

Shelter Bay Community, Inc.

Chapter 70 – Human Resources

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70.010. General

70.010.010 Introduction

Shelter Bay Community, Inc. follows the “employment at will” legal doctrine, which provides that both the community and the employee have the right to terminate the employment relationship at anytime “at will”, with or without just cause. While the community normally terminates employees only for sound and reasonable cause, it reserves the discretion to terminate any employee, with or without cause. No supervisor, manager or other community employee has authority to make any representation to the contrary to any employee or prospective employee or to enter into any agreement regarding employment, whether written or oral. *(Res. am, 05-01, 1/19/05)*

70.010.020 Statement of purpose

- A. The purpose of this chapter is to establish and operate a system of personnel administration based upon equitable merit principles and professional methods governing the recruitment, selection, employment, transfer, termination, discipline, welfare of employees, and other factors of community employment.
- B. It is the general intent of this chapter to establish policies that will serve as a guide to administrative action concerning the various personnel activities and transactions.
- C. It is the specific intent of these policies to assist in the accomplishment of the following objectives:
 1. To recruit, select and advance an employee on the basis of his/her relative ability, knowledge and skills, including open consideration of qualified applicants for initial appointment;
 2. To assist in the accomplishment of the equal employment opportunity objectives of the community;
 3. To ensure fair treatment of applicants and employees in all aspects of personnel administration with proper regard for their privacy and constitutional rights as citizens;
 4. To establish an efficient operation through professional personnel administration, and encourage employee productivity with the goal of providing optimal service to the community.

(Res. am, 05-01, 1/19/05)

70.010.030 General provisions

- A. Relationship of policies to other laws: The policies in this document are intended to meet the requirements of applicable local, state and federal laws. If any state or federal law governing employment by the community requires additional or different procedures or conditions of employment, then these laws will take precedence over community policies.
- B. Equal employment opportunity: The community is an equal opportunity employer. In order to be fair and impartial to employees and applicants, the community does not discriminate with regard to race, color, religion, sex, national origin, physical or mental disability, marital status, veteran status, age or any other criteria established by state or federal statute in recruiting, hiring, training, promoting, compensating, providing benefits and terminating employees. The community expects each employee to provide such equal treatment to each other and to all community members. An employee is expected to contact his/her supervisor if he/she has any questions or concerns regarding equal employment opportunity in the community, or if he/she believes this policy may have been violated. Expressed concerns will be given prompt attention. An employee may raise concerns and make reports without fear of reprisal. Any employee found engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.
- C. Individuals with disabilities: The community is committed to comply fully with the Americans with Disabilities Act ("ADA") and applicable state and local law and ensuring equal opportunity employment for persons with disabilities. Therefore, the community will make every reasonable effort to accommodate individuals with disabilities, as defined under applicable laws, providing such action can be accomplished without undue hardship to the community.

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- D. Termination at will: Termination at will means that, notwithstanding anything in these or any other policies and practices of the community, written or oral, the community reserves the right to terminate an employee, with or without cause, at any time. Likewise, an employee may terminate his/her employment, with or without cause, at any time.
- E. Progressive discipline: The community recognizes a practice of progressive discipline as a guideline in managing its employees. In most cases, the community recognizes that the use of progressive discipline may be a beneficial personnel management practice; however, the community reserves the right to choose to use progressive discipline on a case-by-case basis.
- F. Terms and conditions of employment: The terms and conditions of employment will be specified in writing, and such statement shall be signed by the manager, supervisor and the current or prospective employee.

(Res. am, 05-01, 1/19/05)

70.020. Employee classifications, hours, recruitment & appraisal

70.020.010 Employee classifications and definitions

- A. An employee is defined as a person who receives a wage or salary from the community and is categorized as follows:
 - 1. Exempt Employee: An employee who is employed in a bona fide executive position as defined by federal and state law. An exempt employee is not entitled to overtime pay.
 - 2. Non-exempt Employee: An employee, other than an exempt employee, including technical and clerical, who is paid on an hourly basis. A non-exempt employee shall be paid for approved overtime hours worked in excess of 40 hours per work week.
- B. Full-time Employee: An employee who is regularly scheduled to work 30 hours or more per week. A full-time employee is eligible to receive benefits as prescribed in this chapter
- C. Part-time Employee: An employee who is regularly scheduled to work 20 or more but less than 30 hours per week. A part-time employee is eligible to receive benefits as prescribed in this chapter.
- D. Temporary or Casual Employee: An employee who is hired for a particular project or for a purpose that has a clear beginning and an ending point. A temporary employee is neither eligible for insurance benefits, paid holidays, vacation, or sick leave, nor is he/she eligible to participate in the retirement plan. A temporary employee is paid hourly, may be full or part-time depending on the position being filled, and is eligible for overtime pay for hours worked in excess of 40 hours per week.
- E. New employee. An employee who has not yet completed the three-month (90 days) orientation period.
 - 1. An orientation period may be extended up to an additional 90 days by written notice to the employee from the employee's supervisor. The supervisor will outline the reason for the extension, specify the period of the extension, and outline what the employee must satisfactorily complete to his/her extended orientation period.
The employee's supervisor shall complete a performance evaluation on the new employee prior to the end of the orientation period. Upon completion of the evaluation, a determination shall be made by the supervisor, with the concurrence of the manager, whether or not to appoint the employee to permanent status. With a satisfactory evaluation the employee will be appointed to permanent status. With an unsatisfactory evaluation, the employee will be terminated. Notwithstanding the provisions of this subsection, the community as an at-will employer, and, as such, both the community and the employee have the right to terminate the employment relationship at anytime "at will", with or without just cause. A new employee is eligible for benefits as prescribed in this chapter starting on the date of the first enrollment period following completion of the orientation period, with the exception of medical benefits which employees are eligible for enrollment after 60 days.

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2. A new employee may accrue but is not eligible to take vacation or sick leave until completion of the orientation period.
 3. A new employee may be eligible, according to his/her employment classification, to participate in the retirement plan during the next open enrollment period following completion of the orientation period.
 4. An employee who is serving a new orientation period as a result of a transfer or promotion remains eligible for all benefits to which he/she was previously entitled.
- F. Regular work schedule: An employee's regular work schedule is as defined by the manager in the statement of terms and conditions of employment. The manager may redefine, in writing, a regular work schedule and benefits for a temporary period of time.
- G. Immediate family: As appropriate, a member of the employee's or the employee's spouse's immediate family is: parent, grandparent, child (natural, step, adopted, or foster), sibling, spouse, or in-law.

(Res. am, 05-01, 1/19/05; Res. 15-20, 11/18/15)

70.020.020 Position descriptions

- A. The manager shall ensure that a record of the current position description is maintained for each full-time and part-time position, including: position title, duties, knowledge, skills, abilities, and minimum qualifications. Position descriptions shall be signed by the manager and maintained in a position description file that is open to the community. A copy of the appropriate position description shall be maintained in the personnel file of the current employee, and a copy shall be provided to each incumbent employee at time of the initial orientation for the position.
- B. An employee or supervisor may petition for a review of an existing position description by submitting a written request to the manager. The manager must investigate the merits of the petition and make a determination, in writing, within 60 days of receiving the petition.

(Res. am, 05-01, 1/19/05)

70.020.030 Records

The manager shall provide for the maintenance of personnel records that are to be kept confidential other than for access on a need-to-know basis by the supervisor or manager's designee. An individual employee will have access, in a manner prescribed by the manager, to his/her own personnel record or to any information pertaining to him/her that is maintained in the personnel record. *(Res. am, 05-01, 1/19/05)*

70.020.040 Hours of work

- A. Business office: The normal workday for a business office employee is from 8 AM to 5 PM, with a one-hour lunch period. The normal work week consists of five 8-hour work days, Monday through Friday, to comprise a 40-hour work week.
- B. Maintenance and grounds: The normal work hours for maintenance employee will be scheduled by the maintenance supervisor, and may include a one-half hour lunch period, and a rotating 4-hour shift on Saturday and/or Sunday. Work shifts shall be scheduled in order to maintain a 40-hour work week.
- C. Patrol: The hours of work and the work schedule for a patrol employee for each work week will be assigned to a patrol employee by the patrol supervisor in accordance with an established patrol schedule.
- D. Flexible hours: A flexible work schedule to meet personal needs or other situations may be approved for specific circumstances. An employee must apply for consideration for a flexible work schedule through his/her supervisor, and a flexible work schedule may be granted with the approval of the manager.
- E. Other work hours: Work schedules for all employees may be adjusted to meet the demands of projects, or other scheduled or unscheduled events. An employee will be notified of a scheduled shift change within a reasonable time frame when possible.

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- F. Overtime: When necessary, an employee may be called upon to work beyond his/her regular work hours. If possible, an employee will be given advance notice by his/her supervisor prior to any overtime work. The supervisor's approval is required for all non-exempt employee overtime work. Vacation, sick leave, leave of absence, jury duty, and paid holidays are not deemed to be actual working hours for purposes of computing overtime.

(Res. am, 05-01, 1/19/05)

70.020.050 Pay periods and payroll

- A. Work week: The work week begins at 12:01 a.m. each Sunday and concludes at 12:00 p.m. (midnight) on the following Saturday.
- B. Pay periods: The pay period is two full work weeks, on a schedule published by the manager. Pay dates are the Friday following the end of the pay period. If a holiday falls on a Friday payday, the payday shall be the Thursday preceding the holiday.
- C. Special handling of payroll checks: An employee may request special handling of his/her payroll check. An employee must notify the business office in advance if special handling is requested or if an address is to be changed.
- D. Payroll time cards: Employees shall complete a payroll time card at the close of each pay period and submit the time card to his/her supervisor. Time cards shall be maintained on a daily basis. The time card shall be used to record straight time hours worked, overtime hours worked, vacation, sick leave, holidays and absence without pay. The smallest interval of time recorded shall be $\frac{1}{4}$ hour. Each employee must complete and sign a time card for the pay period and submit the card to his/her supervisor. The supervisor shall review the card for accuracy, initial it, and then forward it to the manager for review and approval. All time cards will be received in the business office no later than close-of-business on Tuesday following the end of a pay period. Failure to submit a time card in a timely manner may result in a delay of the employee receiving an accurate paycheck until the next payroll date.
- E. Overtime pay: A non-exempt employee shall be paid for all approved overtime at a rate of 1.5 times the employee's regular rate of pay for all hours worked in excess of 40 hours per work week. Accounting for time shall be in increments rounded to one quarter-hour. An employee is required to report overtime on the time card for the pay period in which the overtime work occurred.
- F. Failure to report overtime worked within the time prescribed may result in a delay in the payment of overtime pay due to the employee.

(Res. am, 05-01, 1/19/05)

70.020.060 Recruitment and hiring

- A. Qualifications: An employee is hired to fill an existing position or vacancy in the community on the basis of qualifications. These qualifications are set out in the approved position descriptions maintained by the manager.
- B. Recruitment: The provisions of this subsection shall apply to recruitment, promotions, demotions, transfers, reinstatements and new appointments. The following process shall be followed for recruiting and hiring an employee to full-time or part-time position and, when necessary, for hiring an employee to a temporary position.
1. Ensure that there is a current, accurate position description that includes duties, knowledge, skills, abilities and minimum required qualifications.
 2. Advertise locally for the position.
 3. Screen all resumes or applications received to ensure the applicants meet the minimum qualifications. The manager and the position's supervisor shall perform the screening.
 4. Applicants who do not meet the minimum qualifications shall not be considered further.
 5. If there are a large number of qualified applicants, a second screening may be required.
 6. Conduct interviews with the top applicants. For each position the same basic set of questions

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shall be asked of each applicant. The questions, responses and ratings shall be documented and retained on file.

7. Prior to consummating the hiring process, the applicant's references pertaining to experience and qualifications shall be checked and the responses must be documented, evaluated and considered.
 8. Notify applicants who were not chosen for the position upon completion of the selection process.
- C. Terms and conditions of employment: Each new employee shall receive, from the manager, a written confirmation of employment, including terms and conditions of employment. The statement of the terms and conditions of employment will be signed by the employee, employee's supervisor, and the manager.
- D. Orientation: Each new employee will be provided with an orientation, which will be conducted within the first month of employment. During this orientation, the supervisor or manager shall review the Human Resources policies, applicable safety and health standards and other information pertinent to the new employee's job. The new employee shall be required to complete and sign a form acknowledging receipt of the policies, and also acknowledge that the employee's questions have been discussed with the employee's supervisor or the manager.
- E. Employment of relatives: While the community accepts and considers applications for employment from relatives, including immediate family members, they generally:
1. Will not be hired or transferred into positions where they may directly or indirectly supervise or be supervised by another close family member.
 2. Will not be made responsible for auditing the work of one another.
 3. Will not be hired if position requires access to sensitive information regarding a close family member.
 4. Will not be hired if there is an actual or apparent conflict of interest.
- F. Alcohol and drug screening: The community is a "zero tolerance" employer with regard to drugs and alcohol. Employee retention in the community is contingent upon an employee passing random or for-cause drug and alcohol screening.
- G. Valid driver's license and vehicle insurance: If an employee is required to operate a vehicle for community business, the employee shall obtain and maintain current a valid state of Washington driver's license. In order for an employee to use and be reimbursed for the use of his/her personal vehicle, a copy of his/her current vehicle insurance policy shall be made available to the community to be maintained in the employee's personnel file.

(Res. am, 05-01, 1/19/05)

70.020.070 Criminal history

During the orientation period, a criminal history and background inquiry for the employee shall be processed by the Washington State Patrol Identification and Criminal History Section (WASIS) or a private firm specializing in this service. Once the criminal history and background inquiry process have been commenced, the employee shall remain on orientation status until cleared. If not satisfactorily cleared, the employee may be terminated by the manager. *(Res. 05-01, 1/19/05, Res. 07-11, 8/15/07)*

70.020.080 Performance and appraisal

During performance evaluations, the employee and supervisor shall discuss and document employee performance on the job as required in the employee's written position description, citing both satisfactory and exemplary performance. The discussion will emphasize areas needing improvement and any training needs for continued employee development. Time frames will be established to correct areas of weakness. The performance evaluation is essential in determining future employment, promotion, change in job assignment, opportunity for professional growth, training or educational needs, merit pay raises and termination of employment.

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- A. An employee shall be evaluated on performance by his/her supervisor at least annually prior to his/her anniversary date of employment.
- B. A newly hired employee or a promoted employee shall be evaluated at the end of the 90-day orientation period, and must receive a satisfactory performance rating in order to receive permanent status in the considered position.
- C. Spot evaluations shall be performed in instances of behavioral problems and corrective action cases.
- D. The employee must read and sign the evaluation form which has been completed by the immediate supervisor during the evaluation session. The evaluation is then forwarded to the manager for review and signature.
- E. Should an employee contest his/her employee evaluation, he/she may submit comments concerning the evaluation and ask for its review by the manager.

(Res. am, 05-01, 1/19/05)

70.020.090 Employee resignation and termination

Since all employment is “at will” at the discretion of either the community or the employee, employment can be terminated by either at any time, with or without cause. If a terminated employee believes he/she has been treated unfairly in this regard, he/she should immediately appeal to the board in writing. The decision of the board shall be final. The community encourages an employee to provide his/her supervisor with two weeks’ notice of resignation in order to permit the community to seek a replacement for the position. *(Res. am, 05-01, 1/19/05)*

70.020.100 Layoff or reduction in force

Should a reduction in force be required by the community, an affected employee shall be given up to two weeks notice, circumstances permitting. *(Res. am, 05-01, 1/19/05)*

70.030. Holidays, leave and benefits

70.030.010 Holidays

- A. The community recognizes ten holidays, typically as follows:
 - New Year’s Day - January 1st
 - Martin Luther King Day - 3rd Monday of January
 - Presidents’ Day - 3rd Monday of February
 - Memorial Day - 4th Monday of May
 - Independence Day - July 4th
 - Labor Day - 1st Monday of September
 - Columbus Day - 2nd Monday of October
 - Thanksgiving Day - 4th Thursday of November
 - Day after Thanksgiving - Friday after Thanksgiving
 - Christmas Day - December 25th
- B. The manager may alter the recognized holidays and observation dates to fit the business needs of the community. In order to alter the community recognized holidays, the manager shall issue the employees and community a designated holiday schedule in December preceding the beginning of the next calendar year.
- C. A full-time employee is entitled to the ten paid holidays equal to 8 hours or equal to an employee’s scheduled work hours. A full-time employee required to work on a recognized holiday shall be paid overtime pay equal to 1½ times his/her regular hourly pay rate for the actual hours worked in addition to his paid holiday pay.
- D. A part-time employee, whose regular schedule requires working on a recognized holiday, is paid premium pay of 1½ times the regular pay rate for hours worked on that day, in addition to the paid holiday pay. A part-time employee is not eligible for holiday pay on holidays that fall outside of the regular scheduled work days.

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- E. A temporary or casual employee, who works less than 20 hours per week, is not eligible for holiday pay, but receives holiday premium pay if required to work during a holiday.
- F. If any of the above holidays fall on a Sunday, the following Monday shall normally be observed as the holiday. If any such holiday falls on a Saturday, the preceding Friday shall normally be observed as the holiday.
- G. Holidays that occur during a properly approved leave, with pay, shall not be charged to leave time.
(Res. am, 05-01, 1/19/05)

70.030.020 Personal leave time

- A. A full-time employee is entitled to 24 hours of personal leave time at the beginning of each fiscal year, prorated according to the number of months in the preceding fiscal year that the employee was employed. Personal leave time requires supervisor approval.
- B. A part-time employee, whose regular schedule is at least 20 hours a week, shall be entitled to 12 hours of personal leave time at the beginning of each fiscal year prorated according to the number of months in the preceding fiscal year that the employee was employed.
- C. Unused personal leave time cannot be carried forward into the following fiscal year.
- D. Unused personal leave time does not have a cash value upon termination. *(Res. am, 05-01, 1/19/05)*

70.030.030 Vacation

- A. A full-time employee earns vacation time based on years of continuous service with the community. A part-time employee accrues vacation hours on a pro-rated basis, provided the employee is regularly scheduled to work at least 20 but less than 30 hours per week. Vacation time is earned in the following manner for full-time and part-time employees:

	<u>Years of Service</u>	<u>Earned Vacation Hours per Year</u>
Full-time employee	1 through 5	80 hours
Part-time employee	1 through 5	40 hours
Full-time employee	5 years plus	120 hours
Part-time employee	5 years plus	60 hours

- B. Vacation accrues per pay period, beginning with the first full pay period worked, at the following rates:

	<u>Years of Service</u>	<u>Earned Vacation Accrued Hours per Pay Period</u>
Full-time employee	1 through 5	3.07 hours
Part-time employee	1 through 5	1.53 hours
Full-time employee	5 years plus	4.61 hours
Part-time employee	5 years plus	2.30 hours

Vacation may not be taken until after completion of the 90-day orientation period.

- C. Upon resignation or termination, a full-time or part-time employee shall be paid for his/her unused accumulated vacation balance. The rate of pay shall be the employee's base pay rate at the time of termination. An employee leaving prior to completion of 90-days of continuous service shall not be compensated for any accrued but unused vacation time.
- D. The business office shall maintain accurate vacation records, which may be made available to the employee, to the employee's supervisor or to the manager upon request.
- E. Vacation time is not available for use in the pay period in which it is accrued.
- F. An employee is allowed to carry forward a maximum of 120 hours of vacation into the next fiscal year.
- G. Vacation may be taken in increments of one hour up to the maximum accrued. Vacation shall be requested in writing a minimum of two weeks in advance and must be submitted to the supervisor. No vacation advances shall be authorized.

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- H. Only a supervisor or the manager has the prerogative to approve or disapprove vacation time. Approval considerations shall be based upon department operating requirements and the wishes of the employee. Vacation schedules may be amended to allow the department to meet emergency situations. Special requests regarding allocation of vacation time shall be made in writing to an employee's supervisor.

(Res. am, 05-01, 1/19/05)

70.030.040 Sick leave

- A. After the required orientation period, an eligible employee will earn paid sick leave for medical needs such as medical or dental appointments, recovery from an illness, or care for a seriously ill immediate family member. A full-time employee who works 30 hours per week accrues sick leave at a rate of 3.69 hours per pay period or 96 hours per year. A part-time employee who works 20 or more but less than 25 hours per week accrues sick leave at 50% of the base sick leave accrual rate, and a part-time employee who works 25 or more but less than 30 hours per week accrues sick leave at 75% of the base sick leave accrual rate. Overtime is not included in the work hour calculation. Paid sick leave is not available to a temporary employee.
- B. An eligible employee shall receive regular wages during a period of qualified sick leave. An employee may not take sick leave until it has been earned.
- C. Medical documentation may be required if the sick time off is three days or more. The employee is responsible for noting on his/her time card an appropriate explanatory notation for any sick leave taken.
- D. Sick leave does not accrue during an unpaid leave of absence. Sick leave is accrued and usable only during an employee's duration of employment. Upon termination, resignation or retirement, the accrued sick leave has no cash value.
- E. Sick leave may be taken in increments of one hour, up to the maximum hours the employee has accrued. Sick leave is not considered hours worked with regard to overtime.
- F. Unused sick leave may accumulate to a maximum of 192 hours.

(Res. am, 05-01, 1/19/05)

70.030.050 Other leave

- A. Washington State Paid Family and Medical Leave: Shelter Bay Community, Inc. is a participant in the State of Washington's Paid Family and Medical Leave program. Employees are encouraged to seek coverage under this benefit when eligible. *(Res. 19-01, 1/16/19)*
- B. Medical/disability leave: An unpaid leave of absence may be granted to accommodate a disability or serious medical condition. When leave ends, the employee will generally be returned to the same or similar position held prior to the commencement of leave. It is the responsibility of an employee requesting leave to confirm all the terms of the leave in writing.
- C. Maternity leave: Maternity leave is available to employees who are unable to work due to pregnancy and/or childbirth. An employee is eligible for paid maternity leave utilizing accrued vacation, holidays and sick leave. After an employee has used all of her paid vacation and sick leave, there is no further accrual of these benefits. An employee who desires to take additional time off after the birth of a child may be eligible for Unpaid Leave.
- D. Military duty: The community shall abide by applicable federal and/or state law in granting a leave of absence to an employee whose military commitment requires absence from work. An employee called to military duty may be eligible for job restoration when his/her military duty ends. If called for military or reserve service, the employee should notify his/her supervisor immediately.
- E. Jury duty: An employee may be subject to jury duty. When an employee first receives notice to serve, he/she shall notify his/her supervisor promptly. While on jury duty, an employee shall receive his/her normal rate of pay, to a maximum of ten days of pay, or for a greater period of time at the discretion of the manager. Any fees paid to the employee by the court system for the time the employee is being paid by the community shall accrue to the community.

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- F. Funeral leave: In the event of a death in an employee's immediate family, paid funeral leave shall be granted. Up to three (3) days of funeral leave shall be available. Accrued vacation or sick leave may be used in addition to funeral leave.
- G. Unpaid leave: Upon exhaustion of accrued vacation, an employee may request an unpaid leave of absence of up to 20 workdays for special occasions, travel, training or other reasons. Unpaid leaves of absence may be subject to cancellation in order to meet scheduling needs of the community. If an employee on an unpaid leave of absence is notified of a recall to meet the community needs and cannot or will not return, his/her job may be subject to loss, specifically if the community must hire a replacement. *(Res. am, 05-01, 1/19/05)*

70.030.060 Health benefits

- A. The community offers health insurance coverage for the full-time or part-time employee and family. The community reserves the right to modify or to terminate benefits at any time. It is the employee's responsibility to ensure that he/she receives the benefits offered. Details are available in the business office regarding the health benefits that are available in the policy benefit descriptions provided by the appropriate benefit providers.
- B. According to the following regular work schedule, the employee is required to pay a portion of the premiums for health benefits' coverage, as follows:

	Full-time or Part-time Employee Portion of Premiums <u>Regular Work Schedule</u>	
	<u>Minimum of 30 hrs./week</u>	<u>Minimum of 20 hrs./week</u>
Employee Only	-0-	25%
Employee Spouse	50%	75%
Spouse and family	50%	75%

These shared premium costs are subject to change by the community. *(Res. am, 05-01, 1/19/05)*

70.030.070 Retirement Plan

The community offers a retirement plan to employees. A full-time or part-time employee is eligible to join the plan if he/she has completed his/her orientation period, and is paid as an exempt or non-exempt employee. The manager will oversee administration of the program and conduct periodic meetings with the employees to explain the terms of the retirement plan adopted by the community. *(Res. am, 05-01, 1/19/05; Res. 15-20, 11/18/15)*

70.030.080 Education

The community encourages an employee to become involved in educational programs that benefit both the employee and the community. Upon completion of a community approved educational or training program, financial assistance or tuition reimbursement may be provided at the sole discretion of the community. An employee who requests training or attendance shall submit a request to his/her supervisor for the approval of the manager. *(Res. 05-01, 1/19/05)*

70.030.090 Absences, inclement weather and special instances

- A. Reporting absences: An employee shall make every effort to notify his/her supervisor of any absence, within an hour after the work shift begins if not before. If absence is because of an illness or an accident, another person may notify the supervisor of the employee's absence. If an employee is to be absent for more than one day, the employee should notify his/her supervisor of the earliest anticipated return and should check in with his/her supervisor on a daily basis, if feasible. Supervisors may require a written statement from a physician to substantiate claims of illness.

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An employee who does not report his/her absence within a three (3) day period of his/her specified work reporting time or who is absent without reason is considered to have abandoned the job and to have resigned.

- B. Inclement weather: In the event of inclement weather (i.e. snow, ice, flooding, etc.) that would cause an employee to miss all or part of a normally scheduled workday, the employee should notify his/her supervisor immediately. An employee who is absent due to inclement weather, floods, highway closures, earthquake or any act of nature will have the right to make up lost time if he/she so desires and his/her work assignment permits. An employee may also arrange to make up lost time on a case-by-case basis with permission of his/her supervisor. If the conditions are such that all community operations are canceled, the manager shall declare a community-wide inclement weather day with pay, and all employees shall be notified. During the above-mentioned periods, an employee shall maintain telephone communications with the supervisor or manager if feasible.
- C. Special instances: It is possible for fire, earthquake or some other unforeseen circumstance to adversely affect an employee's ability to work. In these instances, an employee or his/her representative shall contact his/her supervisor or the manager to receive specific instructions.

(Res. am, 05-01, 1/19/05)

70.040. Conduct

70.040.010 Standards of conduct

An employee is expected to display self-conduct in a manner such that it reflects well on the professionalism, structure and ethics established by the community management and membership.

- A. An employee is expected to perform all assigned duties and to fulfill all responsibilities to the community. Productivity and workmanship must satisfy the stated standard requirements of the position.
- B. An employee is expected to be at assigned work places and ready to work at the established starting time and is expected to perform his/her work assignments, except during designated breaks, until the end of a work shift.
- C. An employee shall report all injuries, including associated first aid or near misses, to his/her supervisor. All accidents plus equipment loss or damage shall be reported to an employee's supervisor including completed appropriate forms along with photographs if possible. The supervisor will inform the manager.
- D. An employee is required to notify the manager/designee promptly of any changes in personal status such as name, address, telephone number, etc.
- E. An employee shall be physically and mentally capable of performing job tasks and work assignments with or without a reasonable accommodation that does not pose an undue inconvenience to the community. An employee who is not fit for duty or who is limited in ability to perform assigned work must immediately notify his/her supervisor.
- F. It is the responsibility of an employee to refrain from taking medication, prescription or otherwise, if such medication will interfere with his/her ability to perform assigned duties of the position. The manager, at his/her discretion, may request that an employee furnish a physician's statement that the medication will not interfere with the employee's ability to perform the duties of the position. At the discretion of the manager, the employee may return to work. The manager, at his/her discretion, may relieve an employee from assigned duties until satisfied by a medical physician that the medication does not impair the employee's capabilities to perform the assigned duties of the position.
- G. An employee is expected to perform the duties of his/her job position in a safe manner. Safety-related concerns should be conveyed to his/her immediate supervisor or to the manager immediately.
- H. An employee shall be responsible for all community property placed in his/her custody.
- I. Without the express permission of the manager, an employee is enjoined from disclosing any office or board business outside the office. *(Res. am, 05-01, 1/19/05)*

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70.040.020 Misconduct

The following list contains descriptions of prohibited employee conduct which may be the basis for disciplinary action or termination with cause or without cause. This list is not all-inclusive. The community reserves the right to discipline or terminate employees without cause for the misconduct described below, or other serious misconduct not specified in this list.

- A. Illegal harassment or discrimination of any form.
- B. Abusiveness toward a community member or co-worker.
- C. Insubordination.
- D. Sexual harassment or sexual violence in any form.
- E. Being under the influence of alcohol, illegal or prescription drugs contrary to physician's instruction.
- F. Abandonment of one's work site.
- G. Endangering the safety of community members or co-workers.
- H. Unauthorized use, possession, removal, neglect of, or willful damage to community property, equipment or materials.
- I. Unauthorized absence from work, including sick leave, without notice to the employee's supervisor.
- J. Falsification of community records or reports, including time records.
- K. Repeated absences or tardiness.
- L. Carrying a weapon while actively on shift/duty.
- M. Conduct defined as a felony under Washington state law.
- N. Exercising favoritism toward an employee who has a personal or family relationship with a board member of other community employee.
- O. Violation of community policies and procedures.

(Res. am, 05-01, 1/19/05)

70.040.030 Progressive discipline

The community recognizes the application of progressive discipline as potentially beneficial in employee management and reserves the right to administer such on a case-to-case basis at its discretion. This provision does not abrogate the community/employee "at will" right to terminate employment at any time with or without cause.

- A. Types of progressive discipline: The corrective action process is progressively severe, and may include the following options:
 - 1. Informal counseling: This shall be done by the employee's immediate supervisor. An informal discussion or written memorandum may be sufficient to encourage the employee to exercise the skills or abilities to perform the duties of the position.
 - 2. Oral warning: The supervisor shall notify the employee that performance or behavior must improve if informal counseling has failed to produce results. Documentation of the oral warning should consist of a memorandum to the employee's personnel file describing the time, date, incident(s) and corrective action to be taken by the employee.
 - 3. Written warning: A formal notice to an employee shall state that further disciplinary action will be taken unless behavior or performance improves.
 - 4. Demotion. The manager may at his/her sole discretion, demote an employee as a form of corrective action
 - 5. Termination/discharge: An employee who has been given the opportunity to meet reasonable standards of conduct and performance and fails to do so may be terminated. Such termination must be discussed between the supervisor and manager to ensure that there has been a proper objective review and justification for the action. Termination of an employee must be approved by the manager.

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6. Immediate suspension (with or without pay). Under circumstances when an employee's conduct is deemed patently unacceptable or illegal, suspension may be immediate. Any such action must be reviewed by the manager to determine if ultimate termination is warranted. It is the responsibility of the supervisor to clearly communicate to the employee the standards of conduct and the consequences of unsatisfactory performance. The original copy of a written disciplinary report is to be placed in the employee's personnel file with a copy given to the employee. *(Res. am, 05-01, 1/19/05)*

70.040.040 Grievance procedures

- A. It is the policy of the community to encourage free and meaningful communication between employees and the supervisory staff to ensure prompt resolution of questions, conflicts, and grievances. An employee must use the community grievance procedure to seek resolution of a problem before resorting to legal action.
- B. The following procedure is designed to be progressive and to permit resolution of a grievance at the lowest level.
 1. The employee shall initiate action within seven (7) days of the grievance occurrence.
 2. The grievance must be submitted in writing citing the nature of the complaint and the related circumstances.
 3. The department supervisor/designee shall arrange a hearing for the employee and provide a decision to the employee within seven (7) days following the hearing.
 4. If the employee feels the decision from (3) above does not resolve the grievance to his/her satisfaction, appeal for review and decision may be made to the manager.
 5. Following receipt of all documentation, the manager shall render a decision within seven (7) working days.
 6. Lacking a resolution at this point, the employee may make a last appeal within 10 working days to the community board of directors whose decision shall be final.

(Res. am, 05-01, 1/19/05)

70.040.050 Harassment

The community commits to providing volunteers and employees with a work environment that is free from unlawful harassment or violence. The conduct and investigation of a harassment complaint will be kept as confidential as feasible within the requirements of the investigation and follow-up as described below.

- A. Sexual harassment or sexual violence may include, but is not limited to:
 1. Making unwelcome, offensive or other inappropriate suggestive comments, gestures or jokes, about a person's gender, appearance, or conduct.
 2. Abusing including leering, inappropriate touching, groping, pinching, standing too close, stalking and attempting rape.
 3. Displaying of offensive pictures, sketches, posters, T-shirts, or other graphics.
 4. Demanding favors, sexual or otherwise, in exchange for preferential treatment or something of value.
 5. Stating or implying that one would be penalized for not submitting to a request, sexual or otherwise, and conversely, that one would be rewarded for compliance.
- B. In the event an employee or volunteer perceives harassment, the following steps should be taken.
 1. An informal report may be filed with the reporting person's immediate superior who may contact the perceived harasser, orally or in writing, citing the alleged incident and indicating that repetition could lead to a formal complaint. If the alleged harasser is the claimant's supervisor or person in line of normal review for the allegation, the complaint should be filed with the board of directors along with all germane documentation. The board is then obligated to follow through with an investigation and resolution of the matter.

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2. Should a formal complaint be instituted against a peer-worker, an investigation shall be made by the claimant's supervisor within fifteen (15) working days and submitted with documentation and the decision to both the complainant and the manager.
 3. If the resolution is contested at this level by the complainant, the manager shall conduct an investigation and respond to the complainant within ten (10) working days.
 4. Lacking resolution at the manager level, the complaint may be filed with the board of directors for timely processing.
 5. Pending final resolution, suitable indicated corrective measures shall be instituted and enforced.
- C. It is incumbent upon anyone observing harassment or violence on the part of an employee or a volunteer to report such incident to the appropriate supervisor, manager or to the board of directors. Investigation and resolution of a complaint filed in this fashion will follow the provisions in (B.) above.
- D. Alleged discrimination based on race, color, national origin, religion, gender, age, marital status, veteran status or disability, leave of absence/lay-off/recall, discipline/termination, denial of service or benefits, failure to account for skills in language other than English, failure to make reasonable accommodations to allow for full participation of disabled persons in all programs and benefits, denial of opportunity for participation on committees, boards or as consultants or volunteers or other legal alleged discrimination shall be addressed according to the following steps:
1. An alleged victim shall have 180 days from the time of the act of discrimination to activate a grievance complaint, internally or externally. Should a complainant feel that satisfaction can not be obtained from internal affirmative-action efforts, the complainant may file with proper federal or state agencies within the 180-day period. Failure to make a timely application to an agency will result in loss of right to continue the matter to resolution.
 2. Internally, the complainant of the supervisor shall make the situation known immediately to the manager who shall be responsible for conducting a prompt investigation during which outside investigative personnel may be introduced to help resolve the issue.
 3. Externally, the complainant may file with one of the following State of Federal Offices: Office for Equal Opportunity - Civil Rights Compliance Section; Office of Civil Rights; and Human Rights Commission. It is recommended that a complainant attempt to resolve a problem internally rather than externally.

(Res. am, 05-01, 1/19/05)

70.040.060 Prohibition of retaliation

An employee need not fear retaliation or sanctions for bringing any potential harassment problem to the attention of management. Retaliation against an employee for filing a complaint, for reporting an observed incident to management or for cooperating with an investigation of a complaint is strictly prohibited by community policy. An example of conduct that may constitute improper retaliation includes, but is not limited to, treating the employee in a non-professional manner or otherwise taking retaliatory action against that employee. If an employee observes or has good reason to believe that another employee is being subjected to harassment or other retaliation in violation of this policy, that employee is required to report the matter to management. *(Res. am, 05-01, 1/19/05)*

70.050. Other

70.050.010 Media contact (printed, electronic)

An employee shall not make statements or give interviews implying representation of the community to members of the media (newspaper, radio, television and magazine) unless the manager has given written authorization to do so. If an employee is queried or asked to make statements to the press, the employee is required to refer the reporter to the manager or the president. *(Res. am, 05-01, 1/19/05)*

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70.050.020 Outside activities (conflicts of interest)

- A. A conflict of interest exists whenever an individual encounters a situation in which his/her personal interest might affect or call into question his/her judgments on behalf of the community. An employee should avoid the potential for conflicts of interest, or situations that may be interpreted as creating a conflict of interest, by not engaging directly or indirectly in outside employment, business activity, financial relationship, or investment that competes with the community or offers goods or services to the community.
- B. An employee must not speculate in materials, supplies, or services produced or purchased by the community. An employee may not present himself/herself as representing the community when supporting political candidates. An employee must not take any action inconsistent with the employee's fundamental duty of loyalty to the community as his/her employer.
- C. If an employee wishes to engage in activities where a conflict of interest may exist, the manager or his/her designated representative must be consulted for approval.
- D. In accepting outside employment, an employee should avoid any situation that will:
 - 1. Negatively affect performance in an employee's job at the community, such as being too tired to perform effectively or a conflict in work schedules.
 - 2. Provide direct or indirect services to the community. An employee may not work in any capacity for any employer offering goods or services to the community, without prior approval of the manager.
- E. An employee may not give the appearance of, or be in, a conflict of interest situation such as working for a community vendor, when he/she may be in the position to influence the purchase of goods or services.
- F. An employee must assure that none of his or her outside activities, paid or otherwise, create any of the adverse situations noted above.
- G. Any solicitation or performance of outside employment or volunteer work is not permitted during work hours on the community premises. An employee may not use the community facilities or resources, including telephones, copiers, mailing lists, computers, etc. for such purposes.

(Res. am, 05-01, 1/19/05)

70.050.030 Access to community property

An employee shall not take, possess, use, borrow, lend or be in/on community facilities or equipment after designated working hours without the permission of the manager or his/her designated representative. Each incident will be considered a separate occurrence requiring the permission of the manager. *(Res. am, 05-01, 1/19/05)*

70.050.040 Smoking

The community has a no smoking policy on or in all community buildings and vehicles, except where otherwise designated. *(Res. am, 05-01, 1/19/05)*

70.060.050 Employee committees

- A. The board may establish internal employee committees for various issues, such as safety, required by state or federal law.
- B. The Safety Committee shall maintain the established Safety Plan.

(Res. am, 05-01, 1/19/05)