regulatory governmental agency, or represents a person in any action or proceeding against the interest of KCHA in any litigation to which KCHA is a party, unless the employee has a personal interest in the litigation and this personal interest has been disclosed to the regulatory governmental agency or adjudicating individual or body. No official or employee shall accept a retainer or compensation, or any gift or thing of value that is contingent upon a specific action by KCHA.
- M. Directly or indirectly possesses a substantial or controlling interest in any person or entity which does or seeks to do business with KCHA, without disclosing such interest as provided by this policy. A substantial interest is an interest that exceeds one-tenth of one percent of the outstanding securities of the person; or, if the interest is in an unincorporated business concern, exceeds one percent of the net worth of such concern; or the financial interest of a

person exceeds five percent of the net worth of the employee and his or her immediate family.

- N. Discloses or uses for the personal benefit of the employee or his or her immediate family any information acquired in the course of official duties which is not available as a matter of public knowledge or public record.
- O. Acts as an accomplice in any act by an immediate family member which, if such act were performed by the employee would be prohibited by the provisions of subsections A, B, C, D, E, F, G, H, J, K, M, N or P of this section; provided, however, that it shall not be a conflict of interest for such family member to enter into a bona-fide contract of employment which is not intended to influence the action of KCHA employee.
- P. The provisions of subsections B and E of this section are not violated by the possession by an employee of a financial interest in a person or other entity which is not a substantial interest as defined by subsection M herein.

**Conflict of Interest - Former Commissioners and Employees**

- A. A conflict of interest shall be deemed to exist if any individual, having served as a commissioner, does within a period of two (2) years after the termination of such service, appear before KCHA's Board of Commissioners, or receive compensation for any services rendered on behalf or in assistance of any person in relation to any action with respect to which such individual was directly concerned and in which he or she personally participated, either directly or indirectly, during the period of his or her service. The foregoing will also apply during the same period of time to any individual who is a partner, associate, or member of a person with whom the former commissioner has a financial interest.
- B. All other former KCHA employees, including those doing consulting work for KCHA, are prohibited from attempting to influence the Housing Authority for compensation within one (1) year after termination of KCHA employment: provided that such prohibition shall not apply to former employees whose termination of KCHA employment is solely the result of a reduction in force due to lack of work, lack of funds or considerations of efficiency so long as such former employee does not participate in work related to any application, permit, approval or contract on which, while a KCHA employee, he or she personally participated or acquired information in the course of official duties which is not available as a matter of public knowledge or public record. For two (2) years after leaving KCHA employment, former employees are required to disclose past KCHA employment to Director of Human Resource prior to participation in any KCHA action.
- C. No former KCHA employee may assist any person for compensation or share in compensation received by any person on matters concerning which the former employee is prohibited from participating personally.

**Duty to Notify Manager**

Any employee who becomes aware that he or she may have a potential conflict of interest which arises in the course of his or her official duties shall notify in writing his or her manager of such potential conflict.

Upon receipt of such notification the manager shall take action to resolve the potential conflict of interest, including but not limited to designating within a reasonable time an alternative employee to perform the duty which is involved in the potential conflict. The disposition of the potential conflict shall be stated in writing in files maintained by the manager or official. The

manager or official may request an advisory opinion from the Board of Commissioners before disposing of such potential conflict.

**Retaliatory Action**

Retaliatory action against any employee or member of the public alleging a violation of this policy in good faith is prohibited. In the case of an employee complainant, retaliatory action means any unwarranted adverse change in an 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 action. Retaliation also includes hostile action by one employee towards another that was encouraged by a manager, senior manager, or official.

**Reporting Procedures, Investigation and Corrective Action**

A. Complaints alleging a violation of any provisions of this chapter shall be in writing and filed with the Department of Human Resources and the Chair of the Board of Commissioners, both of whom will have the responsibility of forwarding the complaint to federal, state or local law enforcement authorities in the event that criminal violations of law are alleged. The complainant may state in writing whether the complainant wishes his or her name to be disclosed pursuant to the provisions of RCW 42.56.240(2).

B. Complaints alleging violations of this chapter by Commissioners shall be filed with the Executive Director for investigation and adjudication by a third party.

Complaints alleging violations by the Executive Director or Department Directors shall be investigated by the Board of Commissioners through the use of a third party investigator.

C. All other complaints shall be referred by the Executive Director to legal counsel for review and, if necessary, assignment to a third-party investigator.

D. The person alleged to have committed the violation will be notified of the allegations and the impending investigation. Complaints will be investigated promptly by the investigating authority and conducted in an objective and impartial manner.

E. All employees shall cooperate fully with any investigation conducted pursuant to this policy. Failure to cooperate or any attempt to interfere with, influence, or impede an investigation shall be grounds for corrective or disciplinary action including immediate termination of employment.

F. The results of the investigation of employees shall be reduced to written findings of fact that either there is or is not reasonable cause to believe that an employee has violated one or more provisions of this chapter. Any finding of reasonable cause shall be made in writing and shall cite the provisions of this chapter that have been violated and the factual basis for the finding. Such written findings shall be provided to the complainant, the employee, the employee's immediate manager, the Executive Director, and the Chair of the Board of Commissioners.

G. Violations of this policy by any employee constitute grounds for corrective action or disciplinary action up to and including termination of employment. Appropriate corrective or

disciplinary action shall be determined in concert with the Deputy Director and the Director of Human Resources. Findings of reasonable cause and resulting corrective or disciplinary action may be appealed using the Internal Complaint Procedures.

- H. If an employee alleging violations of this chapter feels that retaliatory action has occurred because of the complaint that he/she has filed or reported in good faith, then the employee shall provide written notice of the retaliatory action within thirty (30) days to KCHA Board of Commissioners that:
- Specifies the alleged retaliatory action; and
  - Specifies the relief requested.

The Board of Commissioners or its designee shall promptly investigate all allegations of retaliatory action and take remedial or corrective action(s) where warranted.

### 3.11 Whistleblower Policy

KCHA encourages all employees acting in good faith, to report suspected or actual wrongful conduct including, but not limited to improper governmental actions of local government officials and employees. KCHA is committed to protecting individuals from interference with making a protected disclosure and from retaliation for having made a protected disclosure or for having refused an illegal order as defined in this policy.

KCHA management and employees may not retaliate against an individual who has made a protected disclosure or who has refused to obey an illegal order. KCHA employees may not directly or indirectly use or attempt to use the official authority or influence of their positions or offices for the purpose of interfering with the right of an individual to make a protected disclosure to the individual's immediate manager or other appropriate administrator or manager within the KCHA, or other appropriate officials about matters within the scope of this policy.

It is the intention of KCHA to take whatever action may be needed to prevent and correct activities that violate this policy.

#### **Definitions**

- **Improper Government Action:** means any action by a local government officer or employee:
  - That is undertaken in the performance of the officer's or employee's official duties, whether or not the action is within the scope of the employee's employment; and is in violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds.
  - Improper governmental action does not include personnel actions including but not limited to employee grievances, complaints, appointments, transfers, promotions, assignments, reassignments, reinstatements, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, and demotions, violations of local collective bargaining agreements or reprimands.
- **Retaliatory Action:** Retaliatory action is prohibited against any employee who reports any suspected or actual misconduct. It means any unwarranted adverse change in an 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 action. Retaliation also includes hostile action by one employee towards another that was encouraged by a manager, senior manager or official.

- **Emergency:** Emergency means a circumstance that if not immediately changed may cause damage to persons or property. In case of an emergency, the improper governmental action(s) may be reported to any county, state or federal government official.

### **Reporting Procedures, Investigation and Corrective Action**

Except in case of an emergency, before an employee provides information of an improper governmental action to a person or an entity who is not a public official or a person listed in subsection B of this policy, the employee shall submit a written report to KCHA as set forth below. Any employee who fails to make a good faith attempt to follow this policy shall not receive the protections of this policy or of RCW 42.41.030. To report improper KCHA action, the following procedures shall be followed:

#### **A. Call Whistleblower Hotline**

Employees may confidentially and anonymously file a concern by calling the Global Compliance Hotline at 1-800-750-4972. Such calls are not protected by this whistleblower policy. In order to be protected by the whistleblower policy, employees must submit a written report as set forth in subsection B below.

#### **B. Written Report**

Except in case of emergency, the employee shall submit a written report to the Executive Director or designee, the Human Resources Director, state auditor and/or the county prosecuting attorney. Report must include specific allegation(s), date(s) the incident(s) occurred, the individuals involved and any witnesses.

#### **C. Confidentiality**

The identity of the reporting employee shall be kept confidential to the extent allowable under the law, unless the employee authorizes the disclosure of his/her identity in writing.

#### **D. Investigation**

The Executive Director or designee, and/or the Human Resources Director or third party will then investigate the report and determine an appropriate course of action.

#### **E. Retaliatory Action**

If the reporting employee feels that retaliatory action has occurred because of the information he/she has reported in good faith, then the employee shall provide, in accordance with RCW 42.41.040, written notice of the retaliatory action to KCHA Board of Commissioners no later than thirty (30) days after the occurrence of the alleged retaliatory action that:

- Specifies the alleged retaliatory action; and
- Specifies the relief requested.

The Board of Commissioners will then investigate the report, make a determination and require appropriate action in accordance with the timelines and procedures of RCW 42.41.040 as now or hereafter amended.

**F. Informal Discussion**

Nothing in this policy shall prevent an employee from informally discussing these matters with any manager in his/her chain of command and/or with the Department of Human Resources, but in order to be protected by this whistleblower policy, the reporting process set forth in subsection B above must be followed. These management personnel may take appropriate action commensurate with their role and authority to resolve the matter.

**G. Outside Agencies**

It is the right of all employees to seek at any time redress by the Washington State Human Rights Commission, by the Equal Employment Opportunity Commission, or through a court of law. Employees are encouraged to exhaust the administrative procedures outlined in this policy before contacting outside agencies.

**3.12 Employment of Relatives and Personal Relationships**

Although personal relationships may develop in the workplace, directors, managers and employees are prohibited from being involved in an intimate, marital or familial relationship with a customer, resident, employee or contractor who is directly or indirectly under their supervision or line of authority (see definition of close relative). Any intimate, marital or familial relationships with customers, residents, employees or contractors may pose difficulties for supervision, security, safety, or morale within the organization and lead to concerns of unfair treatment and favoritism. Furthermore, a conflict of interest may arise where an officer, director, manager, employee, contractor, resident or customer receives improper benefits or makes personnel decisions based on an intimate, marital or familial relationship, rather than objective business-related criteria.

KCHA does not prohibit the employment of relatives of employees. However, for purposes of this policy, KCHA considers “a familial relationship” as any relationship where persons are related by either blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage, or residing together, regardless of whether the individuals are actually related.

KCHA may, in its sole discretion, modify reporting relationships and reassign job duties in order to prevent a conflict of interest and/or the appearance of unfair treatment or favoritism. Any officer, director, manager or employee who attempts to circumvent this policy may be removed from office or terminated from employment with KCHA.

### **3.13 Fraternalization with Tenants**

Employees are prohibited from fraternizing with residents at any time, either during work hours or while off duty. Fraternizing with residents is disruptive to the work environment and poses other risks for KCHA. Although KCHA has no desire to interfere with the private lives of its employees, KCHA prohibits conduct that adversely affects its interests and reputation, regardless of whether such conduct is committed on-duty or off-duty.

Prohibited fraternization with a resident includes dating, engaging in a personal relationship, and socializing to the extent not necessary for valid, work-related reasons. Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment. Employees must disclose relationships with residents within fifteen (15) days. Exceptions to this policy may be approved after written disclosure to the Department of Human Resources for evaluation. Employees aware of potential misconduct should report this through the internal complaint procedures.

### **3.14 Employment Outside of KCHA**

Holding another job may adversely affect job performance, efficiency, and/or attendance. If an employee finds it necessary to seek outside employment, the employee must notify his or her manager in writing and discuss any possible conflicts with the employee's manager.

If an employee's manager later determines that the outside employment conflicts with an employee's performance or KCHA interests, the employees will be requested to stop such activity immediately as a condition of continued employment.

### **3.15 Professional Image Guidelines**

KCHA places a premium on professional appearance by its employees. All employees are reminded that they are representatives of KCHA and their clothes, grooming and personal hygiene affect:

- The public's impression of KCHA.
- The credibility and professional statue of KCHA.
- Internal morale.
- The evaluation of KCHA by residents, contractors, officials, visitors and the general public.

For purposes of the dress code policy, Fridays have been designated as "business casual" dress. For all employees, except maintenance, field construction and Section 8 inspection, jeans and denim attire including dresses, jackets, skirts, vests etc., are acceptable work attire on Fridays only. Section 8 is closed to the public on Wednesdays, which is their designated "business casual" dress day. For employees who work a 4-10 work shift the "casual dress" day is still Friday, not the day Friday is observed. Business casual attire may be worn to work in the event of a declared inclement weather day as announced on the inclement weather line (574-1192).

The following guidelines apply equally to all employees and outline professional image and general dress requirements without specifying how employees must dress.

- Dress in a manner appropriate to the job being performed, i.e., office or outside.
- "Casual dress" attire may be worn only on Fridays (not on the observed Friday for alternative work schedule employees), provided clothing projects a professional, business like appearance. Casual dress attire may also be worn during declared inclement weather conditions.
- Hair must be neatly groomed and clean. Hair may neither obstruct vision nor interfere with job performance.
- Mild scented products, including, but not limited to perfume, cologne, after-shave, and body lotions may be worn in moderation, but should be discontinued if co-workers express a concern.
- Fingernails should be clean and well maintained. Fingernail length must be appropriate to the work setting and not interfere with job performance or safety.
- Offensive tattoos such as swear words, nude pictures or questionable graphics as determined by KCHA shall be covered with clothing or a bandage.

Examples of inappropriate clothing, even on casual days include:

- Micro/mini dresses, skirts or shorts more than two inches above the knee.
- Jeans and denim attire of any color including dresses, jackets, vests, etc., except on casual Friday.
- Dirty or damaged clothing that has holes, tears, or stains; including torn, frayed, or excessively worn out clothes.
- Revealing clothing such as tank tops, spaghetti straps, and halter-tops without a jacket or sweater. Lingerie or underwear should not be visible.
- Leggings by themselves without a longer dress length top.
- Any clothing with offensive graphics or inappropriate text (including but not limited to logos for alcoholic beverages, tobacco products, nudity or illegal substances).
- Any clothing printed with KCHA vendor logos. This does not apply to union-related clothing, buttons, stickers, etc.
- Rubber or plastic thong sandals of any kind (includes beach sandals or flip-flops) and slippers or house shoes.
- Beach, exercise, or workout clothes.
- Revealing and/or provocative clothing, which includes, open backs, bare shoulders, bare midriffs, low-cut necklines or see through garments.

Maintenance employees or other employees who are provided with uniforms, must wear them at all times including breaks. Even in hot weather a shirt must be worn as designed at all times. Uniforms must be clean, not worn out, torn, or stained. If work slacks/pants are not provided then maintenance employees may wear jeans if they are not excessively worn, faded, torn, stained, or otherwise inappropriate. For safety reasons, maintenance employees must also wear substantial footwear, made of leather or other equally firm material, not fabric tennis shoes.

The Executive Director or designee may approve exceptions to these guidelines in writing. Questions about these guidelines may be directed to the Department Manager or to Human Resources. Employees not adhering to these guidelines will be required to change their clothing at their own expense. Repeated failures to adhere to these guidelines will result in disciplinary action, up to and including termination of employment.

### **3.16 Non-Solicitation**

To avoid disruption of the workplace, no solicitations, collections, circulation of petitions or distributions of literature by employees, tenants or other persons doing business with KCHA are permitted during working time or in working areas. "Working time" refers to the work time of the employee soliciting, collecting, circulating or distributing as well as the employee to whom such action is directed.

"Working time" does not include rest breaks, meal periods or other times before or after work. "Working areas" includes all offices, reception areas, hallways, conference rooms or other areas where business is conducted. It does not include employee lounges, lunchrooms, restrooms, parking areas or other areas where KCHA business is not ordinarily carried out. Exceptions to this policy might be made for charitable causes (such as United Way); however, even when exceptions are made for charitable causes, employees are not allowed to raise money for such causes by selling products or services on KCHA property (e.g., gift wrap, candy, car washes, etc.).

In addition, no person from outside KCHA is allowed on KCHA premises at any time for these or related purposes. If an employee observes someone who is not an employee engaging in any of these activities at any time, please notify Human Resources immediately.

### **3.17 External Communications**

Occasionally, employees may be contacted by outside sources requesting information about KCHA matters, including information regarding current or former employees, or business relationships and transactions. In order to avoid providing inaccurate or incomplete information to outside sources, any employee contacted by any outside source regarding KCHA should immediately contact the appropriate KCHA official, as detailed below.

#### **Media Contacts**

If an employee is contacted by a representative from any media organization (e.g., television, radio, or newspaper reporters), the employee should immediately refer the media representative to the Director of Communications. No employee may communicate with media agents regarding KCHA as an agent of KCHA without prior authorization from the Executive Director or designee.

### **Outside Attorneys and Investigators**

If an employee is contacted by an outside attorney or investigator regarding KCHA business that is confidential or proprietary or a trade secret, including information regarding current or former employees, or business relationships and transactions, the employee should immediately obtain the individual's name and telephone number without disclosing any information to the individual. The individual's name and telephone number should then be provided to the Deputy Executive Director, or designee/Public Information Officer. Employees violating this policy may be subject to disciplinary action, up to and including termination of employment.

### **3.18 Memberships**

KCHA recognizes the importance of employees maintaining certain memberships with professional and other related organizations. It is equally important that employees are aware of who is responsible for the payment of those memberships. Membership fees are covered by KCHA as outlined below.

#### **Memberships**

Employee membership dues and fees in professional organizations may be approved if the organization provides technical or professional information or other services beneficial to KCHA. Such memberships require approval by the Department Director.

#### **Request for Membership**

Request for membership must be submitted in writing to the employee's manager with all pertinent information about the organization or association attached including benefits to KCHA.

### **3.19 Use of Cellular Phones**

Employees are prohibited from making or receiving telephone calls and reading or sending text messages or email or accessing web pages, while driving for work-related reasons, including to and from customer sites. In emergency situations only, "hands free" devices may be used in accordance with applicable state law.

Employees are expected to exercise good judgment regarding cell phone usage while conducting KCHA-related business. During working hours, cell phone use should be primarily used for business purposes only and employees should limit personal phone calls which can interfere with productivity and also be distracting to others. Employees should be aware that any cell phone or other device used for work-related communications is subject to being searched and such communications and any related metadata may be copied as determined to be necessary by KCHA to respond to Public Records Act requests, subpoenas, or other legal requirements for the production of such records.

### **3.20 Travel and Expense Reimbursement**

Employees may occasionally be required to travel on KCHA business in conjunction with their normal job assignments. KCHA is committed to ensuring that employees who travel on KCHA business do so comfortably, conveniently and safely. It is our intent that employees suffer no financial loss nor realize any financial gain from such business-related travel.

To ensure consistency, the following guidelines have been developed to document and clarify what are allowable business expenses. If an employee is unsure of what to expense, please discuss it with the Department Manager, Accounts Payable (A/P), or Human Resources.

Reimbursement of expenses incurred for travel will be made only for KCHA business. Non-exempt employees are paid for travel, even on days off, that occurs during their normal work hours. Non-exempt employees who have a special one-day assignment outside the jurisdiction will be paid for travel time outside of normal work hours that exceeds their normal commute if payment is required. The area of operation is defined, for the purpose of this policy, as King County jurisdiction (see Definitions). Travel outside the jurisdiction will be authorized in advance by Department Director. Properly prepared and executed travel vouchers must be presented before reimbursement will be authorized. All reimbursement will be subject to the regulations delineated in this policy. Reimbursement for mileage in a personal vehicle will be at the rate approved by the Internal Revenue Service for tax purposes.

### Definitions

- **Day Travel:** Travel inside or outside KCHA's area of operation that does not include an overnight stay.
- **Overnight Travel:** Travel outside of the County that exceeds twelve hours and includes an overnight stay.
- **Designee:** An employee authorized by the Executive Director or designee to approval travel, lodging, meal or other expense reimbursement.
- **Emergency:** The occurrence of unforeseen or exigent circumstances that may result in harm to the public good or one's immediate family and must be authorized by the Assistant Executive Director or designee.
- **KCHA Jurisdiction:** King County designated limits are south of Snohomish County and north of Pierce County. KCHA's jurisdiction also includes Casa Madrona in Olympia and Sedro Woolley.
- **Official KCHA Business:** Business that relates directly to a person's work function and that benefits KCHA.
- **Combined KCHA Business and Personal Travel:** Business and personal travel may be combined; however, there can be no extra costs to KCHA.
- **Per Diem Rate (GSA):** The rate offered to employees, consultants, representatives and commissioners for travel while on official KCHA business. These rates are part of Appendix A to Chapter 301 of the Federal Travel Regulation and updated on a fiscal year cycle, effective October 1 of each year (also known as CONUS rates).
- **Travel Coordinator:** An employee designated as responsible for all air travel arrangements and non-local travel lodging, such as the Executive Assistant to the Executive Director.

**Procedures Before Departure**

**Traveler responsibilities include the following:**

- Complete the Training Request form (InfoPath 2857) for all conferences, workshops, seminars, both local and non-local.
  - a. Include vendor information for payment of registration fee.
  - b. Obtain estimated lodging and airfare cost from Travel Coordinator for non-local travel.
  - c. Sign form and submit to your manager for approval. Travel Request must be approved by your immediate manager and Department Director. Approval by the Deputy Executive Director must also be obtained if estimated expenses are over \$500.
  - d. After all required approvals, pre-register for conference or seminar.

**Travel Coordinator responsibilities include the following:**

- Travel Coordinator will arrange all KCHA representative and employee non-local travel.
- Conference registrations will be made by direct payment through Accounts Payable (AP).
- The Travel Coordinator will prepare a travel packet including transportation tickets and lodging verification for each individual approved for travel.

**Procedures Upon Return**

- Within 15 days of returning from travel, the employee must forward to his or her manager for review/signature and then forward to the Finance Department for processing.
- Claims submitted by consultants, commissioners, or others acting officially on behalf of KCHA will be processed by the department they represented.

**Emergency Travel Procedures**

The Deputy Executive Director or designee must approve all emergency situations before travel or, if unable, upon completion of travel.

**Travel Authorization**

Travel authorization is approved through the Board of Commissioners' budget process, as reflected in the Annual Comprehensive Budget or formally adopted revision; day or overnight travel shall be subject to Department Director approval.

If expenses are incurred without prior approval and no emergency exists, expenses will not be reimbursed. Emergency travel must be authorized in accordance with KCHA definition.

Persons authorizing travel will ensure budgeted funds are available and the number of persons engaging in the travel activity is the minimum necessary to achieve the expected benefit to KCHA. The traveler provides information about the applicable travel as follows:

- Requested travel will be for official KCHA business.
- Seminar/Conference form describes the relationship between travel and work function.
- Seminar/Conference form indicates the benefit to KCHA.
- Seminar/Conference form is accompanied by a travel itinerary; printed material indicating the overall content and quality of the event and an itemized list of reasonable anticipated expenses.

### **Personal Vehicle**

Use of an employee's personal vehicle for essential travel within KCHA area of operation (when a KCHA vehicle is not available), should be authorized by a manager or Department Director.

KCHA representatives and employees are obligated to maintain a Mileage Travel Voucher for all miles spent traveling in their personal vehicle between their assigned workplace, home or designated sites, whichever applies. Reimbursement will be at the mileage rate approved by the Internal Revenue Service for tax purposes. There is no reimbursement for commuting miles between the employee's home and their official workplace, even on days the employee does not customarily work, unless specified in a collective bargaining agreement.

When two or more employees are attending the same seminar, convention or meeting, every attempt should be made to car-pool using a KCHA vehicle, before using a personal vehicle.

**The employee who is driving is considered to be working if carpooling at the employer's request or for the employer's benefit and will need to be paid for the time spent driving others.**

### **Travel Costs**

When traveling, expenses will be handled as follows:

- Air travel outside KCHA's jurisdiction will be by the route most advantageous or at the lowest cost, e.g., the state contract.
- No air miles or any other type of transportation miles can be accrued as a benefit to any person covered under this policy.
- If a non-customary mode of transportation is used from the airport to the event site (e.g., limousine service), no expenses will be reimbursed. Individuals are encouraged to use hotel van service to and from the airport/event site, if possible.
- Transportation cost while on overnight stay will only be reimbursed to and from the airport and lodging, from lodging to event, or from lodging to the business function.
- Travel advances may be issued for meals, hotel or official business expenditures if approved by the manager/director and Finance department, and may be obtained 24 hours prior to departure (travel advances are highly unusual and non-customary).
- Travel advances may not, under any circumstances, be considered a personal loan to any KCHA representative or employee. Any expenditure thereof, other than for official business purposes, will be considered a misappropriation of funds.

- When rental vehicles are authorized for a person conducting official business, government rates (state travel contract) will be utilized. All local travel vehicle rentals will be arranged through the Fleet Manager or Travel Coordinator as applicable.
- Mileage will be reimbursed when a private vehicle is used for KCHA business. Mileage reimbursements will be based on the Standard Mileage Rate allowed by the Internal Revenue Service.
- All travel must be arranged through the Travel Coordinator and all airline tickets will be purchased with a KCHA credit card, unless otherwise instructed.

### **Local Travel**

When travel is local, travel-related expenses will be handled as follows:

- Local travel will apply only to travel within KCHA's jurisdiction (see Definitions).
- Transportation between a person's home and official workplace is not reimbursable.
- The starting and ending location of local travel is the assigned office workplace.
- If an employee drives a personal vehicle from their last work site of the day to his/her home, mileage is reimbursable between either home and last work site or office and last worksite, whichever is less.
- When automobile transportation is necessary, a KCHA vehicle will be used where practical.
- The Finance Department is responsible for administering and announcing the current IRS mileage rate for business-related travel.
- Necessary ferry, toll charges and parking costs will be reimbursed.
- When travel departure is after 9:00 am and return is prior to 5:00 pm on the same day, or when travel period is less than six hours, no expenses other than transportation and expenses already identified in this section will be reimbursed.
- For non-exempt employees, hours worked and travel time includes and originates from the assigned office workplace.

### **Lodging Authorization**

Lodging authorization will be handled as follows:

- Lodging authorization is subject to completion and approval of KCHA InfoPath [Form 2857](#).
- Lodging reservations are made through the Travel Coordinator.
- All attending conference members will be booked in the same hotel provided that adequate occupancy exists.
- For seminars, conferences or conventions, lodging will be reserved at the host hotel, provided adequate occupancy exists and/or prior approval. If no vacancy is available, the following will apply: the Travel Coordinator will research comparably priced hotels in the

general vicinity and if no adequate lodging is available within a reasonable price and distance of the event site, the Travel Coordinator will arrange an alternate lodging site.

**Lodging Cost**

Lodging costs will be prepaid by KCHA, except in an emergency. Costs actually incurred are reimbursable as follows:

- All non-business lodging will be at the expense of employee or KCHA representative.
- Expenses incurred during authorized stay other than for authorized travel expenses or in emergency situations, will not be reimbursed, i.e., all non-KCHA business phone calls, movies, etc.
- A person is in overnight travel status.
- Lodging receipts are submitted.
- Lodging costs in the host city may be claimed from the night before an authorized event starts through the night before it ends, unless timely return transportation is not available, thereby necessitating additional lodging costs at a reasonable price (emergency only or prior approval).
- If the lodging receipt indicates double occupancy charge, the traveler will only be reimbursed at the single occupancy rate unless the other occupant is a KCHA employee performing KCHA business. Reimbursement will only be given to the holder of the lodging receipt.

**Meals and Incidental Expenses**

Reimbursable expenses will be allowed for all reasonable subsistence expenses incurred during the authorized travel period and in general will include the following items:

- Necessary local ground transportation, including taxis.
- Necessary automobile rental.
- Necessary communication charges.
- Lodging and meals, not to exceed the travel policy reimbursement rate – see GSA rate.
- Baggage handling services when necessitated by physical limitations or when carrying excessive baggage or equipment required for business related purposes.

All claims for reimbursement for local travel (mileage, ferry, fares, parking, toll charges, etc.) will be submitted on the Travel Voucher when travel has been completed, or monthly if the employee uses his/her own vehicle on a regular basis. The mileage statement must be submitted to the employee's manager, Department Director or designee for approval of payment. The Director will then forward the mileage report to the Finance Department for processing.

**Non-Local Travel Status Expense Reimbursement**

- Expenses eligible for reimbursement will be for individuals on official KCHA business travel status.
- Meals and incidental expenses will be reimbursed at the established GSA per diem rate for the host city. The Travel Coordinator or the Controller can advise employees as to current city per diem rate.
- The per diem rate will only be approved for overnight travel and cover expenses such as meals, fees and tips to baggage carriers, concierges and hotel staff.
- The per diem rate is paid by the following percentages:

Meal	% Per Diem	Time Frame
Breakfast	20%	12:00 am – 11:00 am
Lunch	30%	11:01 am – 5:00 pm
Dinner	50%	5:01 pm – 11:59 pm

- The partial per diem rate is to be used on the day travel began or was completed using the above hours as guidelines. For example, travel begins at noon: lunch and dinner may be reimbursed.
- The partial per diem rate is also to be used when one or more meals are provided as part of the conference or travel arrangements (i.e., airlines).
- If less than the percentage per diem rate is applied for as a reimbursement, receipts must be provided. No more than the percentage (up to 100% for a full day) may be reimbursed.

Meal expenses incurred while on local travel status are not reimbursable, except when an integral part of a job-related seminar, conference, convention or training occurs during the meal and expense is required.

**Non-Reimbursable Meal and Refreshment Costs**

Meal and refreshment costs will not be paid by KCHA as a direct expenditure when:

- Meals are included in another KCHA expense, i.e., a seminar or conference (if required for medical reasons, inform Travel Coordinator in advance).
- Incurred for recreational or social events such as office, going away, retirement parties, or other personalized events.
- A violation of the State Constitution, Article VIII, Section 7, which prohibits a gift of public funds, would occur.
- There is no reimbursement for alcoholic beverages.

### **Responsibilities**

- **Directors or designee/Travel Coordinator:** are responsible for reviewing and recommending approval and reimbursement for all local and non-local travel and for assuring that the necessary signatures are obtained in a timely manner.
- **Employees:** are responsible for minimizing actual expenses, keeping and submitting accurate records, and submitting a Travel Voucher within 15 calendar days after returning from travel.
- **Claims and Forms:** Claims and forms submitted by Commissioners will be processed the Travel Coordinator and forwarded to the Finance Department. Claims and forms submitted by consultants and others acting on behalf of KCHA will be approved by the Department Director or designee and forwarded to the Finance Department.
- **Expense Control:** Managers and the Travel Coordinator are responsible for minimizing actual expenses and authorizing KCHA paid travel only for legitimate business reasons.
- **Finance Department:** The Finance Department will be the final authority for auditing and certifying all claims for accuracy and for conformance with policy. Any questions raised relative to “reasonableness” of a claim will be cleared with the Department Director.

### **3.21 Alternative Work Schedules Policy**

KCHA recognizes that situations may occur where employees may need to temporarily alter their work arrangements in order to better accommodate difficult or demanding periods of their lives while still meeting the demands of their job. Additionally, employees may sometimes require an alternative work arrangement when medically necessary. Towards these ends, KCHA offers regular full-time employees the opportunity to request alternative work schedules (AWS) on a limited basis.

In considering any request for an AWS, KCHA must balance the need to achieve business priorities and objectives with the employee's need to balance personal responsibilities and work demands. In general, an AWS is a privilege, which may be granted under appropriate circumstances to employees in good standing, whose job responsibilities are suited to such an arrangement. However, such arrangements will always be subject to operational efficiency, public accountability, applicable laws, collective bargaining agreements and safety considerations.

### **Eligibility for an AWS**

Regular and long-term temporary employees are eligible to request an AWS. Where the request is based on medical necessity as an accommodation of a disability, KCHA will consider such requests from all employees as part of its reasonable accommodation process, including reviewing appropriate medical documentation, exploring options for accommodation, and discussing the matter with the employee and/or his or her health care providers.

KCHA will evaluate requests for an AWS on a case-by-case basis and retains discretion to change or discontinue such arrangements at any time. If approved, an employee's compensation and benefits may be affected as described in this policy.

### **Types of Alternative Work Schedules**

The following are types of AWS that KCHA may consider for an employee. These AWS do not change the employees' job expectations or the amount of time an employee is expected to contribute to his or her work for KCHA. AWS are not available for all positions; for example, there are some positions that require work to be done onsite, or in coordination with other employees, or at scheduled times. Employees on any AWS may still be required to work additional hours and work on a scheduled day off as necessary to meet business objectives.

- **Flextime:** Flex time is an arrangement whereby employees are given some degree of responsibility and choice for their own starting and quitting times. Flex-time scheduling involves "core time," hours during which all offices must be staffed: KCHA core time is 8:00 am to 4:30 pm. Another component of flex-time is "band width" which refers to the time during which employees may be on the job. KCHA's bandwidth is 6:00 am to 8:00 am and 4:30 pm to 6:30 pm. In all cases, employees must work a 40-hour work week unless hired for less than a full-time position.
- **Compressed Work Week:** The compressed work week is a schedule which reduces the number of days that an employee works in a week, for example, four ten-hour days. Overtime is not paid for hours worked in excess of eight (8) hours per day. Employees on this schedule may not exceed forty (40) hours per week unless overtime is approved in advance.
- **Job Sharing:** Job sharing is an alternative work schedule in which two people share the responsibilities of one full-time position with benefits and salary prorated accordingly.
- **Teleworking:** Teleworking is a voluntary arrangement that allows eligible Authority employees an opportunity to perform their work in a designated work area at home on specified workdays. through a formal written agreement with their manager and approved by the Deputy Executive Director. See Telework Policy in this manual.

KCHA may determine that some positions, departments, or sites may not be eligible to participate in AWS unless it involves a reasonable accommodation of a disability or work-related injury or illness. Check with the Department Director to determine if any alternative work arrangements are available and then coordinate with Human Resources.

**AWS Effect on Benefits**

Benefit	Impact of an AWS
<b>Holidays Part-time</b>	<p>Paid time off for holidays and personal days will continue to be the equivalent number of hours as provided by the regular work schedule.</p> <p>When a paid holiday is observed on an employee's day off, the holiday will be granted on the closest usual work day.</p>
<b>Holidays Full-time</b>	<p>Paid time off for holidays will continue to be 8 hours. The excess of an employee's work day hours will be charged to annual leave or leave without pay.</p> <p>When a paid holiday is observed on an employee's day off, the holiday will be granted on the closest usual work day.</p>
<b>Annual Leave &amp; Sick Leave</b>	<p>Annual leave and sick leave benefits will accrue at the same rate as provided by the regular work schedule.</p>
<b>Leave of Absence</b>	<p>An employee using Family Medical Leave, Civic Duty or Military Leave will revert back to a regular work schedule for the period during which the leave is taken.</p>
<b>Bereavement Leave</b>	<p>An employee on bereavement leave is entitled to the equivalent number of hours as those employees on a regular work schedule (up to the lesser of 3 days or a maximum of 24 hours). See Section 8.9 for definition of Bereavement.</p>
<b>Health Benefits (For Job Sharing Only)</b>	<p>One full benefit package shared between the employees involved in a job sharing arrangement. Medical, dental, and life insurance benefits will be optional. If the employee works at least 20 hours per week and wishes to have the coverage, he/she will pay a portion of the premium and KCHA will pay the remainder. Employee payments are withheld from paychecks in the month prior to the covered month.</p>
<b>Rest Breaks</b>	<p>Rest breaks cannot be used to alter the work day, however, lunch hours may be reduced to a minimum of one-half hour.</p>
<b>Time Off</b>	<p>Employees may, at the discretion of their manager, be called to work during their scheduled time off or have their schedules adjusted to meet workload requirements.</p>

**Requesting an AWS**

An employee wishing to request an AWS shall request in writing to his/her immediate manager for review and approval or disapproval. An AWS must be mutually agreed upon by the employee, the employee's manager, and the Department Director.

In addition, the following standards must be maintained in the process of considering an AWS:

- The quantity and quality of work should remain at the levels maintained prior to the adoption of an alternative work schedule.
- The employee's functions, including phones, should be covered during the employee's time off.

- The office or department in question should have adequate coverage during all regular hours of business.
- The alternative work schedule should not create security problems for either the employee or KCHA.
- The alternative work schedule should not add to KCHA's cost of doing business.
- The workload requirements of the employee, the employee's co-workers and the department should not be adversely impacted.

### **Approval of an AWS**

Managers are responsible for expeditiously reviewing and forwarding AWS requests to Department Directors with their recommendations. Department Directors will then approve or disapprove the submitted AWS and notify the manager.

An AWS is not a right conferred upon an employee and may be rescinded at the discretion of the manager, or Department Director at any time with a minimum of two (2) weeks' written notice provided to the employee, except in case of emergency as determined by KCHA in its sole discretion.

An employee's reasons for requesting an AWS are not paramount but are considered in the approval process. Primary focus will be the requirements of the employee's position, management's perception of the employee's ability to work effectively on an AWS, and the workload requirements of the work group.

## **3.22 Telework Policy**

Teleworking is a voluntary arrangement that allows eligible Authority employees an opportunity to perform their work in a designated work area at home on specified workdays. It is the policy of the Authority to implement its Telework Program Authority-wide, and to make teleworking available in all departments. In addition, KCHA recognizes that situations may occur where employees may need to temporarily alter their work arrangements in order to better accommodate difficult or demanding periods of their lives while still meeting the demands of their job. Finally, employees may sometimes require a telework arrangement when medically necessary. Towards these ends, KCHA offers regular and long-term temporary employees the opportunity to request a telework arrangement on both a limited and longer-term basis.

A telework arrangement allows an employee to work from home or an alternate work site, for all or part of the scheduled workweek, through a formal written agreement with their manager. In general, teleworking is a privilege that may be granted under appropriate circumstances to employees in good standing whose job responsibilities are suited to such an arrangement. In considering any request for a telework arrangement, KCHA must balance the need to achieve business priorities and objectives with the employee's need to balance personal responsibilities and work demands.

KCHA will evaluate all requests for telework arrangements on a case-by-case basis and retains discretion to change or discontinue such arrangements at any time. Unless otherwise agreed to in writing between an employee and management, telework arrangements do not change the compensation, benefits, job responsibilities, or any other terms and conditions of employment, including the at-will nature of the employment relationship.

**Eligibility for a Telework Arrangement**

Regular and long-term temporary full-time and part-time employees are eligible to request a telework arrangement. Teleworking is not available to any employee not in “good standing”: an employee in an introductory period; an employee subject to a performance improvement plan or who has had discipline related to job performance in the past three (3) years; or, an employee with an overall rating of “improvement needed” or below on the most recent annual performance evaluation. Teleworking is not available to any represented employee.

Where the request is based on medical necessity as an accommodation of a disability, KCHA will consider such requests as part of its reasonable accommodation process, including, for example, reviewing appropriate medical documentation, exploring options for accommodation, and discussing the matter with the employee and/or his or her health care providers.

KCHA retains discretion to change or discontinue a telework arrangement at any time. In general, ad-hoc telework days are permitted with the supervisor’s and Department Director’s approval and one (1) day notice, such as for a specific project, period of time, inclement weather or other emergencies. Ad-hoc telework arrangements of longer than twenty (20) days require the approval of the Department Director and Director of Human Resources and may be subject to the requirements of a routine telework arrangement. Ad-hoc telework is for a particular purpose and for a set number of days. It is not expected to continue into the future.

**Application for an Ad-hoc or Routine Teleworking Arrangement**

Employees interested in considering the option to request a telework arrangement should complete the Teleworking Feasibility Worksheet and discuss the matter with their manager. When an employee routinely works away from the office, a written teleworking agreement will be required.

**Approval of Teleworking Arrangements**

Type of Arrangement	Length	Agreement Required	Who Approves
Ad-hoc	1 – 19 Days	No	Supervisor and Dept. Director
Ad-hoc	20 + Days	Yes	Supv/DD/HR
Routine	Any Length	Yes	Supv/DD/HR & DED

KCHA may determine that some positions, departments, or sites are not eligible to participate in telework arrangements unless it involves a reasonable accommodation of a disability. Most Ad-hoc telework arrangements may be approved by the supervisor and the Department Director. Routine telework arrangements will be evaluated on a case-by-case basis. The Supervisor, the Department Director, the Human Resources Director, and the Deputy Executive Director must approve any routine teleworking arrangement in writing. The Deputy Executive Director may make any ministerial changes appropriate to the telework arrangement. Routine telework arrangements will continue until ended by the employee and/or the supervisor

Disapproval of a request to telework will be explained in writing to the requestor and is not subject to appeal. Management has discretion to decide whether to permit teleworking on their

work teams and will consider a number of factors in assessing a request for a telework arrangement, including, but not limited to the following:

- **Organizational Basis for Telework**

- The employee's work is the type that can be performed outside of the office on a regular basis.
- Length of time requested to telework is reasonable from a business standpoint.
- Impact of the arrangement on the department's workload, productivity, and morale are minimal.
- Overall ability of the department to meet objectives is not compromised as a result of the employee's teleworking arrangement.
- Employee's likelihood of efficiently and successfully performing all job duties while teleworking

- **Job Performance History**

- Employee's responsibility level and length of time in his/her current position and with KCHA.
- Employee has demonstrated an acceptable overall level of contribution and performance.
- Employee has demonstrated that he/she is self-motivated, conscientious about work time and productivity, and able to work with minimal supervision and direction.
- Employee must be in "Good Standing," meaning that he/she is meeting all expectations in the current job including such things as performance, attendance, and reliability. Please see "Eligibility for Telework Arrangement" (above) for a detailed definition of "Good Standing."
- Employee has demonstrated proficiency with job related software and computer hardware

- **Accountability and Job Performance Standards**

- Current tasks, scope of work, and expected results are specific, measurable, and can be monitored by the supervisor.

- **Communication and Customer Contact**

- Employee has demonstrated the ability to successfully use technology to establish effective methods of communication with managers, co-workers, vendors, and customers.
- The need for face-to-face meetings with internal/external customers and contacts is minimal.
- The employee's manager has the necessary time and ability to provide regular guidance and feedback with minimal face-to-face interaction.

- **Equipment Needs**
  - The need and cost for specialized material or equipment must be minimal, and any such equipment must be easily installed for teleworking use.

### **Work Schedule, Benefits and Compensation**

Unless otherwise approved in advance, teleworking employees are expected to work and be accessible during their regular working hours. Alternative work schedules may not begin before 6 AM or end after 6:30 PM. Teleworking employees must be required to attend regular meetings, training sessions, or work at the office or other designated locations, as requested and with little notice. No one may telework from an alternative workplace outside of western Washington State. No overtime may be incurred without the advance approval of the employee's supervisor,

Non-exempt employees must keep accurate records of their hours worked on electronic timecards (routine email to supervisor), which must be submitted to KCHA on a weekly basis. Non-exempt employees must also take their regular breaks and meal periods, and notify their manager if they will not be working during regularly scheduled work hours.

The employee's compensation, benefits, leave accruals, work status and work responsibilities do not change due to participation in the teleworking program. Any time taken off work (annual leave, sick time, or leaves of absence) must be arranged in advance with the employee's manager in accordance with KCHA's current policies and procedures.

Although working from home may provide some flexibility in child or dependent care, teleworking is not to be used as a substitute for such care. Employees who telework from home are expected to maintain appropriate child and dependent care arrangements.

### **Alternative Workspace, Safety and Injuries**

Teleworking employees must designate a separate room or at least part of a room at their teleworking work site as their workspace. KCHA will not reimburse the employee for any costs associated with furnishing, renovating or constructing a home office or alternative workspace.

Teleworking employees must complete the Safety Checklist, which self-certifies that their designated work space is safe, ergonomically sound, and meets the standards set forth in the Checklist. If requested, they must allow KCHA representatives reasonable access to their home office or other off-site workspace to audit the certification. Managers are required to give at least a 24-hour advance notice prior to requesting access to an employee's home office or alternative workspace. Managers must satisfy themselves that alternative workspaces are suitable prior to authorizing any teleworking arrangement.

At the employee's request, KCHA will offer appropriate assistance in setting up a workstation designed for safe and comfortable work. The Risk Manager or designee is available for assistance if requested. Potential health or safety hazards at the teleworking work site may result in a delay in the approval of a teleworking arrangement or the immediate suspension of an ongoing teleworking arrangement.

The employee's Alternative Workspace is considered an extension of KCHA's workspace and therefore is covered by KCHA's worker's compensation insurance. Employees who work outside their designated work area and suffer an injury may not be eligible for worker's compensation insurance.

KCHA will be liable for job-related injuries or illnesses that occur during the employee's agreed-upon work hours when job responsibilities are fulfilled from within the designated work area only. KCHA assumes no liability for injuries occurring in the employee's home workspace outside agreed-upon work hours.

KCHA is also not liable for loss, destruction, or injury that may occur in or to the employee's home as a result of the employee's participation in the teleworking program. This includes family members, visitors, or others that may become injured within or around the designated work area.

Employees who are injured while working in their teleworking worksite during work hours must immediately report the injury to their manager or Human Resources. Teleworking employees are not permitted to invite vendors, suppliers, customers, residents or other employees to their home to conduct business. Instead, such meetings must take place at KCHA offices.

### **Equipment, Hardware, Software, and Supplies**

Internet service connections are the responsibility of the employee and are an eligibility requirement. KCHA does not reimburse employees for any Internet service charges. Employees must secure their home Internet connection from unauthorized outside use.

Employees may choose to use their own equipment or their KCHA assigned laptop (if any) in order to perform work at home. Employees shall not be reimbursed for the use of their own equipment. All equipment used for work purposes is subject at any time to inspection and copying by KCHA or its designees of any records that are contained in or related to the use of such equipment to respond to Public Records Act requests, subpoenas, or other legal requirements for the production of records or information. All software used will be licensed and virus protection on employee owned computers will be functioning and up to date. KCHA will not provide repairs or support to employee owned equipment. KCHA will determine on a case-by-case basis any specialized type of office equipment necessary for each teleworking arrangement and typically will not provide any office furniture.

Employees agree to the following with regards to KCHA equipment used for KCHA business:

- Equipment shall be used for KCHA business only and may be inspected directly during site visits or remotely by the KCHA Network Administrator to ensure compliance. Use of KCHA equipment for purposes not related to KCHA business may be grounds for termination of the Teleworking Agreement and/or disciplinary action.
- The employee will take reasonable precautions to protect KCHA owned equipment from theft, damage or misuse and must not alter or modify any of these items without prior management authorization. Employees must immediately report to KCHA any loss or damage of such property. If the Alternative Workplace is the employee's home, it is the employee's responsibility to ensure that his or her homeowner's or rental insurance policy adequately covers equipment used for teleworking purposes.
- If repairs or support is needed, employees must return equipment to the Information Technology (IT) Department at the Central Office for repairs. Employees may work from a KCHA office workspace while this equipment is being repaired, or may be issued loaner equipment, at KCHA's option.
- Teleworkers may not add any hardware or software to KCHA-owned computers without the express permission of the Chief Information Officer.

- At the termination of employment or the Teleworking Agreement, the employee must return all KCHA-owned equipment to IT before the employee's last day of work.

KCHA will supply reasonable office supplies as needed, except ink for printers.

### **Security and Confidentiality**

Teleworking employees must comply with the security procedures specified in KCHA's Use of Office Technology and Security Policy, including maintaining secure network access to computer systems and ensuring that only employees with proper password authorization will use such systems. Teleworking employees must use locked file cabinets and desks, and secure passwords to prevent unauthorized access to KCHA's confidential and proprietary information at the teleworking work site.

It is the employee's responsibility to secure KCHA documents and other confidential information while in transit or working at an alternative worksite as when he or she is at a KCHA office worksite.

In order to prevent their loss and protect KCHA, its clients, and tenants, permanent business records are not to be removed from KCHA's offices. These include, for example, files such as personnel files, tenant and grant files, contracts, etc. Permanent business records are available to the teleworker only online in electronic form. If a needed business record resides only in paper form, the approving manager must arrange with IT to convert the paper documents to electronic form prior to the commencement of the teleworking assignment.

Reference documents that do not contain confidential, business or tenant data may be removed from the office by the teleworker only as approved by their manager.

Teleworkers may not save KCHA files or documents to their personal computers or to non-networked drives.

### **Expenses**

KCHA will not typically reimburse employees for teleworking related expenses. Requests for reimbursements will be determined on a case-by-case basis. To receive any reimbursements, teleworking expenses must be approved in advance and in writing. In order to obtain reimbursement for these expenses, employees must submit an expense report consistent with current company policies.

If an employee is required to make a long distance call for work-related reasons while teleworking, the employee may submit a request for reimbursement to his or her manager.

Mileage between the telework site and the official work site (typically the KCHA work site where the teleworker previously worked or currently reports to on non-telework days) is not reimbursed unless such travel occurs during scheduled work hours. If a telework is required to attend a meeting or other official function at other than their official worksite, that mileage would be reimbursable minus normal commuting miles.

### **Teleworking Agreement**

Prior to beginning a telework arrangement a written Teleworking Agreement must be approved by the employee's Supervisor, the Department Director, Human Resources and the Deputy Executive Director. The agreement will be reviewed periodically to determine if it is still in the Authority's interests, which could result in changes in the telework arrangement or in its

cancellation. The terms and conditions of employment, except as modified by this policy, will remain unchanged for employees who enter into teleworking agreements.

The teleworking agreement may be terminated at any time by either the employee or KCHA. Upon termination of the teleworking agreement, the employee must return to work at KCHA offices on a date the manager requests. Any employee who chooses not to return to work will be considered to have voluntarily terminated the employment relationship

### **Teleworking Evaluation and Review**

First time teleworkers will be reviewed during the first 45 calendar days, at the end of 3 months, at the end of 6 months and after 1 year to evaluate the success of the arrangement. Thereafter the teleworking arrangement must be reviewed at least annually; this review may be included in the employee's annual performance evaluation. Teleworking may be cancelled immediately during the first year if performance declines. Factors to include in the evaluation are:

- Completion of all work assignments according to guidelines and expectations agreed upon in the Telework Feasibility Worksheet and Agreement.
- Adherence to the Telework Policy including, but not limited to workplace safety, accessibility, use of technology and confidentiality.
- Routine availability of the employee by telephone, email or Skype.

### **Abuse of Teleworking**

After investigation, if it is determined that there has been an abuse of the teleworking agreement the privilege will be terminated. There is no appeal. The employee may reapply in six months.

## **3.23 Blogging and Social Networking Policy**

KCHA encourages open and honest communication by its employees and contractors and respects their right to use the Internet as a medium of self-expression. KCHA expects and requires that individuals act responsibly when engaging in such activities. Similarly, it is the right and responsibility of KCHA to protect itself from unauthorized disclosures of information.

KCHA has developed this policy in order to clarify the organization's position regarding all forms of public communications via the Internet (including, but not limited to sites like Facebook, Twitter and LinkedIn, to blogs, discussion forums, newsgroups, e-mail distribution lists, or otherwise) by any KCHA employee or contractor. In addition, KCHA will attempt to provide reasonable guidelines for online behavior by employees and contractors when authorized to participate online on behalf of KCHA. For authorized and applicable KCHA locations and positions, specific guidelines and examples are provided for appropriate use in this policy. Otherwise, any violations of this policy may result in disciplinary action, up to and including immediate termination of employment.

### **General Provisions**

Unless specifically or otherwise instructed by KCHA, employees including temporaries are required to follow these general provisions which apply to all forms of public communications via the Internet:

- Make it clear that the views expressed are the employee's alone and do not necessarily represent the views of KCHA.

- Do not represent KCHA and therefore cannot speak on behalf of KCHA unless such communications are expressly part of their job duties (e.g. the Executive Director or Director of Communications). If contacted by a representative from any media organization, they should refer the media representative as per the External Communication policy in this manual.
- Do not share confidential and/or proprietary information relating in any manner to the business of KCHA. This includes, but is not limited to current and potential products, employees, partners, customers, competitors, trademarks, sales, finances, organizational strategies and/or any other information that has not been publicly released by KCHA. If an employee has any questions or are in doubt about what to submit online, he/she should speak with the Department Manager before releasing any information.
- The KCHA logo (or those of any of its affiliates) may not be used without explicit permission in writing from KCHA.
- Respect copyright, fair use and financial disclosure laws.
- Be respectful of KCHA, its employees, contractors, clients/customers, partners and competitors and the intended audience.
- Understand that anything that an employee posts could potentially lead to a lawsuit and that a disclaimer may not protect the employee from being individually named in a lawsuit. Avoid posting any views, commentary, content or images that are proprietary, defamatory, pornographic, harassing, and libelous or that can create a hostile working environment.
- Have no reasonable expectation of privacy while using KCHA equipment or facilities for any purpose, including authorized blogging and social networking. In addition, KCHA reserves the right to use content management tools to monitor, review or block content on blogs that violate KCHA policies or guidelines.
- Using KCHA's electronic systems to create or maintain personal blogs or social networking sites is prohibited. Even brief inspections of online activity should be limited to non-working time (e.g., during breaks and meal periods). If authorized to use blogging or social networking sites for company purposes, the employee is responsible for ensuring that online activity does not interfere with other primary work commitments.

### **Reporting Violations**

Employees who experience or witness any conduct they believe to be in violation of this policy should immediately follow the reporting procedures described under the Internal Complaint Procedures as mentioned in this manual. KCHA will investigate and respond to all reports of violations of its blogging and social networking policy or other related policies. Violations of this policy may result in disciplinary action up to and including immediate termination of employment. In addition, KCHA reserves the right to take legal action where necessary against employees or contractors who engage in prohibited or unlawful conduct.

### **3.24 KCHA Emergency and Non-Emergency Closure Policy**

KCHA provides an array of critical public services and is responsible for the safety of its residents. As a service organization, it is KCHA's policy to remain open during normal business hours including during periods of inclement weather unless it is physically impossible for all

employees to travel. Employees should be prepared for inclement weather during winter months (see attached "Bad Weather Driving Tips"). Unless the Executive Director or designee declares an emergency, all employees are expected to report to work. There may be times, however, that an employee may feel that for personal safety reasons, they may need to arrive late to work, depart early, or not come in at all.

This policy is meant to cover **two** different situations:

- A declared **emergency** resulting in offices closing for all or part of the work day;
- A **non-emergency condition including inclement weather**. An example of a non-weather, non-emergency might be a localized power outage, which may have an impact on some normal work operations.

### **Definitions**

- **Normal Operating Schedule:** Offices are open for business as usual. Employees report to work as per their designated schedule. Any time not worked during a normal operating schedule day must be reported on the time sheets as exception hours, i.e., paid or unpaid leave or comp time used.
- **Adjusted Work Schedule:** Offices may open late or close early. Employees report to work at the revised opening time and leave at the revised closing time. Employees receive regular pay for hours if the office is closed during normal business hours, up to eight hours total (excluding a lunch period). Employees must report to work once the office is reopened or use paid leave, unpaid leave or comp time.
- **Alternative Work Site:** A KCHA office or other location to which employees affected by a non-emergency event may be directed in order for them to continue providing services. For example, if a site office is flooded, staff may be directed to report to work at a nearby portfolio.
- **Emergency:** An unusual situation which may be due to weather or other conditions affecting the *entire* service area of KCHA. During an emergency, KCHA offices may be closed for all or part of days. Only the Executive Director or designee can declare emergency conditions. An emergency would be clearly communicated to employees via the Employee Emergency Information Line at 206-574-1192 and to the community through [www.kcha.org](http://www.kcha.org) and/or local media. A declaration of emergency will be a rare event. An example of an emergency condition might be a widespread blizzard affecting all of King County, rendering roads impassable. This would trigger an Adjusted Work Schedule.
- **Non-Emergency Event/Inclement Weather:** Any weather occurrence, natural disaster or local technical problem that may be isolated to only parts of the KCHA service area and which may lead some employees to not be able to report to work on time or at all. A Normal Operating Schedule would typically be in effect. A decision by an employee to delay or not come to work is based on their personal circumstance and evaluation of their personal safety. An inclement weather event will be announced on the KCHA Employee Emergency Information Line at 206-574-1192. Only a declared inclement weather event will trigger the Liberal Leave policy (see below). Any condition which affects only one employee will not be considered Inclement Weather for purposes of applying this policy.

- **Liberal Leave:** The leave (accrued compensatory time, annual leave or leave without pay) taken by an employee from the start of the work day to the time the employee actually reports to work following the Emergency Line announcement that the Authority is open and that Liberal Leave is in effect. If the personal holiday is used, it must be taken in its entirety. Use of leave in these circumstances can be without the manager notice usually required for such paid time off. Employees who arrive late during a period of inclement weather, and who have made a good faith effort to report to work on time will not be subject to disciplinary action under KCHA's attendance policies. Employees should notify their manager as soon as they decide to take any leave under this section. Introductory employees, who accrue but are ineligible to use their annual leave may use any accrued annual leave only in the event of a declared inclement weather event.
- **Ad-hoc Teleworking:** Under this policy, an employee may work from home with the approval of his/her manager during an inclement weather event. The notification to managers should be given as soon as possible and ideally before the work day begins. Managers are required to verify what work can be done when approving ad-hoc teleworking. In addition, employees must account for their time via a written affidavit submitted with their time sheet. Regular and ad-hoc teleworkers are expected to work full days during inclement weather conditions or use appropriate leave. Ad-hoc teleworking is not allowed as a substitute for dependent care.

### **Compensation Conditions for EMERGENCIES**

When KCHA offices are closed due to emergency conditions, employees will be paid their regular pay for their regular hours which were scheduled during the closure condition up to a maximum of eight (8) hours per day; the length of time to be determined by the Executive Director. Employees working a regular alternative work schedule (AWS) of less than eight (8) hours will be paid for their scheduled time. Employees with an AWS who were not scheduled to work during a closure condition will not receive additional pay. An employee working an AWS of more than eight (8) hours (e.g., 4-10 hour days) must take paid or unpaid leave or use accrued compensatory time to make up the difference between eight (8) hours and their regular schedule. Employees on pre-scheduled leave will continue to have their leave balance charged as originally approved.

If an office opens late, employees should not report to work until the delayed opening. Employees will be paid from 8:00 AM until the office actually opens, excluding a half-hour lunch if the opening occurs on or after noon. A non-exempt employee who arrives early will be given compensatory time off during the current or next pay period as an offset; employees (except for assigned maintenance employees) are highly discouraged from arriving early before the time the office opens as announced on the Emergency Line.

If an office is closed early, employees will receive their regular rate of pay from the early closure time to 4:30 PM. Employees who leave early, before the office is officially declared closed, will be required to use leave under the Liberal Leave definition until the early closure time, then receive emergency closure pay until 4:30 PM. Employees who do not report to work at all even after the office opens will be required to take leave pay for the time the office is open. Employees who stay past an emergency closing will not be paid for that additional time unless requested to stay by their manager.

Employees who routinely telework will be paid for regular hours worked but will not receive extra compensation if they work during an office closure.

There may be unusual circumstances where certain key employees are asked to work during a closure condition. Such essential personnel will be paid their regular pay during closure conditions.

**Compensation Conditions for NON-EMERGENCIES Such as Inclement Weather**

An employee who is unable to report to work due to a non-emergency event such as inclement weather shall first use any accrued comp time or annual leave at the employee's option. Personal holiday leave may be used but only in eight (8) hour increments or its entirety. The employee shall be placed on leave without pay if no other leave is available. It is the employee's responsibility to report such inability to report to work as soon as practicable to the employee's immediate manager, ideally before the start of the work day.

Requests to arrive at work at a later time and/or requests to leave early due to inclement conditions shall be made as soon as practicable to the immediate manager. Accrued comp time or annual leave shall first be used. If none exists, the employee's pay shall be appropriately deducted for those hours not worked. Exempt employees shall not be required to use leave for partial days.

Employees in their introductory period who need to take leave during a period of inclement weather will be allowed to use accrued leave for this purpose. If their employment is terminated before the end of their introductory period, any leave so used will be deducted from their final paycheck.

In no circumstance may sick leave be used as compensation in lieu of any other available paid or unpaid leave.

Employees should note and managers should approve leave time taken during inclement weather on the next or following pay period's time sheet. It is important to begin to track leave hours as soon as possible in order to accurately reflect leave taken.

Eligible employees who elect ad-hoc teleworking during inclement weather must notify their manager as early as possible on that day. Managers must verify what work can be performed from home before approving ad-hoc teleworking, and teleworkers must submit a signed, approved affidavit of work performed with the next time sheet or be charged with leave.

If a non-exempt employee elects to use annual leave during inclement weather they may, with manager's approval, work overtime and "bank" compensatory time equal to the annual leave used. To facilitate record keeping, employees should use this compensatory time in lieu of annual leave for their next paid time off and within one year. All provisions of the FLSA apply to overtime work.

**3.25 Toll Road Usage Policy**

The following policy applies to travel and reimbursement procedures related to toll road usage and related fees.

**Travel in an Employee-owned Vehicle**

- **Commuter trips are not eligible for reimbursement.**
- Employees who regularly use toll roads in their personal vehicle are strongly encouraged to purchase a transponder from WSDOT.

- Employees who use their own vehicle for work while travelling on toll roads may request reimbursement for tolls paid by submitting a **Mileage Travel Voucher** ([InfoPath form 2852](#)) and a copy of their monthly "Good to Go!" statement. The information needed for reimbursement must include the date, time and location of the toll and the amount of toll charged. Employee vehicles without transponders cannot request reimbursement for tolls unless the trip is done under a work related emergency situation. A copy of the invoice from WSDOT, along with an explanation of the nature of the emergency and [InfoPath form 2852](#) must be submitted for reimbursement.

#### **Travel in a KCHA-owned Vehicle**

- Employees who use a KCHA vehicle for their work assignments may use that vehicle to travel on toll roads as long as the vehicle is equipped with a transponder. Non-transponder equipped KCHA vehicles should not use toll roads unless on an emergency trip. Any non-transponder equipped vehicle that receives a toll charge will receive a transponder and it is expected that the employee will install the transponder before making another trip on a toll road.
- Single occupant KCHA vehicles should not routinely use HOT lanes unless traffic and work assignments warrant it.
- If a KCHA vehicle uses a toll road within any calendar month then the vehicle's assigned employee (and/or their manager) will be contacted by Administrative Services via email and given a copy of KCHA's "Good to Go!" statement to review the trip(s) taken on the toll road during the month and to acknowledge if any of the trips were taken for commute purposes. If the vehicle was charged a toll for a commute trip, the employee will be required to reimburse for the commute toll charges to KCHA within 30 days after acknowledging the toll charges. Payments may be made by check, money order or cashier's check at the 600 Building reception desk by mail or in person. Failure to reimburse within the 30 day time period may result in the employee losing driving privileges in their KCHA assigned vehicle.

Employees failing to comply with this policy may be subject to disciplinary action up to and including termination of employment.

## **4.0 SAFE AND HEALTHY WORKING CONDITIONS**

### **4.1 Safety and Health**

KCHA is committed to providing a safe and healthy workplace and has established procedures to prevent personal injury to employees and damage to office property that may result from a potentially unsafe situation.

The success of the maintaining a safe and healthy work environment depends on the commitment of all employees. Because some of the best safety improvement ideas come from employees, those with ideas, concerns or suggestions for improved safety in the workplace are encouraged to raise them with their manager, or the Department of Human Resources.

#### **Safety and Health Committees**

The purpose of the Safety and Health Committees is to evaluate safety programs, review KCHA efforts and achievements, review accidents, and make recommendations for improvement. The Committees are composed of employee elected members who regularly meet on a quarterly basis.

#### **Management Responsibilities**

All members of management are required to have a thorough knowledge of safety/health procedures applicable to their area of management. Further, each manager must provide the necessary training and safety equipment to employees to ensure that safety regulations are followed and that unsafe conditions are corrected. Additionally, managers are required to complete the Safety Orientation Checklist, for each new employee.

#### **Employee Responsibilities**

All employees are expected to keep their work areas clean and organized. Employees who use common areas such as lunch rooms and restrooms are expected to keep them tidy and sanitary. Employees must clean up after meals and dispose of trash properly.

Employees are expected to obey health and safety rules and must immediately report any unsafe condition to their manager or the Risk Manager or the Department of Human Resources. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or remedy an unsafe condition, may be subject to immediate disciplinary action, including termination of employment.

#### **Hazard Reporting**

All reports of unsafe working conditions will be taken seriously and will be investigated promptly and thoroughly. Any employee who engages in unsafe work practices or disregards safety rules will be subject to disciplinary action, even if the conduct is not sufficiently serious to constitute a violation of any health and safety laws. KCHA will take appropriate corrective action and impose disciplinary action on offending employees, up to and including termination of employment. KCHA will not tolerate retaliation or intimidation against any employee who makes a legitimate report concerning workplace safety or participates in an investigation of such a complaint.

### **Safety Inspections**

Where and when applicable, managers are required to conduct periodic safety inspections using the Department of Labor and Industries guidelines.

### **OSHA Log**

The State required Log of Occupational Injuries and Illnesses will be maintained by the Department of Human Resources and posted for all employees during the month of February each year.

## **4.2 Workers' Compensation**

Employees who are injured while performing their job, regardless of their length of service, are covered by Workers' Compensation insurance, which provides coverage for medical and hospital treatment in addition to payment for loss of earnings that may result from work-related injuries or illness.

### **Accident/On-the-Job Injury Reporting**

Every incident involving injury or near injury to an employee or damage to KCHA property must be reported by the employee to his/her manager on the Employees' Report of an L & I Incident form. The manager must conduct an investigation and complete the Manager's Report of Accident form. When completed, this form must be forwarded to the Department of Human Resources and to Washington Employers.

### **Employee Injury**

When an employee is injured on the job or has an illness that could be covered by Workers' Compensation, the employee's manager must be notified immediately even if the employee is on any type of leave. Failure to immediately report will be grounds for discipline.

- The manager must then ensure that the employee is able to drive or has transportation to the nearest medical facility.
- The employee needs to inform the attending physician that the injury or illness is work-related so that the necessary State Industrial forms can be completed and that KCHA has light duty positions available.
- It is the employee's responsibility to notify his/her manager as soon as possible as to his/her condition and expected return to work date. Additionally, the employee must provide a release from his/her physician stating that he/she is able to return to work and resume his/her job duties. An employee may not return to work without this release.

Employees who fail to report or remedy an unsafe condition in a timely manner may be subject to immediate disciplinary action.

***Employee Responsibilities***

If an employee is injured on the job or contracts an occupational illness, he/she must notify his/her manager as soon as possible and seek appropriate medical treatment. It is the employee's responsibility to inform his/her doctor or treatment facility that the illness or injury is work-related and covered under State Industrial benefits. The injured employee is responsible for reporting the injury or illness by using the designated reporting method via electronic reporting portal and/or by completing the Employee's Report of an L&I Incident.

***Manager Responsibilities***

The Department of Human Resources shall forward injury or illness information by using the designated reporting method via electronic reporting portal and/or by completing the Employer's Report of Injury or illness and forward to WA State Department of Labor and Industries (L&I).

KCHA is not liable for the payment of workers' compensation benefits for any injury that arises from an employee's voluntary participation in an off-duty recreational, social or athletic activity that is not a part of the employee's work-related duties, unless these activities are a required part of the job.

**4.3 Smoke-Free Workplace**

In compliance with state law and in keeping with KCHA's intent to provide a safe and healthy work environment, use of any tobacco and marijuana products including smoking or smokeless products inside work facilities or in KCHA-owned vehicles is strictly prohibited. Products that aid in the cessation or quitting tobacco use are allowed.

Smoking is restricted to authorized rest breaks and meal periods and may take place only outside of work premises in designated smoking areas (typically outside and more than 25 feet away from any doorways). Smoking of marijuana products is not allowed.

Smoke-free work places include: offices, meeting and conference rooms, lobbies, reception areas, hallways, stairwells, lunchrooms, restrooms, common work areas, maintenance shops, housing units, vehicles and grounds unless otherwise specified as designated smoking areas.

## 5.0 PROPERTY BELONGING TO KCHA

### 5.1 Public Disclosure of Information

Most KCHA records, printed materials, and information stored on electronically readable media are generally open to public inspection and copying upon request by the members of the public pursuant to the procedures set forth in the Washington Public Records Act. Requests are not required to be in writing, but employees should urge requestors to make a written request in order to clarify what documents are needed. Alternatively, employees may transcribe oral requests and read them back to the requestor. Some very specific types of records such as personal information relating to the records of employees, residents and other KCHA clients may be protected from public disclosure under the federal Privacy Act or the Washington Public Records Act. It is the policy of KCHA to maintain the confidentiality of business information and not to copy, reproduce, transmit, distribute or otherwise disclose records, materials, or information to outside parties unless:

- The records, materials, and information have been or are generally made available to the public in the course of KCHA's business.
- There is a bona fide business reason for making the records, materials, or information available to the public.
- The distribution of records, materials and information is in response to an information request made under the Washington Public Records Act, the Federal Freedom of Information Act, a subpoena, Requests for Production in a lawsuit, or other similar information request.

Employees must obtain the approval of the Deputy Executive Director/Public Information Officer before releasing records, materials or information to the public. All requests under the Washington Public Records Act or the Federal Freedom of Information Act shall be forwarded in written form to KCHA's Deputy Executive Director/Public Information Officer for disposition the same day they are received. Employees of KCHA may not duplicate, copy, or use KCHA records, materials, or business information for personal use or gain. Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

### 5.2 Confidential and Proprietary Information

KCHA property includes not only tangible property, like desks and computers, but also intangible property such as information as described below. This policy does not apply to KCHA records, printed materials and information stored on electronic readable media that is subject to disclosure under the Washington Public Records Act or the Federal Freedom of Information Act. Otherwise, employees are responsible for ensuring that proper security is maintained at all times for confidential and proprietary information.

#### **Proprietary, Confidential, and Personal Information**

Given the nature of KCHA's business, protecting proprietary, confidential and personal information is of vital concern to KCHA. This information is one of KCHA's most important

assets. It enhances KCHA's opportunities for future growth, and indirectly adds to the job security of all employees.

Therefore, employees must not use or disclose any proprietary, confidential, or personal information that they produce or obtain during employment with KCHA, except to the extent such use or disclosure is required by their jobs. This obligation remains even after an employee's employment relationship with KCHA ends. Nothing in this policy restricts an employee from discussing his or her wages or other terms and conditions of employment with co-workers or others, to the extent protected by law.

KCHA's proprietary information includes all information relating in any manner to the business of KCHA and its affiliates, consultants, customers, and business employees that is produced or obtained by KCHA employees during the course of their work. All proprietary information that is not known generally to the public or the industry, or is known only through improper means, is confidential information. For example, customer lists, customer files, personnel files, computer records, financial and marketing data, compensation information, process descriptions, research plans, formulas, algorithms, electronic codes, computer programs, source code, technology structures and trade secrets are examples of confidential information which may be contained in e-mails or other electronic media or documents.

Personal information includes personally identifiable information about employees, consultants or other individuals, such as Social Security numbers, background information, credit card or banking information, health information, or other non-public information entrusted to KCHA. There are laws in the United States that protect certain types of personal information, and employees should not disclose personal information about the other individuals to any third party or from one country to another without prior management approval.

If an employee is in a position that gives him or her access to confidential or sensitive information, the employee may be required to sign a written confidentiality agreement.

### **Obligations Upon Termination**

Upon termination of employment, whether voluntary or involuntary, all KCHA documents, computer records, and other KCHA property in the employee's possession or control must be returned to KCHA immediately.

### **Security**

To avoid loss of KCHA property, the Department of Human Resources and the Property Manager maintain and promulgate security procedures, which include maintaining control of entrances, exits, restricted areas, document control, and record keeping. Specific procedures regarding the protection of KCHA property, traffic throughout the facilities, and designation of restricted areas are issued by the Department of Human Resources and posted on KCHA bulletin boards and on KCHA's intranet. In addition, employees are expected to comply with KCHA policies regarding the authorized and secure use of KCHA's computer technology, as described in the Use of Office Technology and Security Policy of this manual. Employees are expected to abide by all of KCHA's security procedures.

Avoiding loss or theft of proprietary, confidential or personal information is an important part of each employee's job. Employees are expected to keep proprietary and confidential information secure from outside visitors and all other persons who do not have legitimate reason to see or use such information. Employees are not to remove KCHA property without authorization.

Failure to adhere to KCHA policies regarding proprietary and confidential information will be considered grounds for disciplinary action, up to and including termination of employment.

Given the sensitivity of proprietary, confidential and personal information, employees may only dispose of such information by secure methods approved by KCHA. If an employee has any doubt or question about how to handle proprietary, confidential or personal information, the employee should consult with their manager or Department Director.

### 5.3 Identity Theft Policy

KCHA recognizes that some of its activities are subject to the provisions of the Federal Fair and Accurate Credit Transactions (FACTA) and the Federal Trade Commission's Red Flag rules. The purpose of this policy help protect employees, residents, contractors and the Authority from damages related to the loss or misuse of confidential information.

This policy will:

- Define confidential information;
- Describe the steps KCHA takes to insure the integrity of identifying information;
- Describe the process KCHA takes to insure the security of confidential information; and,
- Place the KCHA in compliance with state and federal law regarding identity theft protection.

This policy enables KCHA to protect existing residents, reducing risk from identity fraud, and minimize potential damage to the KCHA from fraudulent new accounts. It also extends the practices of protecting confidential or identifying information to transactions with employees and contractors.

#### **Scope**

This policy and protection program applies to employees, contractors, consultants, temporary workers, volunteers and other workers at the Authority, including all personnel affiliated with third parties.

#### Definitions

- **Account** means a continuing relationship established with the Authority by a person in order to obtain or maintain a product, service or employment.
- **Covered Account**
  - Any account the Authority offers or maintains primarily for personal, family or household purposes, that involves multiple payments or transactions, such as rent statements with maintenance charges.
  - Any other account the Authority offers or maintains for which there is a reasonably foreseeable risk to the safety and soundness of the Authority from Identity Theft.
  - These accounts may be with residents, employees or contractors.

- **Creditor** has the same meaning as defined in Section 702 of the Equal Credit Opportunity Act, 15 U.S.C. 1691a, and includes a person or entity that arranges for the extension, renewal or continuation of credit, including the Authority.
- **Confidential information** means social security numbers, date of birth, government issued driver's license or identification number, alien registration number, bank account numbers, government passport number, employer or taxpayer identification number or unique electronic identification number which, when combined with Identifying Information may lead to identity theft. Credit card numbers, medical information, domestic violence status and personnel evaluations are also considered confidential.
- **Customer** is a person or business entity that has a covered account with the Authority.
- **Financial Institution** means a state or national bank, a state or federal savings and loan association, a mutual savings bank, a state or federal credit union, or any other entity that holds a "transaction account" belonging to a customer.
- **Identifying Information** means a name, address, or telephone number that may be used, alone or in conjunction with any other information, to identify a specific person. Such identifying information may be available to the general public through telephone book, Internet services, etc.
- **Identity Theft** means fraud committed using the Confidential Information of another person.
- **Program Administrator** is the Deputy Executive Director for Administrative Services who shall be the KCHA employee responsible for developing, implementing or updating the Identity Theft Program.
- **Red Flag** means a pattern, practice, or specific activity that indicates the possible existence of Identity Theft.
- **Service Provider** means a person or business entity that provides a service directly to the Authority relating to or connection with a covered account.

### **Policy**

In order to identify relevant Red Flags, the Authority shall follow procedures as outlined in the Admissions and Continued Occupancy Policy to verify resident information; check criminal background of residents and current and prospective employees as required; validate social security numbers of vendors against relevant IRS records; and, conduct credit checks on those hired, either temporarily into positions requiring handling of confidential or financial identifying information. Fee property managers will screen prospective residents using their approved Management Plan guidelines.

#### **A. Notifications and Warnings from HUD, IRS or criminal/credit reporting agencies**

- Notification of non-matching or non-existent social security number accompanying a credit report, or reported by HUD or the IRS;
- Notice or report from a credit/criminal reporting agency of a credit freeze on a customer or applicant;

- Notice or report from a credit agency of an active duty alert for an applicant; and

**B. Suspicious Documents**

- Identification document or card that appears to be forged, altered or inauthentic.
- Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document.
- Other document with information that is not consistent with existing customer information (such as a person's signature on a check appears forged).
- Application for service that appears to have been altered or forged.

**C. Suspicious Personal Identifying Information**

- Identifying information presented that is inconsistent with other information the Account seeker provides (such as inconsistent birth dates).
- Identifying information presented that is inconsistent with other sources of information (for instance, an address not matching an address on a driver's license).
- Identifying information presented that is the same as information shown on other applications that were found to be fraudulent.
- Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address).
- Social security number presented that is the same as one given by another Account seeker.
- An address or phone number presented that is the same as that of another person;
- Failing to provide complete personal identifying information on an application when reminded to do so.
- Identifying information, which is not consistent with the information that is on file for the customer.

**D. Suspicious Account Activity or Unusual Use of Account**

- Mail sent to the account holder is repeatedly returned as undeliverable;
- Notice to the Authority that a customer is not receiving mail sent by the Authority.
- Notice to the Authority that an account has unauthorized activity.
- Breach in the Authority's computer system security.
- Unauthorized access to or use of customer account information.

**E. Alerts from Others**

- Notice to the Authority from a customer, a victim of identity theft, a law enforcement authority or other person that it has opened or is maintaining a fraudulent account for a person engaged in Identity Theft.

**Prevention and Mitigation of Identity Theft**

In the event Authority personnel detect any identified Red Flags, it will immediately take steps, depending on the degree of risk posed by the Red Flag to mitigate its effect. Such steps may include notification of customers; notification of law enforcement; or determination that no response is needed. Employees should notify the Program Administrator who will assist in determining which step to take.

**Protection of Customer Identifying and Confidential Information**

In order to further prevent the likelihood of Identity Theft occurring with respect to Authority accounts, KCHA shall take the following steps with respect to its internal operating procedures to protect Account holder's identifying and/or confidential information:

- Secure the KCHA website ensuring that any transmission of confidential information is encrypted.
- File cabinets, desk drawers, overhead cabinets and any other storage space containing documents with identifying information will be locked when not in use.
- Desks, workstations, work areas, printers and fax machines, and common shared work areas will be cleared of all documents containing identifying information when not in use.
- When documents containing confidential information are discarded they will be placed inside a locked shred bin or immediately shredded using a mechanical cross cut. Records may only be destroyed in accordance with KCHA's Records Management Policy and Records Retention Schedule.
- Make office computers password protected and provide that computer screens lock after a set period of time.
- Implement password enforcement to change passwords on computer systems every 180 days or less.
- Maintain computer virus protection up to date.
- Require and keep only the kinds of customer information that are necessary for Authority purposes.
- Conduct or require proof of criminal background checks on temporary employees who work with confidential information.
- Confidential information removed from KCHA premises in electronic format must be secured at all times from theft, misuse or the elements. Confidential information in paper format may only be removed from the premises with the manager's written authorization.
- Conduct confidential telephone or personal conversations in private spaces.

- Internally, confidential information may be transmitted using controlled KCHA e-mail systems. All sensitive information transmitted over public networks, such as the Internet must be encrypted and sent only to approved recipients.
- Confidential information must not be stored on mobile or otherwise portable systems such as laptop computers, unless stored in an encrypted format and approved for such storage by the Chief Information Officer or designee.

### **Program Updates**

At periodic intervals established in the program, or as required, the program will be re-evaluated to determine whether all aspects of the program are up to date and applicable in the current business environment. Periodic reviews will include an assessment of which accounts are covered by the program. As part of the review, red flags may be revised, replaced or eliminated. Defining new red flags may also be appropriate. Actions to take in the event that fraudulent activity is discovered may also require revisions to reduce damage to the Authority its residents, employees and contractors.

### **Oversight**

The Program Administrator shall be responsible for the Program administration, for appropriate training of Authority staff on the Program, for reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating Identity Theft, determining which steps of prevention and mitigation should be taken in particular circumstances and considering periodic changes to the Program.

### **Staff training**

- The Records Manager is responsible for ensuring identity theft training for all requisite employees and on site contractors and volunteers. Contract employees will receive this information in their hiring packet.
- To ensure maximum effectiveness, employees may continue to receive additional training as changes to the program are made.
- Identity theft training will be incorporated into the new employee orientation process.

### **Oversight of service provider arrangements**

In the event the Authority engages a service provider to perform an activity in connection with one or more Accounts, the Authority shall take the following steps to require that the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of Identity Theft.

- Require, by contract, that service providers acknowledge receipt and review of the Program and agree to perform its activities with respect to Authority covered accounts in compliance with the terms and conditions of the Program and with all instructions and directives issued by the Program Administrator relative to the Program; or
- Require, by contract, that service providers acknowledge receipt and review of the .Program and agree to perform its activities with respect to Authority covered accounts in compliance with the terms and conditions of the service provider's identity theft prevention program and will take appropriate action to prevent and mitigate identity theft; and that the service

providers agree to report promptly to the Authority in writing if the service provider in connection with an Authority-covered account detects an incident of actual or attempted identity theft or is unable to resolve one or more Red Flags that the service provider detects in connection with a covered account.

**Public Disclosure**

The identifying information of Authority customers with covered accounts shall be kept confidential and shall be exempt from public disclosure to the maximum extent authorized by law, including RCW 42.56.230.

**5.4 Use of Office Technology and Security Policy**

KCHA provides various Technology Resources to authorized employees to assist them in performing their job duties for KCHA. Each employee has a responsibility to use KCHA's Technology Resources in a manner that increases productivity, enhances KCHA's public image, and is respectful of other employees. Failure to follow KCHA's policies regarding Technology Resources may lead to disciplinary action, up to and including termination of employment. Moreover, KCHA reserves the right to advise appropriate legal authorities of any violation of law by an employee.

**Technology Resources Definition**

KCHA's Technology Resources consist of all electronic devices, software, and means of electronic communication including, but not limited to, the following: personal computers and workstations; lap-top computers; electronic tablets; mini and mainframe computers; computer hardware such as disk drives, tape drives, thumb drives, compact disks, and other portable storage devices; peripheral equipment such as printers, modems, fax machines, and photocopiers; computer software applications and associated files and data, including software that grants access to external services, such as the Internet; electronic-mail; telephones; cellular phones; personal organizers and other handheld devices; pagers; and voicemail systems.

**The Computer Network**

Use of computing, information technologies, and networking resources is a privilege that depends upon appropriate use of these resources. Individuals who violate the law or policy regarding the use of computing resources, information technologies, and networks are subject to loss of access to those resources as well as to disciplinary and/or legal action.

Policy governing the use of computer resources, use of information technologies and networks by employees is modeled after Washington State's Ethics in Public Service Law, RCW 42.52. Employees must comply with the Ethics Law and with any rules adopted by the Executive Ethics Board. Computer resources, use of information technologies, and networks by employees are subject to the Executive Ethics Board's rule on Use of State Resources, WAC 292-110-010. Links to web sites containing these law and regulations are available on KCHA's Intranet web site.

**Security & Proprietary Information Best Practices**

- Keep Passwords secure and do not share accounts. Authorized users are responsible for the security of their passwords and accounts. System level passwords should be changed quarterly and user level passwords shall change every three months.
- Users should sign off or otherwise lock computers when not in use. Unless specifically instructed otherwise by the It Department, all users should shut down and turn off their computers nightly.
- Postings by employees from a KCHA email address to newsgroups, Facebook, Twitter, or any other form of Social Media should contain a disclaimer that the opinions expressed are strictly their own and not necessarily those of KCHA, unless the posting is in the course of official business and within the scope of the employee's job duties.
- All hosts used by the employee that are connected to KCHA Internet/Intranet/Extranet, whether or not owned by KCHA, will be continually executing approved virus scanning software with a current virus database unless overridden by department or group policy.
- Employees must use extreme caution when opening any email received from unknown senders or clicking on any links, as they may contain viruses, email bombs, worms, or Trojan horse code.

**Appropriate Use**

Computer resources, information technologies, and networks may be used for legitimate business purposes only. Appropriate use of computer resources, information technologies, and networks includes use by employees directly related to the professional and administrative endeavors on behalf of KCHA or within the scope of employment. Employees may use information technologies and networks to conduct other business within the scope of their employment, such as communicating with members of professional organizations about their area of expertise, or visiting web pages of such professional organizations.

Limited personal use of technology is allowed. In general, an employee's personal use of technology is not a violation of this policy if:

- There is little or no cost to KCHA.
- Any use is brief in duration, occurs infrequently and is the most effective use of time and resources.
- The use does not interfere with the performance of the employee's official duties.
- The use does not disrupt or distract from the conduct of business due to volume or frequency.
- The use does not disrupt other employees and does not obligate them to make personal use of KCHA resources.
- The use does not compromise the security or integrity of KCHA property, information or software.

Examples of acceptable use include, but are not limited to:

- Communication via email for those who are hearing impaired (rather than using the telephone).
- Notices of social and public service events, (blood drives, donated leave requests, etc.) or notices of gatherings (lunches, birthdays, retirement receptions, etc.).
- Personal electronic mail messages to family and friends, provided that such messages are within the acceptable use guidelines (above);
- Checking movie times, flight arrivals, school closings, traffic or weather provided that such use is within the acceptable guidelines listed above.

KCHA assumes no liability for loss, damage, destruction, alteration, disclosure, or misuse of any personal data or communications transmitted over or stored on KCHA's Technology Resources. KCHA accepts no responsibility or liability for the loss or non-delivery of any personal electronic-mail or voicemail communications or any personal data stored on any KCHA property. KCHA strongly discourages employees from storing any personal data on any of KCHA's Technology Resources.

### **Inappropriate Use of System & Network Activities**

The following activities are, in general, prohibited. Employees may be exempted from these restrictions during the course of their legitimate job responsibilities (systems administration staff may have a need to disable the network access of a host if that host is disrupting production services). Under no circumstances is an employee authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing KCHA-owned resources. The lists below are not inclusive but attempt to provide a framework for activities, which fall into the category of inappropriate use.

Examples of inappropriate use of system and network activities include, but are not limited to:

- Supporting, establishing, or conducting any private business operation or commercial activity.
- Conducting personal activities unrelated to any KCHA purpose unless otherwise allowed by this policy.
- Attempting to gain unauthorized access to any portion of the system or using computer resources, information technologies, and networks as a staging area to attempt to gain unauthorized access to any other system or account.
- Violating KCHA's policy of prohibiting discrimination against individuals on the basis of race, sex (including sexual harassment), religion, age, color, creed, national or ethnic origin, physical, mental or sensory disability, marital status, sexual orientation, and status as a Vietnam-era or disabled Veteran.
- Intentionally disseminating, accessing, or providing a hyperlink to obscenity, as that term is defined by law.
- Engaging in political activities that violate state law (e.g., state law prohibits the use of state facilities or public resources for the purposes of assisting in an election campaign or for the promotion or opposition to a ballot proposition).

- Destroying, altering or compromising the integrity or security, or making inaccessible KCHA computer resources, information technologies, and networks when such uses are not authorized.
- Utilizing resources with the purpose of intentionally interfering with others' use of computing resources, information technologies, or network resources or conduct of KCHA business.
- Compromising the privacy of users of the computer resources, information technologies, and networks.
- Violating copyright law (thus, information technology and network users who do not hold the copyright of a work must have permission to publish information, graphics, cartoons, photographs, or other material, or the publication must be otherwise permitted under copyright law).
- Violating a trademark law.
- Violating any federal, state, or local law.
- Copying of software in violation of a license or when copying is not authorized.
- Providing information about, or lists of, KCHA employees to outside parties.
- Introduction of malicious programs into the network or server (viruses, worm, Trojan horses, email bombs, etc.).
- Revealing your account password to others or allowing use of your account by others. This includes family and other household members when work is being done at home.

### **Inappropriate Use of Email & Communications Activities**

Examples of inappropriate use of e-mail and communication activities include, but are not limited to:

- Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam).
- Any form of harassment via email, texting, instant messaging, blogging, postings on social media sites, telephone or paging, whether through language, frequency or size of messages.
- Unauthorized use of, or forging, of email header information.
- Solicitation of email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies.
- Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type.
- Use of unsolicited email originating from within KCHA's networks of other Internet/Intranet service providers on behalf of, or to advertise, any service hosted by or connected via KCHA's network.

**Accessing the Internet**

Employee access to the Internet will be based on a demonstrated need for work purposes. Access to certain areas determined to be unrelated to business purposes will be blocked. All information sent or received via the Internet should be considered public record. Therefore, employees should not consider Internet activities to be confidential.

**Phones and Fax Machines**

It is the policy of KCHA to require employees to keep personal telephone calls to a minimum, if not emergency basis. This also applies to personal use of fax machines. In either case, any personal long distance usage must be paid for by the employee. Personal use of KCHA 800 numbers is prohibited. Voice-mail messages should not be considered confidential.

**Electronic Mail**

E-mail is primarily for official business. Non business messages should be kept at a minimum. All information sent or received via e-mail should be considered public record and is not private or confidential. Any message sent can be forwarded on to anyone else in the system. Even after e-mail has been deleted, it can still be retrieved and read. Also, all messages are considered KCHA records and property. KCHA also reserves the right to read, use and disclose e-mail messages.

**Company Access To Technology Resources**

All messages sent and received, including personal messages, and all data and information stored on KCHA's e-mail system, voicemail system, or computer systems are the property of KCHA regardless of the content. As such, KCHA reserves the right to access all of its technology resources, including its computers, voicemail, and e-mail systems, at any time, in its sole discretion.

**No Reasonable Expectation of Privacy**

Although KCHA usually does not wish to examine personal information of its employees, on occasion, KCHA or its designees may need to access its technology resources including, but not limited to computer or network files, e-mail messages, and voicemail messages. Employees should understand, therefore, that they have no right of privacy with respect to any messages or information created or maintained on KCHA's Technology Resources, including personal information or messages. KCHA or its designees may, at its discretion, inspect all files or messages on its technology resources at any time for any reason. KCHA or its designees may also monitor its technology resources at any time in order to determine compliance with its policies, for purposes of legal proceedings, to investigate misconduct, to locate information, or for any other business purpose.

## 6.0 EMPLOYMENT STATUS AND RECORDS

### 6.1 Job Posting Program

Generally it is the policy of the KCHA to give first priority and consideration to current employees when filling vacant positions and to promote from within whenever possible based on experience, work performance, and job requirements.

Possible exceptions to the Job Posting Program may include, but are not limited to: KCHA obligations (employees returning from medical/military leaves of absence), temporary positions, reallocation or extensive reorganization of positions, lateral transfers, and reinstatements from layoff. Additionally, KCHA may deviate<sup>3</sup> from the Job Posting Program and from the application and selection processes set forth in this Section if KCHA management determines in its sole discretion that the situation warrants it. In any event KCHA is an equal opportunity employer and will follow all applicable laws and regulations relating to the hiring process.

#### **Application Process**

When a position becomes vacant, the Department of Human Resources will forward notice to all offices/departments and/or post to the general public. This notice will include job specifications and requirements, as well as an opening and closing date. The closing date will be no less than five (5) working days from the date the notice is sent. The length of time will be decided on a case by case basis.

Employees are eligible to apply for a job opening if they have:

- Completed their introductory period.
- Are performing at a satisfactory or better level in their current position as determined by their immediate manager.
- Meet the requirements of the vacant position.

All applicants for vacant positions are encouraged to apply via the online application portal and must complete all required data forms listed on the vacancy announcement including the Manager Authorization form, obtain their manager's signature, and forward to the Department of Human Resources on or before the closing date. Letters of reference may be attached to the application.

***NOTE: By signing the Manager Authorization form, the manager is acknowledging that the employee's performance in their current position is satisfactory or better.***

The Department of Human Resources will work with the hiring manager to determine criteria to advance applicants in the review process and forward to the hiring manager who will conduct interviews, contact references, make a selection decision (with approval of Department Director), and notify the Department of Human Resources for background checks, testing and other verifications.

#### **Selection Process**

Selection of applicants for vacant positions will be based upon work experience, job requirements, and testing. Selection of employees for promotion or lateral transfer is based on the experience, work performance, job requirements and testing.

If, during the selection process, two (2) or more employees are found to be equally qualified and there are no other applicants who are more qualified or residents who are equally qualified, then the employee with the greatest seniority will be selected for the vacant position.

No offer of hire or promotion may be made to any applicant or employee prior to the completion of the application and selection process. Temporary assignments may be made for a specified time or assignment as needed. Such appointments are made on an "acting" basis and the employee will return to his/her regular position upon completion of the assignment.

If an applicant or current employee is selected, the hiring manager will forward a Notice of Personnel Action form to the Department of Human Resources.

Employees who are selected for vacant positions will go through the same introductory period as new employees, and such introductory period may be extended the same as if the employee was a new employee.

#### **Promotion Increase**

Upon promotion to a higher position, an employee's salary or hourly wage will be increased to the new range or no less than an increase of three (3) percent. This increase is effective on the date of promotion.

#### **Salary Review Date**

The employee's salary review date will now be based on the date of promotion and will occur twelve (12) months following the promotion.

#### **"Acting" Capacity**

Employees who are assigned to a higher paying position in an "acting" capacity will be paid at the higher range for the duration of the assignment in accordance with the applicable collective bargaining agreement or administrative salary schedule. The actual salary will be set by the Deputy Executive Director for Administrative Services in consultation with the Department Director and the Director of Human Resources.

#### **Straight Transfer**

A straight transfer occurs when an employee is transferred to the same position **and grade** they currently hold, either at the same or different location within the Authority. There will be no change in pay or anniversary date

### **Lateral Transfer**

A lateral transfer occurs when an employee successfully applies for a position, which has the same pay grade range as their current position. Typically this position has a different class specification. A lateral transfer does not result in either a pay change or a change in anniversary date. In the case of a lateral transfer within the same job title and/or pay grade, there will generally be no salary increase, but may be determined on a case by case basis.

### **Change in Status**

A change in status occurs when an employee's status is changed from Short Term Temporary to Long Term Temporary or to Regular. This typically occurs when an employee is hired into a temporary position and without a break in service becomes regular through a hiring process.

## **6.2 The Hiring Process**

KCHA is an equal opportunity employer and hires individuals solely on the basis of their qualifications and ability to do the job to be filled. To facilitate this KCHA has established the following policies and procedures for all phases of the hiring process including applicant recruitment, employment interviewing, and selection, and offer of employment.

### **Applicant Recruitment**

All KCHA recruitment efforts will be conducted in accord with our Equal Employment Opportunity policy and Fair Employment Practices, and in compliance with contractual, legal, and affirmative action programs.

### **Employment Interview**

The purpose of the employment interview is to clarify application data, obtain further job-related information about the applicant, and to provide information to the applicant about the job and KCHA. All interview questions and any standards of measurement will be consistent and job-related. Generally, interviews will be conducted only for positions which are vacant or will be in the near future.

### **Employee Selection**

Employees will be selected on an unbiased assessment of the applicant's qualifications and the requirements of the vacant position.

#### Definitions

**Nepotism**: is when an employee participates, directly or indirectly in an employment action or decision which affects the interests of a close relative.

**Employment Actions or Decisions**: are actions or decisions made in connection with hiring, appointment, re-appointment, classification, reclassification, evaluation, promotion, transfer, discipline, supervision, or pay increases.

**Close Relative**: includes wife, husband, son, daughter, mother, father, sister, brother, sister-in-law, brother-in-law, daughter-in-law, son-in-law, mother-in-law, father-in-law, grandparent, grandchild, aunt, uncle, niece, nephew, step-parent, stepchild, persons living in the same household or domestic partner, children of a domestic partner and relatives of a domestic partner to the same extent such relatives would be included in this paragraph if the employee

and the domestic partner were married, and/or a person with whom the employee shares a substantial economic interest.

### **Recruitment Process**

The Department of Human Resources will initiate the applicant recruitment process including the Job Posting Program upon receipt of an approved Position Requisition form from the Department Director. The position will be posted and/or advertised to employees, residents, and the general public simultaneously or separately at KCHA's discretion for no less than five (5) days using recruitment sources appropriate to the position to ensure adequate dissemination of the employment opportunity to qualified individuals who are interested in employment with KCHA.

### **Recruitment Sources**

Recruitment sources may include, but are not limited to employee referrals, websites, newspaper advertising, educational institutions, public and private employment agencies, job fairs, professional organizations, labor unions, resident organizations and unsolicited applications.

### **Part-Time and Temporary Employees**

Part-time or temporary employees are eligible to apply for vacant positions through the Job Posting Program.

### **Former Employees**

Former employees may be considered for re-employment if their performance was satisfactory or better and their separation was in good standing, (see Definition) however, they are required to follow the application process.

### **Employee Referrals**

Employees are encouraged to refer qualified applicants for consideration; however, they are required to follow the application process. The referring employee may be eligible for a one-time bonus to be determined by KCHA in its sole discretion if the applicant is hired and completes the introductory process.

### **Selection Decisions**

All hiring decisions shall be made on the basis of merit and ability. However, a premium shall be placed on the recruitment and employment of qualified residents of public housing administered by KCHA. All else being equal, current residents will be given preference over nonresidents.

### **Employment Applications**

All applicants for employment must complete a KCHA Employment Application form, Pre-Employment Inquiry Release form, supplemental questions and any other required information. On-line applications are preferred, but not required. Applicants will be requested to complete the optional Affirmative Action Data form for EEO purposes. If there are no sufficiently qualified applicants for an open position as determined by the Department of Human Resources, by the closing date, then the position recruitment may be reopened. The falsification, omission, or

misrepresentation of application information may be grounds for denial of employment or dismissal.

All applications will be logged and screened by Human Resources. Applications which appear to meet the position requirements as listed in the Job Class Specification and recruitment materials may be forwarded to the hiring manager.

### **The Selection Process**

#### **A. Application Review**

The hiring manager will review the application forms and resumes referred from Human Resources and will select at least three or more applicants that meet the minimum qualifications for the position. In the event the pool of applicants is less than three, the Human Resources Department will continue recruitment to ensure a more robust pool of applicants.

#### **B. Interviews**

Interview questions will be reviewed by the Department of Human Resources to ensure they are job related and legal. Interviews will be scheduled and conducted by the hiring manager. An interview panel of two or three other employees or non-employees may be used to jointly interview the applicants and make recommendations for selection. The hiring manager should strive for diversity on interview panels. He/she must request and interview references for the finalists in order to clarify or confirm matters relevant to the hiring decision.

#### **C. Selection Decision**

The hiring manager shall be responsible for determining which, if any, of the finalists are best qualified for the job and recommending the selected individual, if any, for the position. The hiring manager may reject any and all finalists for the position if, based on the interviews, reference checks, job-related working tests, or other relevant factors, the finalists' abilities, qualifications or experience are not adequate or sufficient to perform the requirements of the job.

The hiring recommendation and the selection of the final candidate shall be based on qualifications and merit, although affirmative action and resident employment goals may be a factor when selecting between otherwise equally qualified applicants.

### **Background Checks**

Upon receipt of the hiring manager's recommendation, the Department of Human Resources will conduct an investigation of the applicant's background. The investigation shall include job-related inquiries into an applicant's work experience, driving record, credit history, criminal conviction record and validation of the social security number. In addition, for certain positions the inquiry may also include verifying additional job-related information such as the applicant's education, licenses and certifications.

Falsification or misrepresentation of information contained or presented in the application, resume or interview may constitute reason for denial of employment. Except for positions with duties involving the handling of public funds, an applicant will not be denied employment solely on the basis of a poor credit history and will not be denied employment for having filed bankruptcy.

A criminal conviction record may, but will not necessarily bar an applicant from employment. Review of an applicant's criminal conviction record will be restricted to convictions reasonably related to the applicant's fitness to perform the duties of the position such as a conviction record which indicates that an applicant may be a threat or a perceived threat to the safety of residents or members of the public with whom the applicant would contact in performance of the duties of the position.

No inquiry will be made into an applicant's arrest record. Applicants for positions which require driving as an essential part of the job function will not be offered employment if the applicant is unacceptable under KCHA's "Unacceptable Driver Criteria" as noted in the Drivers' Licenses, Insurability and Vehicle Usage Policy. Applicants with unacceptable driving records for positions which note that driving is an occasional job function may be offered employment at the discretion of the Department Director and/or the Executive Director or designee.

### **Offer of Employment**

The hiring manager or designee shall extend an offer of employment to the applicant only after written approval of the hiring recommendation is received from Department Director (if applicable) and the Deputy Executive Director and the Director of Human Resources. The offer of employment will be conditional on the completion of an acceptable background check and physical assessment of the applicant's ability to do the job. Any evidence subsequently received indicating falsification, omission, or misrepresentation during the hiring process may be grounds for denial or termination of employment.

### **Physical Assessment**

Once an offer of employment has been extended, a physical abilities test must be completed for all positions that include a physical component as a requirement of the position. Typically, the essential functions of these positions require considerable physical exertion in completing essential job functions and require bending, lifting, kneeling, climbing as well as working on a ladder and/or in tight places. A physical abilities test must be performed post offer and successfully passing of the assessment test is a requirement for employment with KCHA for such positions.

### **Documentation for the Hiring Process**

The Department of Human Resources shall establish appropriate procedures and forms to insure that employment actions and decisions with regard to hiring are properly documented including recruitment sources, names of all applicants and the reasons for selection or non-selection. Human Resources shall maintain these documents in accordance with Washington State Records Retention laws. The hiring manager will notify all current employees not selected for the position. The Department of Human Resources shall also be responsible for promptly notifying all external applicants that were interviewed but not selected of the hiring decision.

### **Employment of Relatives and Friends**

Close relatives and friends of current employees are eligible to compete for employment and, if employed, are eligible for transfers, promotions, and jobs for which they are qualified as long as a conflict of interest is not created. Although close relatives and friends are not entitled to any preferential consideration in any employment action or decision, KCHA welcomes referrals of qualified applicants from current employees. A conflict of interest may exist where:

- One close relative as defined in these policies would have the authority or practical power to supervise, appoint, remove, or discipline the other;

- Where one close relative would be responsible for auditing the work of the other;
- Where other circumstances exist which would place the spouses in a situation of actual or reasonably foreseeable conflict between the employer's interest and their own; or
- Where, in order to avoid the reality or appearance of improper influence or favor, or to protect its confidentiality, the employer must limit the employment of close relatives of policy level officers of customers, competitors, regulatory agencies, or others with whom the employer deals;
- If a bona fide occupational qualification applies (i.e., the employment action or decision would constitute a violation of any state or federal law or regulation or condition of governmental contracts or financial assistance with which KCHA is required to comply, or there is a particular quality of protected status that will be essential to or will contribute to the accomplishment of the purposes of the job).

For the purposes of this policy, "close relatives" includes the employee's siblings, aunts, uncles and cousins; the siblings, aunts, uncles and cousins of an employee's current or former spouse, domestic partner, and/or fiancée; anyone with whom the employee currently shares a residence or has shared a residence in the last 12 months; anyone with whom the employee shares a credit card or bank account and/or for whom the employee has co-signed a loan; and any fiancée, current and/or former spouse, domestic partner, parent, parent-in-law, brother-in-law, sister-in-law; grandparents, children and grandchildren of the employee; and anyone for whom the employee has been a legal guardian or in loco parentis. If after hiring, two employees become "close relatives" under circumstances that may create a conflict of interest, they will be allowed to make the decision as to who will be transferred, reassigned, laid off, or terminated, as long as it is consistent with KCHA business needs.

#### **Nepotism – Notification and Disclosure**

Applicants and employees are responsible for identifying potential conflicts of interest based on nepotism and for notifying managers or appointing authorities in writing of such potential conflicts. Managers and appointing authorities are responsible for disclosing these conflicts in writing or, in circumstances where it can be demonstrated that routine measures to dispose of the conflicts are not in KCHA's best interests, referring such cases to the Executive Director or designee.

### **6.3 Introductory Period**

New employees, former employees who are rehired, temporary employees who are hired for regular positions, and employees who change positions must complete a six (6) month "introductory" period before being granted "regular" employee status, which can be extended by KCHA if it determines in its discretion that an extension is warranted. The Introductory Period is to be considered as the initial evaluation period of an employee and as the final step in the selection process to determine whether or not a match has been achieved between the requirements of the position and the applicant selected to fill the position. The introductory period should be considered as part of the selection process and should be treated as an additional selection tool.

Employees should be reminded that they continue to be employees-at-will both during and after this period, that they are free to resign at any time and likewise, KCHA reserves the right to discharge employees for any lawful reason at any time, with or without cause or advance notice.

### **Benefits During the Introductory Period**

During the initial introductory period new employees accrue, but cannot use sick and annual leave benefits because such benefits do not vest until after the introductory period ends. However, new employees in their introductory periods who accrue but are ineligible to use their annual leave because it has not vested may request orally or in writing an advance against their accrued annual leave only in the event of a declared inclement weather event and the employee cannot safely travel to work. This advance is treated as a loan for the benefit of the employee. If the employee is terminated during or at the end of the introductory period, the dollar equivalent of the used annual leave taken will be deducted from the employee's final paycheck.

Current employees who are promoted or transferred to a new position will serve an introductory period but may continue to use accrued sick and annual leave.

Employees may not request a transfer or apply for vacant positions or avail themselves of the Tuition Assistance program during the introductory period.

Otherwise, benefits that accrue during the introductory period are made available for use upon successful completion of the introductory period unless the employee is terminated or terminates employment, in which case the benefits are forfeited.

### **Duration of the Introductory Period**

The initial introductory period will be for six (6) months. However, the introductory period may be extended under unusual circumstances and must have prior approval from the immediate manager, Department Director and the Director of Human Resources. A request to extend the introductory period must be accompanied by the New Employee Performance Appraisal form giving the length and reason for extension and a Notice of Personnel Action form.

An introductory period does not guarantee the employee will be employed to the end of the specified period. Successful completion of the period does not guarantee later employment or limit later corrective action or discharge. Employees in the introductory period may be terminated only with prior approval of the Department Director and the Director of Human Resources. Also, employees in the introductory period have no recourse to the grievance process.

### **Evaluation Process and Procedures**

The Department of Human Resources will begin orientation on or around the employee's first day of work to obtain verification of the employee's legal ability to work in the United States, proof of identity and to explain KCHA's employee benefits, including due dates for returning required forms. KCHA Policies and Procedures will be explained during New Employee Orientation Program scheduled at a later date. The employee's manager will follow with more specific orientation detailing policies and procedures pertaining to the employee's position.

During the introductory period, the employee's performance, attendance and conduct should be evaluated using the New Employee Performance Appraisal [InfoPath form 8007](#), available on the Intranet. The employee's manager will complete the appraisals at the end of each month or at least bi-monthly during the introductory period and discuss with the employee, who initials the form indicating that the discussion has taken place. This evaluation provides the necessary

documentation for the retention of the employee as a regular employee, extension of the introductory period or termination of employment for failure to meet job standards or other KCHA requirements.

If there is a question as to whether the employee can successfully complete the introductory period, this should be noted on the appraisal, and contact should be made with the Department of Human Resources to discuss the problem(s).

If the employee successfully completes the introductory period, the employee becomes a "regular" employee but still an "at-will" employee unless otherwise provided by a collective bargaining agreement. The manager completes The New Employee Performance Appraisal form and the Notice of Personnel Action form and forwards to Human Resources for review and processing. Both forms must be completed and sent to Human Resources prior to the employee's use of annual leave or sick leave.

## **6.4 Employment Records**

KCHA maintains personnel files for each employee. These files include confidential and non-confidential information such as the employee's job application, resume, documentation of performance appraisals and salary increases, and other employment records. KCHA recognizes and respects employees' rights to privacy and to achieve that goal, utmost care will be taken in the maintenance and release of information contained in employee files and records.

### **Human Resource and Management Responsibilities**

Human Resources will maintain a general personnel file and a confidential file on each active employee in accordance with Washington State Records Retention laws and is responsible for the security and maintenance of all official personnel records.

Managers are responsible for forwarding documents to Human Resources for inclusion in personnel files. These documents should be sent under cover and marked "Confidential". Department Directors and managers should keep the following information in their possession:

- Attendance records
- Copies of most recent performance evaluations
- Information relating to current job performance

### **Employee's Duty To Report Accurate Information and Any Changes To Personnel Data**

KCHA relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented during the hiring process and throughout an employee's employment. Any misrepresentations, falsifications, or material omissions in an employee's employment records may result in termination of employment. Employees are responsible for informing the Department of Human Resources of any changes in their personnel data (including name changes, home addresses, telephone numbers, and individuals to be contacted in the event of an emergency). Such information should be accurate and current at all times.

### **Release of and Access To Employment Records**

All requests for information including references on current, former, or inactive employees will be referred to Human Resources. Human Resources generally treats employee information as confidential except when requested to verify dates of hire/termination, job title, salary and department. Human Resources will release additional information only in response to duly authorized requests from law enforcement or other applicable agencies; summonses, subpoenas, discovery requests in litigation, and judicial or administrative agency orders. KCHA will also release information with written permission from the employee indicating:

- Specific information to be released.
- To what individual or agency.

Access to personnel files by employees within KCHA will be limited to the employee's respective manager, Department Director, Human Resources staff, and the Executive Director or designee. Information on employees who are candidates for promotion and/or transfer will be made available to the hiring manager by Human Resources.

Employees may annually review all information contained in their own personnel files upon request to the Department of Human Resources. Records exempt from this review include records of an employee relating to the investigation of possible criminal offense and those records compiled in preparation for an impending lawsuit which would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

Employees who wish to review their own files should provide the Department of Human Resources with reasonable advance notice. The Department of Human Resources will arrange a mutually convenient time within seven (7) days of the employee's request, to allow the employee review his or her own personnel files in the office and in the presence of an employee designated by the Human Resources Department to maintain its personnel files.

### **Confidentiality of Medical Information**

Medical information about employees will be treated with strict confidentiality and only those with a legitimate business need to know such information will be given access. KCHA will take reasonable precautions to protect such information from inappropriate disclosure and maintain the confidentiality of employee medical information. Anyone who inappropriately discloses such information will be subject to disciplinary action, up to and including termination of employment.

## **6.5 Performance Appraisals**

KCHA conducts performance reviews to provide feedback about an employee's performance, cooperation, diligence, accuracy, and attendance, and also to discuss job tasks, identify opportunities, and recognize strengths. These reviews are designed to examine the progress made since the last review and to set goals for future development. Employees will have an opportunity to meet with their manager to discuss their performance appraisal.

Performance appraisals of all employees generally are to be conducted monthly or bi-monthly during the introductory period and shall be conducted annually during the month marking the anniversary of the day the employee was originally hired or promoted. The purpose of the appraisal is to both evaluate and improve as necessary, employee work performance, skills, motivation or conduct. The performance appraisal also provides a documented assessment of

performance that may be used, along with other information, in making decisions with regard to merit pay increases, promotion, reclassification, transfer, or corrective action.

KCHA makes pay adjustments, awards, and promotions, in its sole discretion and with the approval by the Executive Director or designee. Such decisions may be dependent on numerous factors, including the information documented by this formal performance appraisal process, business needs, budgetary conditions, and an evaluation of outside market data.

## **6.6 Training and Employee Development**

KCHA actively supports and promotes a variety of educational and training programs and activities for all employees in recognition of the need to continually build and expand their knowledge base to better achieve goals and objectives, both collectively and individually. In support of this, KCHA affirms that continuing education and training is a critical part of each employee's career development and seeks to provide resources, as available.

### **Education and Training**

Each department manager/director will be responsible for developing, implementing and communicating the technical job training necessary to ensure that employees effectively and efficiently carry out the job functions, duties and responsibilities of the position. Technical training must be approved in advance. Training expenses in excess of \$500 must be approved by the Deputy Executive Director or designee. Employees requesting training must submit a Training Request [InfoPath form 2857](#) to their manager and the Department Director. Employees requesting tuition assistance must complete a Tuition Assistance Request [InfoPath form 8013](#) and submit it to their manager and Department Director prior to the start of the class.

### **Conferences, Conventions and Seminars**

Conferences, conventions and seminars, must be approved, in advance by KCHA. Attendance will be approved based on job-relatedness and current budget considerations for training and education.

### **Management Training**

In addition to any training that may be provided by KCHA, employees who are considered part of the management/supervisory staff are encouraged to seek out and attend a minimum of one management-related seminar or course per year for the purpose of further developing management skills and abilities and contributing to the betterment of KCHA management team.

### **Technical Job Training**

Each department manager/director will be responsible for developing, implementing and communicating the technical job training necessary to ensure that employees effectively and efficiently carry out the job functions, duties and responsibilities of the department.

### **Organizational Training**

The department manager/director in coordination with the Department of Human Resources shall be responsible for developing, implementing and communicating on-going training plans and opportunities which would cross departmental boundaries and be of interest to all or most all employees. Training of this type might include such topics as ethics, cultural diversity, strategic planning, organizational management, and supervision, to name a few.

### **Pay for Training Time**

Exempt employees receive no additional pay for training time. Nonexempt employees receive pay for training time if it is during their regular working hours and/or if any of the following criteria are met: 1) the training is required by KCHA; 2) the training is directly related to the employee's current or future positions or other job duties within KCHA. The determination as to whether training is directly related to the employee's job is made by the employee's manager, and employees are directed to ask their manager whether the training meets any of these criteria before signing up for or participating in the training.

### **Tuition Reimbursement**

To be eligible for educational and training opportunities, employees must meet the following requirements:

- The employee must have completed the six-month introductory period. Exceptions to this requirement may be made by the Deputy Executive Director if it is deemed in the best interests of KCHA to have an employee attend training prior to the end of the introductory period.
- The employee must formally apply for education and/or training assistance and obtain management approval prior to the start of the education and/or training.
- At the time of submitting the application, the employee must be in "good standing" as defined in the Corrective Action policy of this manual. Also, approval for educational and/or training assistance is contingent upon the employee's ability to fully perform the duties of their current position.
- Approval of the request shall be based on:
  - the development of knowledge, skills, and aptitudes necessary to perform current and or future job duties or other positions within KCHA; and
  - the availability of funds budgeted for training and education. In the event that requests exceed available resources, priority will be given to requests involving training and/or education that is immediately applicable to current job responsibilities.

### **College Level Course Work**

Classes taken from an accredited university or college in pursuit of a degree or certification must be submitted and approved prior to the start of the class and must be related to current or future positions or other job duties within KCHA. Registration fees will be matched at 50% by KCHA upon successful completion of the course. A certificate of satisfactory completion or a grade report of "C" or better will be considered successful completion.

Reimbursable courses will be limited to 10 credits per quarter or 30 credits per year with tuition reimbursement limited to a maximum of \$1,000 per quarter or \$4,000 per year per employee. These amounts may be changed by the Executive Director at any time. If an employee terminates employment prior to completion of a course, the employee will forfeit reimbursement by KCHA. Single classes (not taken in the pursuit of a degree), if approved, will be covered 100% up to the maximum amount allowed.

### **Employee Application/Reimbursement Procedures**

The employee must complete the appropriate form prior to the start of classes, obtain manager approval. If approved, the department manager will forward to Human Resources for processing. Departments have the option of covering the tuition reimbursement under the same terms and conditions using their department budget for training.

### **6.7 Corrective Action**

KCHA's corrective action policy is to provide the means to correct, remedy or prevent:

- Unsatisfactory employee job performance.
- Unsatisfactory, improper, or inappropriate employee conduct.
- Employee actions, behaviors, or decisions that are inconsistent with or in violation of public law, KCHA policy, or written or verbal directives.

Although in most instances, KCHA's practice will be to apply corrective actions in steps of increasing severity, KCHA reserves the right to apply whatever corrective actions it deems appropriate, including skipping steps in the corrective action process and/or immediate discharge without prior corrective action or notice. Any such discharge may be undertaken without additional compensation or severance pay except for actual time worked.

It is the responsibility of the manager to administer corrective action in a manner that generally focuses on improving employee performance, changing employee conduct, or insuring employee compliance with laws, regulations, policies or directives. Corrective action should not be applied in an insulting, demeaning, or abusive manner. All corrective actions should be cleared in advance by the Department Director and the Director of Human Resources.

### **Guidelines for Managers Before Taking Corrective Action**

- Obtain and document the facts needed to understand both the nature of the problem and the employee's role in the situation. Employees represented by a collective bargaining agreement may request union representation during investigatory interviews conducted by KCHA to obtain facts which might support disciplinary action against the employee.
- Document the employee's view of the situation. If the accused employee is represented by a labor union and requests representation, the interviewer has three options: 1) grant the request; 2) discontinue the interview; or 3) offer the employee the choice of continuing the interview unrepresented, or of having no interview at all, thereby foregoing any benefit that the interview might have conferred upon the employee, but interview the witnesses and document their point of view. Witnesses are not required to have representation.
- Consult with the Department Director and the Director of Human Resources.
- Act promptly. Do not hesitate to intervene immediately if a performance or other problem is suspected or comes to your attention.
- Apply the corrective action fairly, consistently and to the extent needed to correct or solve the problem. When dealing with the employee:

- Describe specifically to the employee the negative impact of the behavior or job performance.
  - Point out specific differences between current and expected behavior.
  - Provide the employee with documentation of the corrective action using KCHA's Corrective Action form or letter. The final written document must be approved by the Department Director and the Director of Human Resources.
  - Express confidence in the employee's ability to change or improve.
- Follow up to ensure that the corrective actions have been undertaken and there has been observable improvement. If there is no improvement, further and more severe corrective action may be warranted.
  - Employees represented by a collective bargaining agreement may be entitled to union representation in pre-disciplinary meetings. Contact the Human Resources Department for details.
  - Written warnings, suspensions and terminations may be grieved using the procedures outlined in KCHA's Internal Complaint Procedures in this manual or the collective bargaining agreement.

If an employee receives any level of discipline, it will remain active in the employee's personnel file and the employee will be considered **not in "good standing"** according to the effective date the discipline was administered:

- 3 months for each verbal warning
- 6 months for each written warning
- 6 months for an involuntary demotion
- 1 year for each suspension of any length

When not in good standing the employee is not eligible to transfer voluntarily, apply for another job, and receive tuition reimbursement. This does not restrict the right of KCHA to unilaterally reassign, direct, or transfer an employee to a new or different work location(s) in accordance with the transfer policy.

Even if an employee is in "good standing" because the time periods set forth above have passed, all levels of discipline will remain in the employee's file for at least a year and can be used for purposes of imposing progressive discipline and evaluating the employee's performance. After a year, employees can petition the Department of Human Resources to remove the discipline from their files if there have been no other incidents that could result in discipline.

### 6.8 Internal Transfers

Whenever there are opportunities for advancement or development or whenever KCHA can achieve more effective utilization of Human Resources, KCHA will grant employees who are in

good standing, the opportunity for a straight transfer to the same position in another location (office/department) when an opening occurs, provided that the employee's work performance is satisfactory or better and that the transfer will be mutually beneficial to both the employee and KCHA.

Nothing in this policy shall in any way restrict the right of KCHA to unilaterally reassign, direct, or transfer an employee to a new or different work location(s). Any such unilateral reassignment or transfer shall be subject to approval by the Executive Director or designee.

### **Transfer Request**

To be eligible for a voluntary lateral transfer, an employee must be in good standing and have a completed [Request for Transfer form 8012](#), on file in the Department of Human Resources. When an opening occurs, the Department will review the transfer file and refer eligible employees to the hiring manager for an interview prior to initiating the Job Posting Program. The hiring manager is encouraged to check internal and external references and review performance appraisals of the employees prior to making a decision to accept or reject the transfer. Human Resources will conduct a background check prior to approving the decision. The hiring manager will notify potential transfers of the final decision.

An approved Notice of Personnel Action form will be forwarded to the Department of Human Resources to finalize the decision to accept the transfer.

## **6.9 Separation**

Unless otherwise provided in a collective bargaining agreement, both KCHA and employees are free to terminate the employment relationship at any time, without cause. There are two (2) types of separations: voluntary and involuntary.

### **Voluntary Separations**

Voluntary separations are those requested by the employee and may include the following reasons:

- Personal
- Employee has accepted another position
- Medical/health problems
- Relocation
- Return to school
- Retirement
- Policy conflict

Employees who voluntarily separate from employment are requested to, but not required to give a minimum of two (2) weeks written notice to their manager and the Department of Human Resources and participate in an exit interview. All departing employees are required to return all office supplies, ID badge, equipment, keys and property belonging to KCHA to their supervisor or the Department of Human Resources on or before their last day of employment.

### **Involuntary Separations**

Reasons for involuntary separations may include the following:

- **Reduction in Force:** A reduction in force (layoff) is usually due to lack of work, funds, or reorganization and is normally unrelated to an employee's work performance and/or conduct. Should a layoff occur, retention of employees will generally be based on job necessity, employee performance and length of service considerations.
  - Employees separated due to layoff will generally be given at least two (2) weeks' notice, if circumstances permit, and first consideration for future vacancies. If re-employment should occur within one (1) year (i.e., within 12 months), the employee will be credited with prior service for seniority, annual and sick leave benefits. Employees who are union members may have a different layoff/rehire process that is set forth in their collective bargaining agreements.
- **Separation With or Without Cause:** An employee may be terminated with or without cause and with or without notice as covered under the Employment At-Will policy in this manual.

### **Pre-Termination Meeting**

When a preliminary decision has been made to terminate an employee, the Department of Human Resources will usually schedule a pre-termination meeting with the Department Director or manager, the Union Representative (if applicable) and the employee to:

- Inform the employee of the reason(s) for the termination. This includes a full review and explanation of the facts leading up to the preliminary decision to terminate employment.
- Give the employee an opportunity to present reason(s), if applicable, why the proposed termination should not occur.
- Make a final decision to carry out or rescind the preliminary decision to terminate employment. If a final decision cannot be made at this meeting due to the need for further review, another meeting should be scheduled as soon as possible. In the interim, the employee's status must also be determined (return to work, leave of absence or, suspension).
- A final decision will be communicated in writing to the employee including applicable next steps.
- Information regarding termination of benefits will be provided by the Department of Human Resources.

Pre-termination meetings are not required for at-will employees but may be scheduled at KCHA's sole discretion.

## **6.10 Employment References**

KCHA endeavors to limit its response to employment reference inquiries about present and former employees to confirming the position held and dates of employment and compensation earned. Information regarding any other work-related information will be provided if the employee consents in writing or if compelled by law. KCHA will also provide further information

if it is legally required to do so. A written record of the information provided in the reference will be retained in the personnel file.

The employer should retain a written record of the identity of the person or entity to which information is disclosed under this section for a minimum of two years from the date of disclosure. The employee or former employee has a right to inspect any such written record upon request and any such written record shall become part of the employee's personnel file

Employees who receive a request for information about a former employee must refer the person making the request to the Department of Human Resources. Only the Department of Human Resources may provide information regarding employees to any outside person or entity. Any violation of this policy will result in disciplinary action, up to and including termination of employment.

## **7.0 COMPENSATION, PAYROLL & TIMEKEEPING**

### **7.1 Compensation**

KCHA's salary administration program is intended to provide all employees with fair compensation appropriate to the experience, training and responsibility required by each job. The salary administration compensation and benefits program is designed to assist in creating and supporting a flexible, responsive and competitive organization.

KCHA positions the salary structure, subject to budgetary constraints, at least at the median (50th percentile) of comparable organizations in the greater Seattle/Puget Sound region. The comparable market will include governmental organizations and private and local regional businesses. The decision about which labor market to utilize in establishing competitive salary ranges will involve two general principles: the "market" where KCHA looks to attract labor or talent is the primary market and local and regional private and public sector data is secondary. Overall, the goal of KCHA's salary administration program is to:

- To provide recognition and reward opportunities to employees for generating results which are exceptional.
- To provide employees and managers with a process for planning, implementing and documenting merit award results, improvement opportunities and developmental needs.

Placement of positions in pay ranges will primarily be determined by a job's responsibility, knowledge and skills, and similarity to other KCHA jobs and by local market surveys. In the absence of market data, jobs will be placed into pay ranges of similar positions using the Position Appraisal Method for assessing internal equity/alignment. Individual base salary increases will reflect current pay relative to market values, individual performance, applied skill and knowledge and budgetary constraints.

#### **Salary Schedule**

A new employee will normally start at the beginning of the pay range to which the position is assigned. Higher pay may be offered depending upon the new employees' experience and related education. Only the Deputy Executive Director or designee can approve a salary greater than the minimum which will be approved via the Notice of Personnel Action form.

#### **Eligibility for Merit Increases**

At the end of twelve (12) months of service, and annually thereafter, employees may be eligible to receive a salary/wage increase based on merit according to their annual performance appraisal or collective bargaining agreement (if applicable).

Merit increases for non-represented employees may be awarded to those employees whose work and conduct demonstrate, according to their appraisal, an overall rating of above standards or outstanding level of performance. Merit increases may be awarded at the sole discretion of the Deputy Executive Director upon recommendation by the manager, Department Director and Director of Human Resources.

Non-represented employees at the top of the pay range whose job performance is rated outstanding for two consecutive years may receive a 2 % lump sum payment that is not added to the base salary.

Salary increases for represented employees will be in accordance with the appropriate labor contract.

### **Promotion Increase**

When promoted, an employee's salary/wage will be increased a minimum of 3% unless otherwise specified in a collective bargaining agreement. The anniversary date will change to the effective date of the promotion.

When an employee is assigned to a higher paying position in an "acting" capacity, he/she will be paid at the range of the higher position and at a salary in the range that represents at least a 3% pay increase for the duration of the assignment. A Notice of Personnel Action form must be submitted to the Department of Human Resources to affect this increase.

### **Lateral Transfer**

When an employee applies and transfers in the same position (job title) from one location to another, generally there is no salary increase (see definition).

### **Management Reassignment**

Up to a 3% salary increase may be given to non-represented employees who are reassigned to a different position at the same salary level.

### **Demotion**

If an employee is demoted voluntarily or for reasons of unsatisfactory performance and/or conduct or reclassification, his/her salary shall be placed in the new pay range or reduced to the maximum of the lower salary range. Exceptions may be approved by the Executive Director (or designee).

## **7.2 Pay Periods and Deductions**

There are generally 26 pay periods in each fiscal year. KCHA employees are paid at least every other Friday with the payroll period ending the preceding Friday. Mandatory deductions are made for the following: federal income tax, social security, state industrial insurance, and Washington State Employees' Retirement plans.

## **7.3 Direct Deposit**

KCHA offers automatic payroll deposit for all employees and it is encouraged, but not required, to receive pay. To begin automatic payroll deposit, complete the Authorization Agreement for Direct Deposit [InfoPath form 8003](#) available from the Human Resources Department and KCHA Intranet and attach a deposit slip, cancelled check, or letter from the financial institution and send to Payroll. Employees should carefully monitor payroll deposit statements and financial accounts for accuracy.

To stop automatic payroll deposit, complete [InfoPath form 8003](#), available from the Human Resources Department or KCHA Intranet and send to Payroll at least ten (10) days before the pay period for which direct deposit is to end. Employees will receive a regular payroll check on

the first pay period after the receipt of the form, provided it is received no later than ten (10) days before the end of the pay period. For emergency termination of direct deposit, the employee must notify Payroll via telephone, fax or email.

#### **7.4 Standard Work Day**

The standard work day for employees is 8:00 am to 4:30 pm with a half-hour lunch break or 8:00 am to 5:00 pm with an hour lunch break. No employee may work on their own time on KCHA premises without prior manager approval. If an alternative work schedule is approved, work time must be in KCHA's bandwidth, which is 6:30 AM to 6:30 PM.

Staffing needs and operational requirements for individual units may necessitate variations in starting and ending times as well as variations in the total hours that may be scheduled each day and week. Non-exempt employees will be informed by their manager of their expected work schedule with as much advance notice as possible; exempt employees will notify their supervisors of their location(s) during the standard work hours and will work such hours as are necessary to complete their assigned duties.

#### **7.5 Work Day and Work Week Defined**

For purposes of preparing timesheets, daily logs, or for payroll purposes, the Work Day is defined as the 24-hour period which runs from 12:00 a.m. until 11:59 p.m. and the Work Week is defined as 7-day period that begins Saturday at 12:00 a.m. and ends Friday at 11:59 p.m.

#### **7.6 Timesheets and Daily Record Keeping**

Employees must initial or approve via electronic method, timesheets that document overtime/holiday time worked and leave taken (e.g., annual, sick, comp time, etc.). All employees must verify the accuracy of the time recorded by signing the timesheet in ink before it is submitted on a bi-weekly basis to Payroll for processing.

Employees who violate this policy or knowingly falsify a time sheet will be subject to disciplinary action, up to and including termination of employment.

#### **7.7 Meal Periods**

Non-exempt employees who work at least five (5) hours in a workday are entitled to take an unpaid duty-free meal period. Meal periods must be a minimum of thirty (30) minutes, but generally no longer than one (1) hour in duration and must be taken 2 to 5 hours into their shift. A second unpaid meal period of not less than thirty (30) minutes is required when working more than ten (10) hours and must be taken around the middle of the second 5-hour period.

Employees must make arrangements for scheduling the meal period with their manager when leaving and returning from lunch. If an employee is unable to take their meal period, he or she must promptly notify their manager so that they can reschedule the break. Employees are not authorized to perform any work during the lunch period.

#### **7.8 Rest Periods (Breaks)**

All employees are entitled to take one (1) paid fifteen (15) minute rest periods for every four (4) hours worked with the rest period being in the middle of each 4-hour work period as far as

practicable, with due consideration for the business needs and operational requirements of the work site.

Rest periods should not be taken at a time when it would be disruptive to work flow. Employees who work less than 3½ hours a day are not authorized to take a rest period. Rest periods may not be used to extend lunch breaks or “saved” for the purpose of arriving late or leaving early from work.

### 7.9 Overtime

Certain positions are entitled to overtime pay under federal and state wage and hour laws. Whether a position is entitled to overtime pay depends upon whether the position is classified as exempt or nonexempt which depends on the type of duties performed.

#### **Exempt Employees**

Exempt employees are not entitled to overtime pay or additional pay for time worked beyond the standard work day or work week nor will pay be deducted for absences of less than one (1) day. Pay and related benefit deductions may; however, be made in full-day increments for absences of one (1) day or more when the employee:

- Performs no work in a particular week, regardless of the circumstances;
- Takes at least a whole day off for personal reasons other than sickness or accident;
- Is absent due to sickness or disability if the deduction is made according to KCHA’s sick and disability leave policies;
- Has exhausted his or her sick leave or disability leave or has not yet qualified for sick leave or disability leave under KCHA’s policies;
- Is eligible for the federal Family and Medical Leave Act (“FMLA”), deductions may be made for partial day absences due to leave taken according to the FMLA;
- Is in the first or final week of employment, the employee's salary may be prorated for the actual days worked;
- For disciplinary absences that are imposed for violations of safety rules of major significance. This includes only those relating to the prevention of serious danger to the plant, the public, or other employees, such as rules prohibiting smoking in explosive plants or around hazardous or other flammable materials;

Any pay and related benefit deductions shall be commensurate with the leave time actually taken.

#### **Non-Exempt Employees**

Non-exempt administrative employees will have the option of paid overtime or compensatory time off at the rate as follows:

Overtime received at....	For all hours worked....
<b>Time and a half (1½x)</b>	<ul style="list-style-type: none"> <li>• Over 40 hours in a workweek unless a collective bargaining agreement specifies otherwise.</li> </ul>

As required by law, overtime pay is based only on actual hours worked. Hours worked must be regular hours worked and cannot include leave taken for sick, annual, leave without pay or other purposes. Time off for meals, time spent commuting to and from the initial worksite, approved paid absences (i.e., approved paid time off for purposes of annual leave or sick leave), or any holiday or other leaves of absences will not be considered time worked for the purpose of calculating overtime pay unless a collective bargaining agreement specifies otherwise.

Upon termination of employment all accrued compensatory time will be paid at the current hourly rate.

Employees are sometimes asked to work additional time to meet deadlines, operational needs and emergencies. Therefore, employees' cooperation in performing overtime work is expected. Overtime may not be worked without advance approval by a manager, except in emergency situations. In addition, KCHA does not allow non-exempt employees to work without compensation. Any violations to this policy may be subject to disciplinary action up to and including termination of employment.

### 7.10 Employment Classifications

Employees are classified by the type of work they perform and the numbers of hours they are regularly scheduled to work. Each position falls into one of the following categories, which will also determine eligibility for overtime and certain employee benefits.

#### **Exempt versus Non-Exempt**

Status	Definition
<b>Exempt (salaried)</b>	Employees who are paid on a salary basis; are in executive, administrative, professional, or certain computer-related positions; and are not eligible for overtime pay.
<b>Non-Exempt (hourly)</b>	Employees who are paid on an hourly basis and are eligible for overtime pay.

**Employment Types**

Employment Type	Definition
<b>Regular Full-time</b>	Employees who are regularly scheduled to work between thirty-two (32) to forty (40) hours per week.
<b>Regular Part-time</b>	Employees who are regularly scheduled to work less than thirty-two (32) hours per week.
<b>Temporary</b>	<p>Temporary employees are those employed for a limited period of time or for a special project or assignment. Temporary employees are hired with the understanding that their employment ends upon completion of the job assignment. Temporary employees are either short or long term:</p> <ul style="list-style-type: none"> <li>• <b>Short-Term:</b> Short-term temporary employees are generally employed for up to six (6) months or less and are not eligible for KCHA benefits including merit pay increases. Short-term employees are eligible for holiday pay.</li> <li>• <b>Long-Term:</b> Long-term temporary employees are generally hired for six (6) months to twenty-four (24) months and receive all KCHA benefits.</li> </ul>

**7.11 Classification Specifications (Job Descriptions)**

KCHA maintains classification specifications (job descriptions) which describe the qualifications for and the essential functions of the position. Classification specifications will be periodically reviewed for accuracy and revised when appropriate. Any change to a classification specification must be approved by the Department Director(s) and the Director of Human Resources. KCHA reserves the right to modify the classification specification for any position or employee at any time, at its discretion depending upon the needs of the Authority.

**Reclassification**

An increase or decrease in the level of responsibilities, tasks, and duties of a position which change areas of emphasis and the level of skill may require that a position be reclassified. Reclassifications may also occur as a result of KCHA obligations which may include but are not limited to reallocation or extensive reorganization of positions. Department reorganizations must be approved by the Executive Director or designee.

**Reclassification Requests**

All requests for reclassification must be submitted to the Department of Human Resources for review, analysis and point-factoring. A [Position Description Questionnaire \(PDQ\)](#), organization chart and supporting documents approved by the manager and the Department Director submitted to Human Resources will begin the process. The PDQ is available on the KCHA Intranet. A desk audit may be conducted to better understand the essential job functions of the position. Recommendations will be forwarded to the Deputy Executive Director for approval.

**Change in Classification**

The Department of Human Resources will notify the employee and the immediate manager when there is a change in a classification specification which may or may not include any change in pay. The employee's immediate manager must complete a Notice of Personnel

Action form and forward for approval through the chain of command to the Department of Human Resources to effect the change.

If the classification is to a higher pay range, the employee's salary will be increased to the minimum level of the new pay range. If reclassified is to a lower pay range and the employee's salary is higher than the maximum lower range, the salary shall be reduced to the maximum of the lower pay range. Exceptions may be approved by the Executive Director.

**Appeals**

When the job has not changed, classification decisions may be appealed once in a calendar year via submission of a new [Position Description Questionnaire](#). Classification decisions are not subject to the grievance process.

## 8.0 TIME OFF AND LEAVES OF ABSENCES

### 8.1 Holidays

KCHA observes the following eleven (11) paid holidays:

- New Year's Day (January 1<sup>st</sup>)
- Martin Luther King Day (third Monday in January)
- President's Day (third Monday in February)
- Memorial Day (last Monday in May)
- Independence Day (July 4<sup>th</sup>)
- Labor Day (first Monday in September)
- Veterans' Day (November 11<sup>th</sup>)
- Thanksgiving Day (fourth or fifth Thursday in November)
- Day following Thanksgiving Friday (fourth or fifth Friday in November)
- Day before or after Christmas (December 24 or 26\*)
- Christmas (December 25<sup>th</sup>)
- Personal Holiday (not applicable to short-term temporary employees)

\*At management's discretion based upon operational needs and requirements. Outside of KCHA observed holidays, employees may use their personal holiday or annual leave time to take time off to observe any other holidays. Requests for time off to observe other holidays will be subject to the discretion of management and will be based on a number of factors, including KCHA's operational needs and staffing requirements.

#### **Eligibility for Holiday Pay**

All employees are eligible for holiday pay. Employees working an Alternative Work Schedule receive holiday pay for up to eight (8) hours and may use annual leave to make up for any difference for any additional hours based on their regular work schedule. Short-term temporary employees are eligible and will be paid for these holidays.

Part-time employees receive pro-rated holiday pay based on the number of hours they work each week. The number of prorated holiday hours is equal to an employee's weekly scheduled hours divided by 5 (days).

Scheduled Work Hours	Holiday Proration	FTE.
36	8	.90
35	8	.875
34	8	.85
32	6.4	.80
30	6.0	.75
28	5.6	.70
24	4.8	.60
20	4.0	.50

Non-exempt employees who are required to work on a holiday observed by KCHA will receive two (2) times the regular hourly rate of pay or compensatory time off for all hours worked or the week day taken in place of the holiday unless otherwise specified in a collective bargaining agreement.

### **Holidays on Days Off**

If a holiday falls on either a Saturday or Sunday, then the Friday preceding a Saturday holiday or the Monday following a Sunday holiday will be observed. For employees who have regularly scheduled days off during the week, the closest work day to the holiday will be taken as the holiday.

### **Unauthorized Absence**

If an employee is in active status and absent the day before or after a holiday and that absence has not been approved by the manager, then the employee will not be paid for the holiday. Otherwise, employees do not earn paid holiday time off while they are on any type of unpaid leave of absence. However, if a recognized holiday occurs during an eligible employee's approved paid sick or annual leave time, or during the paid portion of an approved leave of absence, the employee will receive holiday pay instead of having to exhaust their accrued sick or annual leave time.

### **Personal Holiday**

All employees except short-term temporary employees who are actively employed on the first work day of the calendar year will receive one (1) personal holiday with pay. Employees must have completed the introductory period in order to use the personal holiday. The personal holiday must be used in the year received. If not used in the year received, the personal holiday will be forfeited. The personal holiday must be used in entirety for an employee's whole shift (e.g., 8 hours, 6 hours, 4 hours, etc.) and may not be taken in smaller increments. The purpose of this holiday is to allow an employee to take a break during his or her employment. If employment ends, the employee will not be paid for an accrued but unused personal holiday.

## **8.2 Annual Leave**

### **Eligibility For Annual Leave**

KCHA provides paid annual leave to be used for rest, relaxation, and personal pursuits as follows:

- **Regular and Long-Term Temporary Full-Time Employees:** Regular and Long-Term temporary employees who are full-time are eligible to accrue paid annual leave at the commencement of their employment. During the introductory period, employees accrue, but cannot use the annual leave benefit until successfully completing their introductory period.
- **Regular and Long-Term Temporary Part-time Employees:** Regular and Long-Term temporary employees who are part-time are eligible to accrue annual leave based on a ratio of hours worked to standard work week (40 hours). During the initial introductory period, employees accrue, but cannot use the annual leave benefit until successfully completing their introductory period.
- **Short-Term Temporary Employees:** Short-term temporary employees (hired for 6 months or less) are not entitled to annual leave benefits. However, if a short-term temporary employee becomes a long-term temporary employee (hired for up to 24 months) or a regular employee without a break in service, then annual leave will be credited from the initial date of hire.

**Annual Leave Accrual Rate**

Full-time employees who are regularly scheduled to work 40 hours a week will accrue annual leave time as follows:

Years of Service	Per Pay Month	Annual Maximum Accrual	Maximum Banked Hours
Less than 5 years	8 hours (1 day)	96 hours (12 days)	192 hours (24 days)
5 but less than 10 years	10 hours (1 ¼ days)	120 hours (15 days)	240 hours (30 days)
10 but less than 15	12 hours (1 ½ days)	144 hours (18 days)	288 hours (36 days)
15 but less than 20	14 hours (1 ¾ days)	168 hours (21 days)	336 hours (42 days)
20 years or more	16 hours (2 days)	192 hours (24 days)	384 hours (48 days)

Each pay period, the accrual is based on actual hours worked. Accrual rate changes will become effective on the first day of the pay period in which the anniversary date falls. Accrued annual leave can be carried forward from year to year up to the maximum banked hours allowed based on the employee’s total years of service as reflected in the above chart. During the calendar year, employees who reach the maximum banked hours will continue to accrue annual leave beyond the maximum. However, the annual leave balance must be reduced to the maximum accrual by December 31 of each year unless an exception is approved by the Executive Director.

Employees who are on any unpaid leave of absence regardless of the length of their employment cannot accrue any annual leave time.

**Annual Leave Scheduling**

Employees must provide as much advance notice as possible of their planned time off from work and should submit a request for time off to their manager before any time off. All annual leave requests must have prior manager approval and cannot be approved for the same day it is requested. KCHA’s approval of employees’ requests for annual leave will be subject to the discretion of management and will be based on a number of factors, including KCHA’s operational needs and staffing requirements. All annual leave used must be recorded on the time sheet.

During the introductory period employees accrue, but cannot use annual leave benefits. However, introductory employees, who accrue but are ineligible to use their annual leave may use any accrued annual leave only in the event of a declared inclement weather event and the manager must be notified by the beginning of the shift.

Exempt employees must take annual leave time in increments of not less than a full work day and non-exempt employees must take annual leave time in increments of not less than fifteen (15) minutes. If annual leave is exhausted, an employee may request a Leave of Absence Without Pay. Annual leave must be completely exhausted prior to approval of a Leave of Absence Without Pay.

In addition, KCHA does not permit salary advances or loans against accrued annual leave time. Upon termination of employment, employees will be paid for any unused accrued annual leave time up to the maximum accrual based on his/her rate of pay on the last day worked. An employee who is still in the introductory period forfeits any accrued annual leave because such leave is not vested until the introductory period ends.

Accrued annual leave time can be used to supplement any payments that an employee is eligible to receive from long-term disability or workers' compensation insurance. However, the combination of any such insurance payments and annual leave time cannot exceed the employee's normal weekly earnings.

Under the Family Care Act, an employee in Washington State may use annual leave time to care for:

- A child of the employee who has a health condition that requires treatment or supervision, or
- A spouse, registered domestic partner, parent, parent-in-law, or grandparent who has a serious health condition or an emergency condition.
- Child means a biological, adopted, or foster child, stepchild, legal ward or a child of a person standing in loco parentis who is under eighteen years of age or older and incapable of self-care because of a mental or physical disability.
- Grandparent means a parent of a parent of an employee.
- Parent means a biological or adoptive parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child.
- Parent-in-law means a parent of the spouse or registered domestic partner of an employee.

Employees should provide as much notice as possible for the need to use annual leave time on an unscheduled basis. Employees who are victims of stalking, domestic violence or sexual assault may use annual leave. KCHA reserves the right to request medical or other verification if annual leave time is used for such purposes.

Employees will receive pay for any unused annual leave at the employee's regular rate of pay upon termination of employment.

### 8.3 Sick Leave

The sick leave benefit is intended to provide pay and other related benefits only in the event of bona fide employee accident, illness or disability or for leave under the Family Care Act or Family Medical Leave Act or other applicable law that allows employees to use accrued paid leave. (See definition.) Sick leave is not intended to be a fully utilized benefit but rather a form of insurance against the event of illness or injury. Except for employees who experience serious illness or injury, employees are generally expected to accrue and maintain a balance of unused sick leave. Sick leave accrues for full-time employees at a rate of one day of sick leave per month, this is not intended to be a norm or standard for utilization.

Excessive time away from work, due to continual overuse of sick leave or other reasons for continual absence other than FMLA leave or leave that KCHA has determined is a reasonable accommodation of a disability, may adversely affect certain terms and conditions of employment including, but not limited to an employee's performance evaluation, step increases in pay, promotion, or transfer requests and may be grounds for corrective action.

#### **Eligibility and Accrual For Sick Leave**

Eligibility for sick leave is as follows:

- **Full-Time Regular and Long-Term Temporary Employees:** Regular and long-term temporary employees who are full-time accrue paid sick leave at the rate of one (1) day (8

hours) for each month worked. During the introductory period, employees accrue, but cannot use the sick leave benefit. Should an employee need to be absent from work during the introductory period, the employee may request a Leave of Absence Without Pay. Extended periods of leave will extend the introductory period.

- **Part-Time Regular and Long-Term Employees:** Regular and Long-Term temporary employees who are part-time are eligible to accrue sick leave based on a ratio of hours worked to standard work week (40 hours).
- **Short-Term Temporary Employees:** Short-term temporary employees are not entitled to sick leave benefits. However, if a short-term temporary employee becomes a long-term temporary employee or a regular employee without a break in service, then sick leave will be credited from the initial date of hire.

See Definition of Washington Family Care Act. Employees should provide as much notice as possible for the need to use sick leave time on an unscheduled basis. Employees who are victims of stalking, domestic violence or sexual assault may also use sick leave. KCHA reserves the right to request medical or other verification if sick leave time is used for such purposes.

Employees who are on an unpaid leave of absence regardless of the length of their employment cannot accrue any sick leave. Employees may not use more paid sick leave than has been accrued, except donated sick leave. Employees do not earn additional sick leave during hours of overtime worked.

Accrued sick leave can be used to supplement any payments that an employee is eligible to receive from long-term disability insurance or workers' compensation insurance. However, the combination of any such insurance payments (including without limitation Worker's Compensation Total Temporary Disability payments) and sick leave pay cannot exceed the employee's normal weekly earnings.

### **Use of Sick Leave**

Sick leave may be used by the employee for medical, dental, and optical appointments provided the employee receives prior approval for the time away from work from his/her immediate manager and the employee is not able to arrange such appointments outside of their normal work hours. Sick leave may also be used to care for family members (see definition of family under Washington Family Care Act.) Employees must notify their manager prior to the start of their regularly scheduled shift if they are unable to report to work because of illness or because of the need to care for one of the family members listed above. If the manager is not available, employees must leave a voice-mail message .or follow established call-in procedures. Failure to notify management of an absence, except for emergent or unusual circumstances, may result in loss of the sick leave benefit for that absence. In the event that an employee fails to report to work for three (3) consecutive workdays without notifying his or her manager, the employee will be deemed to have voluntarily resigned.

Time off from work for any such appointments must be recorded on the timesheet.

Exempt employees must use accrued sick leave in increments of eight (8) hours or a full work day. Non-exempt employees must use sick leave in increments of not less than fifteen (15) minutes. KCHA does not permit salary advances or loans against accrued sick leave and employees may not use more sick leave than has been accrued.

If employees have used up all of their accrued sick leave, they may choose to apply accrued annual leave time for absences related to illness or injury. In such situations, exempt employees must take annual leave time in increments of not less than eight (8) hours and non-exempt employees must take annual leave time in increments of not less than fifteen (15) minutes. If annual leave is exhausted, an employee may request a leave of absence without pay. Sick leave and annual leave must be completed exhausted prior to an approval of a leave of absence without pay. Employees will not receive pay for unused sick leave upon termination of employment.

### **Retirement Benefit**

Upon retirement, as defined by the Public Employees Retirement System (PERS), or death on the job, an employee or the employee's beneficiary may redeem 50% of their accumulated sick leave up to a maximum of 1,160 hours as regular pay. The maximum payout for accumulated sick leave shall not exceed 580 hours. Employees separating from KCHA for any reason other than retirement or death on the job, are not eligible for this benefit.

### **Illness Verification**

An employee may be required to provide written verification of their illness from a licensed health care provider for all absences from work in the following circumstances:

- An employee is absent from work due to illness for more than three (3) consecutive days (not counting weekends); or
- The employee has been notified by his/her manager that excessive use of sick leave or absence from work is adversely affecting his job performance.

Failure to provide written verification of illness by a licensed health care provider under either of these circumstances may result in loss of the sick leave benefit for that absence as well as other corrective action.

### **Transfer (Donation) of Sick Leave**

Regular employees with accrued sick leave may donate up to five (5) days of their accrued sick leave to another regular employee when that employee suffers from an emergent life-threatening injury or terminal illness and his/her paid leave has been completely depleted. The sick leave donation policy is not meant to cover chronic illnesses. Human Resources will alert employees to the situation and employees who wish to donate sick leave may then respond to the Department of Human Resources. Any such donation will not affect an employee's use of sick leave for evaluation and/or merit purposes. Any communications about the request for donated leave shall not disclose any confidential information about the employee's medical condition.

An employee may be eligible to receive donated sick leave under the following conditions:

- The employee must be able to demonstrate that he/she has at least average attendance prior to onset of illness or injury and has not misused or abused leave policies.
- The employee's sick leave and annual leave has been exhausted.

- The employee may not receive more than 480 hours of donated sick leave during a twelve month period looking forward from date of first request and may receive up to 3,120 hours during their entire employment.

An employee may be eligible to donate from one (1) to five (5) days of their sick leave under the following conditions:

- The employee must have a minimum of 528 hours of accrued sick leave after donation.
- All donated leave must be given voluntarily. No employee shall be coerced, threatened, or intimidated into donating leave.
- Donated leave will not be counted against the donating employee's attendance.

#### **8.4 Incentive Leave**

Non-exempt employees with exceptional work attendance (no sick leave taken) will be rewarded with additional days of incentive leave as follows:

- Employees with perfect attendance (excluding approved FMLA leave) from the first through the last pay period in the calendar year will receive two (2) additional days of incentive leave;
- Employees who have used up to one (1) day of sick leave over a calendar year will receive one (1) additional day of incentive leave.
- Employees must have completed the introductory period by January 1 to be eligible for this benefit in that calendar year.
- These extra days will be added to the employee's annual leave accruals which may not exceed the maximums stated in Section 8.2.
- Current incentive leave amounts in employee banks are grandfathered. This leave may remain in the bank until the employee uses them or until the employee terminates employment. Incentive leave will be cashed out at the employee's regular rate of pay.
- Use of incentive leave must be scheduled in advance, same as annual leave.

#### **8.5 Family Medical Leave**

KCHA provides leaves of absences for eligible employees under the federal Family and Medical Leave Act (FMLA) and the Washington State Family Leave Act, collectively referred to in this policy as "Family Medical Leave".

##### **Eligibility**

To be eligible for Family Medical Leave, an employee must:

- Have worked for KCHA for at least 12 months;
- Have worked at least 1,250 hours during the 12 months preceding the start of the leave; and
- Be employed at a location where KCHA employs at least 50 employees within a 75-mile radius.

**Duration and Qualifying Events or Reasons for Leave**

The amount of eligible FMLA time an employee has will be measured forward from the first date FMLA leave is used by each employee. An eligible employee shall be entitled to take a total of up to 12 work weeks (Calculated using the employee's regular work schedule) of leave during this 12 month period for one or more of the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or to placement for adoption or foster care;
- To care for the employee's parent,, spouse or domestic partner with a serious health condition; or biological, adopted, or foster child, stepchild, legal ward, or child of a person standing in loco parentis, who is either under age 18 with a serious health condition or age 18 or older and "incapable of self-care because of a mental or physical disability" at the time that FMLA leave is to commence.
- Employee's own serious health condition, which renders the employee unable to perform the essential functions of the job; or
- A "qualifying exigency" arising out of the fact that the employee's spouse, son, daughter, or parent on active duty or has been called to active duty in the Armed Forces in support of a contingency operation.

**Duration of Leave for Spouses both Employed by KCHA**

If an employee's spouse also works for KCHA, he/she is entitled to:

- A combined total of 12 weeks during 12 months for birth or placement for adoption or foster care.
- A combined total of 12 weeks during 12 months to care for a seriously ill parent.
- 12 weeks each to care for the other spouse, a child, or to care for his/her own illness.

**Definition of Serious Health Condition**

For the purposes of this policy, a serious health condition is defined as an illness, injury, impairment, or a physical or mental condition that involves:

- Inpatient care (i.e., overnight stay) in a hospital, hospice or residential care facility, including any period of incapacity or any treatment in connection with such inpatient care
- Incapacity (i.e., inability to work, attend school or perform other regular daily activities) of more than three (3) consecutive calendar days that also involves continuing treatment by a health care provider.
- Incapacity or treatment due to chronic health conditions requiring periodic treatment.
- incapacity for a condition which is permanent or long-term for which treatment may not be effective and the employee or family member is under the continuing supervision of a health care provider;.

- Any period of absence to receive multiple treatments for restorative surgery or for a condition that would result in incapacity of more than three (3) consecutive calendar days if left untreated.
- In the case of a covered service member, means an injury or illness incurred by the member in the line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating.

### **Service member Family Leave**

An eligible employee who is the spouse, domestic partner, child, parent or next of kin (i.e., nearest blood relative) of a covered service member shall be entitled to a total of twenty-six (26) workweeks of leave during a 12-month period to care for the service member. The term "covered service member" means a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, or is in outpatient status, or is on the temporary disability retired list, for a serious injury or illness.

For purposes of this policy, "serious injury or illness means an injury or illness incurred by the covered service member in the line of duty on active duty in the Armed Forces or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces and manifested itself before or after the member became a veteran, and is:

- (i) A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; or
- (ii) A physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
- (iii) A physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
- (iv) An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers. Leave to care for an injured or ill service member, when combined with the other FMLA-qualifying reasons and events listed above, may not exceed a total of twenty-six (26) workweeks during any 12-month period.

### **Medical Certification**

If a leave is requested due to the serious health condition of employee, family member, spouse or domestic partner, the employee must submit medical certification from a health care provider within fifteen (15) calendar days after the leave request on a form to be provided by KCHA unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts. The certification must be filled out completely.

Failure to provide the requested medical certification in a timely manner may result in denial of leave until it is provided. Under certain circumstances, KCHA, at its expense, may require a second and third medical examination of the employee. KCHA also may require medical recertification periodically during the leave, and an employee will be required to present a fitness-for-duty certification upon return to work following a leave for his/her own serious health condition.

**Working While on Leave**

Under this policy, an employee may only work from home while on leave with mutual written consent of the employee and his/her manager. This consent must be documented prior to the work being performed. Managers must verify what work can be performed from home prior to the work being completed. It is important to track working hours as soon as possible in order to accurately account for work performed and accurately adjust leave balances. Employees must account for their time via a written affidavit submitted no later than the following pay period's time sheet.

**Notice For Leave**

If the need for leave is foreseeable, employees must give KCHA at least thirty (30) days prior written notice. Where the need for leave is not foreseeable, employees are expected to notify KCHA in writing as soon as practicable and must comply with KCHA's normal paid leave policies.

An employee should submit a written Leave Request form which is available on KCHA's Intranet or can be obtained from the Human Resources Department, which includes the anticipated date(s) and duration of the requested leave. Employees are required to make a reasonable effort to schedule medical treatment so as not to disrupt KCHA operations, subject to the approval of their health care provider, or the health care provider of their family member, as appropriate.

Employees who misrepresent facts in order to be granted a Family Medical Leave will be subject to immediate termination.

**Notice For Leave Due to Active Duty of Family Member**

If the need for leave is foreseeable, whether because the spouse, domestic partner, child or parent of the employee is on active duty, or because of notification of an impending call or order to active duty in support of a contingency operation, the employee shall provide such notice to the employer as is reasonable and practicable.

**Intermittent or Reduced Schedule Leave**

Family Medical Leave may be taken intermittently (in separate blocks of time due to employee's own or a family member's health condition) or on a reduced leave schedule (reducing the usual number of hours employees work per workweek or workday) if medically necessary.

An eligible employee may use intermittent leave or reduced schedule leave after adoption, foster care placement, or after birth to be with a health newborn child only if KCHA agrees. The basic minimum duration of a leave taken for the birth, adoption, or foster care placement of an employee's child is two (2) weeks. However, KCHA may grant a request for leave of less than two (2) weeks' duration on any two (2) occasions. The employer's agreement is not required for intermittent leave required by the serious health condition of the mother or newborn child. In addition, the employee must conclude the leave within one (1) year following the birth, adoption or placement of a child.

### **Leave Is Unpaid**

An employee who takes Family Medical Leave due to his or her own serious health condition must first apply accrued sick leave. Accrued annual leave and personal holiday pay may be used at the employee's discretion during Family Medical Leave, but only consecutively and will be applied at the beginning of the leave period after sick leave has been exhausted.

An employee who takes Family Medical Leave to care for a newborn or adopted or foster child, or leave to care for a parent, spouse, or a domestic partner with a serious health condition must apply all accrued sick leave at the beginning of the leave period.

If a worker's compensation absence also qualifies as a serious health condition under the Family Medical Leave Act, then the two leaves run concurrently (subject to proper notice and designation by KCHA). An employee may not receive more than an amount equal to 100% of his or her normal weekly earnings from a combination of annual leave, sick leave, disability or workers' compensation benefits. If the health care provider providing medical care pursuant to the workers' compensation injury certifies the employee is able to return to work in a light duty position and KCHA offers such a position, the employee is permitted but not required to accept the position. As a result, the employee may no longer qualify for payments from the workers' compensation benefit plan, but the employee is entitled to continue on Family Medical Leave using sick leave or other accrued paid leave or, if no paid leave is available, on unpaid leave either until the employee is able to return to the same or equivalent job the employee left or until the 12-week Family Medical Leave entitlement is exhausted. If the employee returning from the workers' compensation injury is a qualified individual with a disability, he or she will have rights under the ADA. In addition, use of accrued annual leave and sick leave and receipt of Workers Compensation benefits will not extend the length of any leave taken under this section. Employees will not accrue annual leave, sick leave or holiday pay while on unpaid leave.

### **Medical Benefits During Leave**

During an approved Family Medical Leave, KCHA will maintain an employee's group health benefits as if the employee had continued to be actively employed, up to a total of twelve (12) weeks within a 12-month period. If an employee takes more than twelve (12) weeks of approved Family Medical Leave in a 12-month period, then the employee may elect to continue coverage at the employee's own expense for the remainder of the leave. In addition, if leave is taken to care for an injured or ill service member, KCHA will maintain an employee's group health benefits up to a total of twenty-six (26) weeks in a 12-month period.

If paid leave is substituted for unpaid Family Medical Leave KCHA will deduct the employee's portion of the health plan premium as a regular payroll deduction. If the leave is unpaid, an employee may pay his/her portion of the premium during the leave. KCHA may recover health insurance premiums paid for maintaining the employee's group health insurance coverage if the employee fails to return to work after the employee's FMLA leave entitlement has been exhausted or expires, unless the reason the employee does not return is due to:

- The continuation, recurrence, or onset of either a serious health condition of the employee or the employee's family member, or a serious injury or illness of a covered service member, which would otherwise entitle the employee to leave under FMLA; or
- Other circumstances beyond the employee's control.

Use of Family Medical Leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave (e.g., paid vacation, sick or personal leave to the extent not substituted for FMLA leave).

### **Return to Work Following Leave**

Employees who return to work before the end of their planned leave period should provide advance notice of their intended return date to allow sufficient time for management to make adjustments to employees' work assignments. If leave is taken because of an employee's own serious health condition, then the employee must provide medical certification that he or she is fit to resume work.

Consistent with applicable law, employees who return from an approved Family Medical Leave will be reinstated to the same, comparable or equivalent position if available and subject to any exceptions as provided by law. In addition, any right to reinstatement terminates if an employee fails to return to work at the end of an approved leave, in accordance with applicable laws. However, an employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

### **Key Employees**

Restoration of an employee to his or her position or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment after Family Medical Leave may be denied to certain salaried "key" employees under the following conditions:

- An employee requesting reinstatement was among the highest-paid 10 percent of all employees, salaried and non-salaried, eligible and ineligible, who are employed within 75 miles of the worksite at which the employee worked at the time of the leave request.
- 
- Restoration would cause substantial and grievous economic injury to KCHA's operations. KCHA may take into account its ability to replace on a temporary basis (or temporarily do without) the employee on FMLA leave. If permanent replacement is unavoidable, the cost of then reinstating the employee can be considered in evaluating whether substantial and grievous economic injury will occur from restoration; in other words, the effect on the operations of the KCHA of reinstating the employee in an equivalent position.
- The employee is notified in writing at the time the employee gives notice of the need for FMLA leave (or when FMLA leave commences, if earlier) that he or she qualifies as a key employee. At the same time, KCHA must also fully inform the employee of the potential consequences with respect to reinstatement and maintenance of health benefits if KCHA should determine that substantial and grievous economic injury to KCHA's operations will result if the employee is reinstated from FMLA leave.
- As soon as KCHA makes a good faith determination, based on the facts available, that substantial and grievous economic injury to its operations will result if a key employee who has given notice of the need for FMLA leave or is using FMLA leave is reinstated, KCHA shall notify the employee in writing, served either in person or by certified mail, of its determination, that it cannot deny FMLA leave, and that it intends to deny restoration to employment on completion of the FMLA leave. It is anticipated that KCHA will ordinarily be able to give such notice prior to the employee starting leave. This notice must explain the

basis for KCHA's finding that substantial and grievous economic injury will result, and, if leave has commenced, must provide the employee a reasonable time in which to return to work, taking into account the circumstances, such as the length of the leave and the urgency of the need for the employee to return.

- If an employee on leave does not return to work in response to KCHA's notification of intent to deny restoration, the employee continues to be entitled to maintenance of health benefits and KCHA may not recover its cost of health benefit premiums. A key employee's rights under FMLA continue unless and until the employee either gives notice that he or she no longer wishes to return to work, or KCHA actually denies reinstatement at the conclusion of the leave period.
- After notice to an employee has been given that substantial and grievous economic injury will result if the employee is reinstated to employment, an employee is still entitled to request reinstatement at the end of the leave period even if the employee did not return to work in response to KCHA's notice. KCHA must then again determine whether there will be substantial and grievous economic injury from reinstatement, based on the facts at that time. If it is determined that substantial and grievous economic injury will result, KCHA shall notify the employee in writing (in person or by certified mail) of the denial of restoration.

#### **Employer Responsibilities**

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

#### **Unlawful Acts by Employers**

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

#### **Enforcement**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

### **8.6 Pregnancy Disability Leaves (PDL) and Accommodations**

Any female employee residing in Washington State who is disabled due to pregnancy, childbirth or a related medical condition is eligible to take an unpaid leave of absence for the entire time

that she is certified as temporarily disabled in connection with pregnancy or childbirth regardless of her scheduled hours worked or length of service with KCHA.

### **Length of Leave**

A pregnancy or childbirth disability leave of absence is allowed only for the period of time during which the employee is actually disabled due to the pregnancy, childbirth, or a related medical condition. This would cover all time off needed for health care provider appointments, prenatal care, morning sickness, doctor-ordered bed rest, childbirth, and recovery from childbirth. When medically required, a Pregnancy Disability Leave (PDL) may be taken intermittently or on a reduced work schedule.

If an employee is eligible for FMLA leave, the unpaid leave for the period she cannot work due to sickness or disability due to pregnancy or childbirth is in addition to the 12 weeks unpaid leave to which she is entitled to under the FMLA. If an employee is not eligible for FMLA leave, she is entitled to leave only for the period of sickness or disability due to pregnancy or childbirth.

### **Request for Transfer or Accommodations**

A pregnant employee may be entitled to transfer to a less strenuous or hazardous position for the duration of her pregnancy upon request, where such transfer can be reasonably accommodated. An employee also may be entitled to reasonable accommodations for conditions related to pregnancy, childbirth or related medical conditions upon request, where such reasonable accommodations would not cause an undue hardship to KCHA. A request for reasonable accommodations or transfer must be supported by the written certification of the employee's health care provider that such an accommodation or transfer is medically advisable.

### **Employees May Apply Accrued Sick Leave or Annual Leave Time or Else Leave is Unpaid**

Employees may be required to use any accrued sick leave or annual leave time in order to receive pay while on PDL. Otherwise, leave taken for such purposes will be unpaid.

### **Medical Benefits**

During an approved PDL, KCHA will maintain an employee's group health benefits as under the same conditions as if she had continued to be actively employed for a maximum of twelve (12) weeks within a 12-month period. After the employee's eligibility for any employer contribution to medical or dental benefits under an applicable collective bargaining agreement or KCHA's policies ends, KCHA shall allow the employee to continue, at the employee's expense, medical or dental insurance coverage, including any spouse and dependent coverage, in accordance with state or federal law. The premium to be paid by the employee shall not exceed one hundred two percent of the applicable premium for the leave period.

### **Notice of Leave**

To request a PDL, an employee must fill out a Leave of Absence Request form, which is available on KCHA's Intranet or from the Human Resources Department. If leave is foreseeable, an employee must submit a Leave of Absence Request form at least one (1) month prior to when taking leave (e.g., planned medical treatment). If it is unforeseeable, an employee must call her manager or Human Resources as soon as practical to explain their absence and submit a completed Leave of Absence Request form. A request for PDL must be supported by a medical certification from the employee's health care provider.

### **Return from Leave**

Upon return from an approved PDL, an employee will be reinstated to the same or comparable position, if available, subject to any exceptions provided by law. Any right to reinstatement terminates if an employee fails to return to work at the end of an approved leave, in accordance with applicable laws. As a condition of returning from a PDL, an employee must provide Human Resources with a certification from her health care provider that she is able to return to work and capable of performing the essential functions of the job, with or without reasonable accommodation(s). Any restrictions or requests for reasonable accommodation must be clearly stated in the medical certification.

### **8.7 Washington State Family Leave**

In order to be eligible for WA State Family Leave, (FLA), an employee must:

- Have worked for KCHA for at least 12 months;
- Have worked at least 1,250 hours during the 12 months preceding the start of the leave; and
- Be employed at a location where KCHA employs at least 50 employees within a 75-mile radius.

In the case of pregnancy, a woman will qualify for an additional 12 weeks of FLA in addition to the pregnancy disability leave ordered off by her health care provider. This will give her more total protected leave from work than the leave offered under the FMLA.

Eligible employees may also use FLA to care for a registered domestic partner with a serious health condition. In this case the employee will qualify for FLA, but not for the federal FMLA. Employees who are married will be able to use their FMLA leave to care for their spouses with serious health conditions regardless of the gender of the spouse, in which case FLA leave is concurrent with FMLA leave.

If an eligible employee exhausts all or part of their FMLA for an exigent reason related to a military deployment or for military caregiver leave, then they may have access to all 12 weeks of their state family leave for self-care or the care of a seriously ill family member as defined in the FLA.

### **8.8 Non-Medical Leave**

A non-medical leave of absence without pay may be granted at the discretion of KCHA. Requests for non-medical leave should be limited to unusual circumstances. Absent compelling circumstances, non-medical leaves are limited to no more than 12 weeks (60 work days/480 hours, pro-rated for part-time employment).

### **Approval of Leave**

Unpaid non-medical leaves (other than military or bereavement) of more than one (1) work day require the approval of the Department Director and Deputy Executive Director and will be based on the job responsibilities and the work performance of the employee and the staffing requirements of KCHA. Annual leave must be completely exhausted prior to approval of a non-medical leave of absence.

**Employees Must Apply Accrued Annual Leave Time or Else Leave is Unpaid**

Employees are required to use any accrued annual leave time in order to receive pay while on Non-Medical Leave. Otherwise, leave taken for such purposes will be unpaid.

**Medical Benefits During Leave**

During an approved non-medical leave, KCHA will maintain an employee's group health benefits during the calendar month that the employee's leave begins. To continue to receive coverage during the unpaid portion of a non-medical leave, an employee will be responsible for paying both the employer and the employee portion of the premiums, which must be paid before the first of each month and will be coordinated through Human Resources or the employee may elect to continue coverage at the employee's own expense for the remainder of the leave through COBRA if they are eligible for COBRA.

**Return to Work Following Leave**

KCHA may attempt to reserve an employee's position or an equivalent position while he or she is on a non-medical leave of absence of less than 12 weeks; however, KCHA does not guarantee that any specific position will be available upon an employee's return from a non-medical leave. However, should staffing requirements require that the position be filled in the employee's absence, the employee may be placed in the next open, comparable position for which he or she is qualified.

**8.9 Bereavement**

All employees are entitled to up to three (3) days with pay due to the death of a member of their immediate family (see Washington Family Care Act definition). Employees can use accrued sick leave, annual leave, and/or comp time in order to receive pay during additional time taken; otherwise this additional time off will be unpaid.

Also, an employee may be granted up to two (2) hours of paid leave to attend the funeral of a current co-worker. Any other additional time off will be granted at the sole discretion of KCHA.

**8.10 Military Leave**

Employees who must be absent from work for military service, including fitness for duty examinations, training, or active duty, will be granted a leave of absence.

Uniformed services refer to the U.S. Armed Services including:

- Army National Guard and Air National Guard (when engaged in active duty for training, inactive duty training, or full time National Guard duty);

- the Commissioned Corps of the Public Health Service;
- the Reserves of the Army, Navy, Marine Corps, Air Force and Coast Guard; and
- any other category of persons designated by the President in time of war or emergency.

Advance notice must be provided by the employee or by an officer of the military branch that the employee is serving and can be in the form of military orders, training notices, or induction information. For purposes of the employee's right to return to work, the cumulative length of an employee's military leave of absences from work may not exceed five (5) years. After that time, employees may seek re-employment by applying for open positions pursuant to KCHA's normal hiring practices.

An employee who is a member of a Reserve Unit or a National Guard Unit and who is called to serve six (6) months' active duty will be reinstated within thirty-one (31) days following his/her release from active duty.

Employees will also be permitted to meet any obligation for field or encampment duty with any branch of the US. Armed Forces or National Guard for a period not to exceed fifteen (15) calendar days in a year, excluding holidays for which they receive payment. During this period of leave, the employee shall receive his/her normal pay.

For Ready Reserve or National Guard "alerts" taking place during regular work hours, employees in those services will be reimbursed for the difference between their regular KCHA pay and their service pay for up to 160 hours in a calendar year.

Employees in military service will continue to accumulate service credit while on active duty provided they return to work. Also, absence for field or encampment duty does not affect annual leave privileges.

While on field or encampment duty, employees must request a letter from the appropriate commissioned officer to document the dates of active duty and the pay received. This letter is required in order to calculate any reimbursement.

Except as otherwise previously noted, leaves taken for these purposes will be unpaid. However, employees may elect to substitute accrued annual leave time to receive pay for leaves taken for these purposes. Employees on military leave will not accrue annual leave time or holiday pay while on unpaid leave.

Employees who are on military service for up to thirty (30) days are entitled to continue their medical coverage. They are required to continue to pay their portion of the medical premium. COBRA will be provided to those employees whose military service exceeds thirty-one (31) days.

An individual absent from employment by virtue of service in the armed forces shall be entitled to such other rights and benefits not determined by seniority as are provided by the employer to similar employees on leave pursuant to an existing plan. This does not apply when the employee on leave has provided written notice of intent not to return to the former position. An individual on military leave shall be entitled to any benefits they would have been entitled to if they had remained continuously employed.

**Reinstatement**

Upon completion of military leave, KCHA will make reasonable efforts to reinstate employees to their same or comparable positions. To be eligible to return to work, employees must:

- 1) Notify KCHA as to his or her membership in the uniformed services within a reasonable time of accepting employment or becoming a member of the uniformed services and give notice prior to taking military leave unless the giving of such notice is precluded by military necessity or, under all of the relevant circumstances, the giving of such notice is otherwise impossible or unreasonable.
- 2) Furnish a receipt of an honorable, or under honorable conditions discharge, report of separation, certificate of satisfactory service, or other proof of having satisfactorily completed his or her service. Rejectees must furnish proof of orders for examination and rejection.
- 3) The applicant must make written application to KCHA as follows:
  - (i) In the case of an applicant whose period of service in the uniformed services was less than thirty-one days, by reporting to KCHA:
    - (A) Not later than the beginning of the first full regularly scheduled work period on the first full calendar day following the completion of the period of service and the expiration of eight hours after a period allowing for the safe transportation of the applicant from the place of that service to the applicant's residence; or
    - (B) As soon as possible after the expiration of the eight-hour period in (3)(i)(A) of this subsection, if reporting within that period is impossible or unreasonable through no fault of the applicant;
  - (ii) In the case of an applicant who is absent from a position of employment for a period of any length for the purposes of an examination to determine the applicant's fitness to perform service in the uniformed services, by reporting in the manner and time referred to in (3)(i) of this subsection;
  - (iii) In the case of an applicant whose period of service in the uniformed services was for more than thirty days but less than one hundred eighty-one days, by submitting an application for reemployment with KCHA not later than fourteen days after the completion of the period of service or if submitting such application within such period is impossible or unreasonable through no fault of the applicant, the next first full calendar day when submission of such application becomes possible;

- (iv) In the case of an applicant whose period of service in the uniformed services was for more than one hundred eighty days, by submitting an application for reemployment with KCHA not later than ninety days after the completion of the period of service;
  - (v) In the case of an applicant who is hospitalized for, or convalescing from, an illness or injury incurred or aggravated during the performance of service in the uniformed services, at the end of the period that is necessary for the applicant to recover from such illness or injury, the applicant shall submit an application for reemployment with KCHA. The period of recovery may not exceed two years. This two-year period shall be extended by the minimum time required to accommodate the circumstances beyond the applicant's control that make reporting within the two-year period impossible or unreasonable;
  - (vi) In the case of an applicant who fails to report or apply for employment or reemployment within the appropriate period specified in this subsection (3), the applicant does not automatically forfeit his or her entitlement to the rights and benefits conferred by this chapter, but is subject to the conduct rules, established policy, and general practices of KCHA pertaining to explanations and discipline with respect to absence from scheduled work.
- 4) An applicant who submits an application for reemployment shall provide to KCHA documentation to establish that:
- (i) The application is timely;
  - (ii) The applicant has not exceeded the service limitations set forth in this section, except as permitted under (3)(v) of this subsection; and
  - (iii) The applicant's entitlement to the benefits has not been terminated pursuant to (5) of this subsection.
- 5) The applicant must return and reenter the office or position within the appropriate period specified in (3) of this subsection after serving four years or less in the uniformed services other than state-ordered active duty: PROVIDED, That any period of additional service imposed by law, from which one is unable to obtain orders relieving him or her from active duty, will not affect reemployment rights.
- 6) The applicant must return and reenter the office or position within the appropriate period specified in (3) of this subsection after serving twelve weeks or less in a calendar year in state-ordered active duty: PROVIDED, That the governor, when declaring an emergency that necessitates a longer period of service, may extend the period of service in state-ordered active duty to up to twelve months after which the applicant is eligible for the benefits of this policy.

- 7) The failure of an applicant to provide documentation that satisfies rules adopted pursuant to subsection (3) of this section shall not be a basis for denying reemployment in accordance with the provisions of this chapter if the failure occurs because such documentation does not exist or is not readily available at the time of the request of KCHA. If, after such reemployment, documentation becomes available that establishes that the applicant does not meet one or more of the requirements referred to in subsection (4) of this section, KCHA may terminate the employment of the person and the provision of any rights or benefits afforded the person under this policy.

### **Leave for Military Spouses**

Employees who work an average or twenty (20) or more hours a week and have a spouse engaged in active military duty, can take up to fifteen (15) days of unpaid leave during their spouse's leave from deployment in a time of military conflict. Qualifying employees must provide written documentation to KCHA's Department of Human Resources within five (5) business days of receipt of official notice of their spouses' leave from deployment.

Qualifying employees may apply accrued annual leave time in order to receive pay during such a leave; otherwise any time taken off for this purpose will be unpaid.

### **8.11 Civic Duty Leave (Jury Duty and Court Appearances)**

All employees will be granted paid time off to:

- To serve on a jury or grand jury; or
- To appear as a witness in court or other judicial proceeding only for cases associated with KCHA.

Employees are required to provide reasonable advance notice of the need for leaves taken under this section, unless an emergency or unscheduled court appearance is required, in which case, they must provide their supervisor with written evidence from the court or prosecuting attorney within fifteen (15) days of the absence that they have appeared in court.

During the period of absence, the employee will receive his/her full salary for jury duty or appearing as a witness in any KCHA formal legal proceeding. However, any fees received by the employee from the court must be endorsed to KCHA, less mileage and parking costs. The employee is required to provide receipts for these expenses. Jury fees may not be donated to charities as offered by some courts. Employees are expected to return to work each day or portion of the day that they are not selected for jury duty or called as a witness in a legal proceeding. Employees who are absent from work for this purposes will retain all seniority and all benefits.

## 8.12 Victims of Crime, Domestic Violence and Sexual Assault

All employees who are victims of crime, domestic violence or sexual assault may take reasonable leave from work, intermittent leave, or leave on a reduced leave schedule, with or without pay, to:

- Seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or employee's family members including, but not limited to, preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault, or stalking;
- Seek treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking, or to attend to health care treatment for a victim who is the employee's family member;
- Obtain, or assist a family member in obtaining, services from a domestic violence shelter, rape crisis center, or other social services program for relief from domestic violence, sexual assault, or stalking;
- Obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault, or stalking, in which the employee or the employee's family member was a victim of domestic violence, sexual assault, or stalking; or
- Participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members from future domestic violence, sexual assault, or stalking.

For purposes of this policy, "family member" means any individual whose relationship to the employee can be classified as a child, spouse, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship.

Employees are required to provide reasonable advance notice of the need for leaves taken under this section. When advance notice cannot be given because of emergency or unforeseen circumstances due to domestic violence, sexual assault, or stalking, the employee or his or her designee must give notice to the employer no later than the end of the first day that the employee takes such leave. The following verification must be provided to the Department of Human Resources within fifteen (15) days of the absence:

- A police report indicating that the employee or employee's family member as defined in this policy, is a victim of domestic violence, sexual assault, or stalking; or
- A court order protecting or separating the employee or employee's family member from the perpetrator of the act of domestic violence, sexual assault, or stalking, or other evidence from the court or prosecuting attorney that the employee or employee's family member appeared, or is scheduled to appear, in court in connection with an incident of domestic violence, sexual assault, or stalking; or
- Documentation that the employee or the employee's family member (as defined in this policy) is a victim of domestic violence, sexual assault, or stalking, from any of the following persons from whom the employee or employee's family member sought assistance in addressing the domestic violence, sexual assault, or stalking: An advocate for victims of domestic violence, sexual assault, or stalking; an attorney; a member of the clergy; or a medical or other professional. To the extent allowable by law, this information will be kept confidential.

- An employee's written statement that the employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking and that the leave taken was for one of the purposes described in this policy.
- If the victim of domestic violence, sexual assault, or stalking is the employee's family member, verification of the familial relationship between the employee and the victim may include, but is not limited to, a statement from the employee, a birth certificate, a court document, or other similar documentation.

An employee who is absent from work pursuant to this policy may elect to use the employee's sick leave and other paid time off, compensatory time, or unpaid leave time.

Exempt employees who choose to take unpaid leave will be paid for any days in which they perform work for part of a work day, but will not be paid if they take a whole day off or longer.

The taking of leave under this policy may not result in the loss of any pay or benefits to the employee that accrued before the date on which the leave commenced.

Upon an employee's return, KCHA shall either:

- Restore the employee to the position of employment held by the employee when the leave commenced; or
- Restore the employee to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

The restoration of employment requirements set forth above do not apply if an employee was hired for a specific term or only to perform work on a discrete project, the employment term or project is over, and KCHA would not otherwise have continued to employ the employee.

To the extent allowed by law, KCHA shall maintain coverage under any health insurance plan for an employee who takes leave under this policy for the duration of the leave at the level and under the conditions coverage would have been provided if the employee had not taken the leave.

### **8.13 Volunteer Fire Fighter Leave or Other Emergency Rescue Personnel Leave**

Employees may also take time off to perform emergency duty as a volunteer firefighter or a reserve officer because of leave taken related to an alarm of fire or an emergency call, or a civil air patrol member because of leave taken related to an emergency service operation. KCHA requires documentation from the Fire Chief (or proper authority) that supports the emergency duty or emergency service operation. Leave under this policy is unpaid; however, employees may elect to substitute accrued annual leave time to receive pay for leaves taken for these purposes. Exempt employees who choose to take unpaid leave will be paid for any days in which they perform work for part of a work day, but will not be paid if they take a whole day off or longer. Non-exempt employees will be paid for hours worked.

### **8.14 Organ Donor Leave**

Employees are entitled to take up to five (5) days of paid leave to be a donor in life-giving or life-saving procedures such as bone marrow transplants, kidney transplants or related procedures, provided:

- Reasonable advance notice is given of the need to take time off where there is expectation that the employee's failure to donate may result in serious illness, injury, pain or the eventual death of the identified recipient.
- Written proof is submitted from an accredited medical institution, organization or individual as to the need for the employee to donate bone marrow, a kidney, or other organs or tissue or to participate in any other medical procedure where the participation of the donor is unique or critical to a successful outcome, and as to the amount of time off medically necessary for the procedure.
- The need for time off in excess of five (5) working days will be subject to existing leave policies.

## 9.0 EMPLOYEE BENEFITS

### 9.1 Benefits Overview

KCHA offers a comprehensive benefits package for employees and their eligible dependents including:

- Medical/Dental/Vision
- Life & AD&D
- Long-Term Disability Coverage
- Flexible Spending Accounts
- 457(b)
- Employee Assistance Program

The descriptions in this manual are only brief summaries for general information purposes. Details about insurance coverage and benefit summary plan descriptions are available upon hire from Human Resources. KCHA reserves the right to change or discontinue these benefits at any time, without limitation, regardless of employees' length of service or employees' reliance on these benefits in deciding whether to accept, continue, or retire from their employment.

The following employment classifications determine benefits eligibility. These classifications do not guarantee employment for any specified period of time, as KCHA and employees each retain the right to terminate the employment relationship at-will, with or without cause, at any time, with or without advance notice.

#### **Eligibility for Benefits**

Benefits being either on the date of hire or the first day of the next month following the date hired.

All such coverage is subject to the terms, conditions and limitations of each benefit plan. Failure to select or waive a health plan upon employment will result in waiting for the next annual open enrollment window period. In addition, waiting periods for medical conditions and pre-existing conditions may apply if a break in coverage has occurred. Please see the following chart for additional details.

Employee Category	Eligibility Requirements	Benefits Eligibility
<b>Full-Time</b>	Regularly scheduled to work at least 32 hours or more per week.	<ul style="list-style-type: none"> <li>• Medical, Dental, Vision</li> <li>• Deductible Reimbursement Plan</li> <li>• Life/AD&amp;D/LTD Insurances</li> <li>• Flexible Spending Accounts</li> <li>• Healthcare Savings Account</li> <li>• 457(b) Retirement Savings Plans</li> <li>• Public Employees Retirement System (PERS) Retirement Plan</li> <li>• Employee Assistance Program</li> <li>• Annual Leave *</li> <li>• Sick Leave *</li> <li>• Holiday Pay *</li> <li>• Commuter Benefits</li> <li>• Home Loan Assistance</li> </ul>
<b>Part-Time</b>	Regularly scheduled to work at least 20, but less than 32 hours per week.	<ul style="list-style-type: none"> <li>• Medical, Dental, Vision **</li> <li>• Deductible Reimbursement Plan</li> <li>• Life/AD&amp;D/LTD Insurances</li> <li>• Flexible Spending Accounts</li> <li>• Healthsavings Account</li> <li>• 457(b) Retirement Savings Plan</li> <li>• Public Employees Retirement System (PERS) Retirement Plan</li> <li>• Employee Assistance Program</li> <li>• Annual Leave *</li> <li>• Sick Leave*</li> <li>• Holiday Pay*</li> <li>• Commuter Benefits</li> <li>• Home Loan Assistance</li> </ul>
<b>Temporary</b>	Temporary employees are those employed for a limited period of time or for a special project or assignment. Temporary employees are hired with the understanding that their employment ends upon completion of the job assignment. Temporary employees are either short-term or long-term.	<p><b>Short-Term Temporary:</b></p> <ul style="list-style-type: none"> <li>• Not Eligible for Benefits</li> <li>• Holiday Pay*</li> </ul> <p><b>Long-Term Temporary:</b></p> <ul style="list-style-type: none"> <li>• Medical, Dental, Vision</li> <li>• Deductible Reimbursement Plan</li> <li>• Life/AD&amp;D/LTD Insurances</li> <li>• Flexible Spending Accounts</li> <li>• Health Savings Account</li> <li>• 457(b) Retirement Savings Plan</li> <li>• Public Employees Retirement System (PERS) Retirement Plan</li> <li>• Employee Assistance Program</li> <li>• Annual Leave*</li> <li>• Sick Leave*</li> <li>• Holiday Pay*</li> <li>• Commuter Benefits</li> <li>• Home Loan Assistance</li> </ul>
		<p>*Based on hours worked.  **Shared premium payments</p>

## **9.2 Consolidated Omnibus Budget Reconsideration Act (COBRA)**

Consistent with the requirements of federal and state laws, an eligible employee who was enrolled in a group health plan may have a right to choose to continue health benefits coverage on a self-pay basis, due to a reduction of the employee's hours of employment or the termination of employment (other than due to gross misconduct) for a period of up to eighteen (18) months. Dependents of an employee covered by a group health plan may have a right to choose continuation coverage on a self-pay basis, for up to eighteen (18) months if they lose such coverage under certain circumstances, including the death of the employee, termination of employee's employment or reduction of hours of employment, divorce or legal separation or dissolution of domestic partnership, or the employee becomes entitled to Medicare.

Eligible employees and their qualified dependents will have sixty (60) days from the later of the date of their COBRA notification or the date health coverage will end to inform KCHA or their third party administrator in writing of their election of COBRA coverage. Otherwise, if the eligible employee and/or dependents do not file the COBRA election forms that are provided by KCHA within this 60-day period, COBRA rights will be forfeited. A notice of COBRA rights and explanation of the qualifications for and length of coverage is available upon request from the Department of Human Resources.

## Appendix

### DEFINITIONS

**Acting Capacity:** A temporary assignment to a higher paying position.

**Ad-hoc Teleworking:** Under this policy, an employee may work from home with the approval of his/her manager and department director during an inclement weather event.

**Alternative Work Site:** A KCHA office or other location in which employees perform their work.

**At-fault Collision:** A collision arising out of the use of a motor vehicle due to the negligence of the operator or for which the operator was at fault.

**Bandwidth Flex-time:** Core hours during which all offices must be staffed. KCHA core working hours are 8:00 am to 4:30 pm. KCHA's bandwidth is 6:00 am to 8:00 am and 4:30 pm to 6:30 pm.

**Close Relative:** includes the employee's siblings, aunts, uncles and cousins; the siblings, aunts, uncles and cousins of an employee's current or former spouse, domestic partner, and/or fiancée; anyone with whom the employee currently shares a residence or has shared a residence in the last 12 months; anyone with whom the employee shares a credit card or bank account and/or for whom the employee has co-signed a loan; and any fiancée, current and/or former spouse, domestic partner, parent, parent-in-law, brother-in-law, sister-in-law; grandparents, children and grandchildren of the employee; and anyone for whom the employee has been a legal guardian or in loco parentis.

**Confidential information** means social security numbers, date of birth, driver's license or identification number, alien registration number, bank account numbers, passport number, employer or taxpayer identification number or unique electronic identification number which, when combined with Identifying Information may lead to identity theft. Credit card numbers, medical information, domestic violence status and personnel evaluations are also considered confidential.

**Contractor:** Temporary employee placed by an agency. Commonly known as agency temporary.

**Customer:** A person or business entity that has business with the Authority.

**Day Travel:** Travel inside or outside KCHA's area of operation that does not include an overnight stay.

**Designee:** An employee authorized by the Executive Director to approval travel, lodging, meal or other expense reimbursement.

**Emergency:** An unusual situation, which may be due to weather or other conditions affecting the service area of KCHA.

**Employment Actions or Decisions:** Actions or decisions made in connection with hiring, appointment, re-appointment, classification, reclassification, evaluation, promotion, transfer, discipline, supervision, or pay increases.

**Good Standing:** No active disciplinary action of any level in employee's file.

**Identity Theft:** Fraud committed using the Confidential Information of another person.

**KCHA Jurisdiction:** King County designated limits are south of Snohomish County and north of Pierce County. KCHA's jurisdiction also includes Casa Madrona in Olympia and Sedro Woolley.

**Lateral Transfer:** A lateral transfer occurs when an employee successfully applies for a position, which has the same pay grade range as their current position. Typically this position has a different class specification. A lateral transfer does not result in either a pay change or a change in anniversary date.

**Liberal Leave:** The leave (accrued compensatory time, annual leave or leave without pay) taken by an employee from the start of the work day to the time the employee actually reports to work following the Emergency Line announcement that the Authority is open and that Liberal Leave is in effect.

**Local travel:** will apply only to travel within KCHA's jurisdiction

**Minor Citation:** Any moving traffic violation (excluding parking tickets), unless it falls under the major violations definitions and criteria.

**Major Conviction:** Any violation that involves the following:

- Reckless or negligent driving or other similar offense (e.g., careless driving)
- Failure to stop and report a vehicle incident (e.g., hit and run)
- Any driving offense involving the use of drugs, alcohol, controlled substances, or other gross misdemeanors or felonies
- Driving while license is suspended or revoked
- Eluding an officer of the law
- Possession of open container of alcoholic beverage

**Nepotism:** When an employee participates, directly or indirectly in an employment action or decision, which affects the interests of a close relative.

**Non-Emergency Event/Inclement Weather:** Any weather occurrence, natural disaster or local technical problem that may be isolated to only parts of the KCHA service area and which may lead some employees to not be able to report to work on time or at all. An inclement weather event will be announced on the KCHA Employee Emergency Information Line at 206-574-1192.

**Overnight Travel:** Travel outside of the County that exceeds twelve hours and includes an overnight stay.

**Per Diem Rate:** The rate offered to employees, consultants, representatives and commissioners for travel while on official KCHA business.

**Sexual Harassment:**

- **Verbal harassment:** requests for sexual favors, unwelcome sexual advances, graphic or degrading conversation containing sexual comments, derogatory comments or slurs about someone's body;
- **Written harassment:** sending sexually suggestive, obscene or offensive memos, letters, notes, e-mails, text messages or cards;
- **Physical harassment:** offensive physical contact, including grabbing, pinching, patting, or brushing up against another person's body; or
- **Visual harassment:** leering, making sexual gestures, displaying or distributing sexually suggestive cartoons, drawings, pictures, posters, or websites on the Internet.

***Straight Transfer:*** A straight transfer occurs when an employee is transferred to the same position and grade they currently hold, either at the same or different location within the Authority. There will be no change in pay or anniversary date

***Vehicle collision:*** Any occurrence in which the KCHA-owned or operated vehicle comes in contact with another vehicle, a person, object or animal or is damaged.

***Washington Family Care Act:*** Under the Family Care Act, an employee in Washington State may use annual leave or sick leave time to care for:

- A child of the employee who has a health condition that requires treatment or supervision, or
- A spouse, registered domestic partner, parent, parent-in-law, or grandparent who has a serious health condition or an emergency condition.
- Child means a biological, adopted, or foster child, stepchild, legal ward or a child of a person standing in loco parentis who is under eighteen years of age or older and incapable of self-care because of a mental or physical disability.
- Grandparent means a parent of a parent of an employee.
- Parent means a biological or adoptive parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child.
- Parent-in-law means a parent of the spouse or registered domestic partner of an employee.
- Themselves or a family member who is a victim of stalking, domestic violence and/or sexual assault.

