

**RESOLUTION NO. 94-04**  
**TO DELETE CERTAIN PERSONNEL AND PERSONNEL RELATED**  
**PROVISIONS OF THE MASON COUNTY CODE**

WHEREAS, RCW 36.32.120(6) states that the Board of County Commissioners have responsibility for the care of county property and the management of county funds and business;

WHEREAS, the Board of County Commissioners believes that uniform personnel policies in a single document are beneficial to county managers and employees;

WHEREAS, the Board of County Commissioners has adopted the Mason County Personnel Policies in a single document;

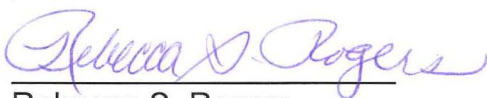
WHEREAS, the Board has determined that certain personnel and personnel related provisions in the Mason County Code should be deleted to avoid conflict with Mason County Personnel Policies or because they are no longer necessary:

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners does hereby delete those provisions of the Mason County Code as specified in (Attachment A) effective October 26, 2004.

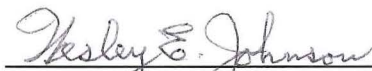
Dated this 26th day of October, 2004

BOARD OF COUNTY COMMISSIONERS

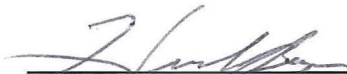
ATTEST:



Rebecca S. Rogers  
Clerk of the Board

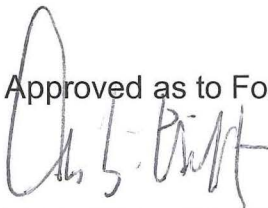


Wesley E. Johnson, Chairperson




Herb Baze, Commissioner

Approved as to Form:



Michael Clift  
Chief Deputy Prosecutor



Jayni L. Kamin, Commissioner

Title 2 ADMINISTRATION AND PERSONNELChapter 2.20 EXPENSES OF COUNTY OFFICIALS AND EMPLOYEES

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**2.20.010 Designated.**

The commissioners' requirements are hereafter set out in the order that the various items are recapped on the claim for expenses form:

- (1) Meals. Each meal purchased for each day of the month will be indicated separately and receipts furnished whenever possible.
- (2) Hotel or Motel Rooms. Hotel or motel rooms will be set out according to the paid receipt, which shall be attached to the voucher.
- (3) Other Transportation.
  - (A) When traveling on public transportation, receipt from validated ticket should be attached.
  - (B) Gasoline, etc., purchased for car not being used on mileage basis, attach receipts.
- (4) Sundry Expenses.
  - (A) Registration Fees. Receipts for all registration fees shall be attached.
  - (B) All business phone calls, or telegrams, shall be charged to home office or residence phone and regular bill attached to voucher to reveal the amount.

NOTE:

- (1) Expense vouchers should not include expense items for any one other than the authorized person, and where expenses are shared with other persons, all items should be carefully segregated on the expense form furnished by the county auditor.
- (2) Any item not properly supported will be deleted from the voucher.
- (3) At no time may a county credit card nor county gas supply be used in a private vehicle. (Res. 4-99, 1999; Res. 130-95, 1995; Res. 18-93, 1993; Res. 79-90, 1990; Res. 13-81, 1981; Res. 1052, 1979; Res. 759, 1977; Res. 403, 1974; Res. dated 8/22/66; Res. adopted 9/16/63).

2.20.020 To pay actual value of reimbursable expenses.

ATTACHMENT A

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.20 EXPENSES OF COUNTY OFFICIALS AND EMPLOYEES

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**2.20.020 To pay actual value of reimbursable expenses.**

The policy is established by the board of county commissioners to pay actual value of reimbursable expenses incurred by the county officials and county employees which are submitted to them on an expense voucher, with the necessary receipts showing the expenditures attached thereto. (Res. 459, 1974).

Title 2 ADMINISTRATION AND PERSONNELChapter 2.26 WORK WEEK**2.26.010 Work period established.**

The Fair Labor Standards Act, as amended in 1974, requires that the work period and overtime provisions be established for all county employees. The work period for all county employees, except employees engaged in law enforcement, public safety and/or security personnel in correctional institutions, will be from eight a.m. Monday to seven fifty-nine a.m. the following Monday. (Res. 508 (part), 1975).

Title 2 ADMINISTRATION AND PERSONNELChapter 2.26 WORK WEEK**2.26.020 Overtime.**

Hours worked over forty hours per week shall be paid at the rate of time and one-half the hourly rate except that upon the mutual agreement of the employee and the employer such hours may be compensated by compensatory time off. One and one-half hours of compensatory time will be earned for each hour of overtime worked. (Res. 31-98 (Att. A)(part), 1998: Res. 508 (part), 1975).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.26 WORK WEEK

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**2.26.040 Exemptions.**

Certain employees are considered exempt as administrative, executive, or professional as defined in 29 CFR 541. (Res. 508 (part), 1975).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.26 WORK WEEK

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**2.26.050 Compliance.**

This chapter is necessary to comply with Section 7(a) of the 1974 amendment to the Fair Labor Standards Act. (Res. 31-98 (Att. A)(part), 1998: Res. 508 (part), 1975).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.26 WORK WEEK

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**2.26.060 Adoption.**

The board of commissioners adopts the work periods set forth in this chapter for county employees. (Res. 508 (part), 1975).



Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.28 VACATION AND SICK LEAVE

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**2.28.010 Application, effective date of provisions.**

The conditions and terms of employment relating to accrued leave and sick leave as established in this chapter shall take effect from and after the first day of January, 1983, and insofar as they may differ from prior existing conditions and terms, shall supersede and prevail over any and all such prior terms; provided that no county employee shall be deprived of any benefit or right earned or acquired during the preceding calendar year. (Res. 33-83 § 1, 1983; Res. 619 § 1, 1976).

Title 2 ADMINISTRATION AND PERSONNELChapter 2.28 VACATION AND SICK LEAVE**2.28.020 Vacation--Accrual.**

After six months of regular full-time employment (being a minimum of twelve working days in any given month) any nonunion employee shall receive the following vacations with pay:

(1) One day for each full month of employment in the calendar year in which he (she) is first employed and there-after, one working day's vacation shall be accumulated for each full month's employment in each successive calendar year for the first three years of full-time employment. Thereafter vacation days will accrue as follows:

Employment	Vacation
Four years of employment	15 days vacation
Eight years of employment	18 days vacation
Ten years of employment	20 days vacation
Twelve years of employment	22 days vacation
Seventeen years of employment	24 days vacation

(2) For employees hired on a regular full-time basis, but who work less than a full eight-hour day, or less than a full five-day week, vacation shall be prorated in accordance with the number of hours (or days) worked.

(3) Vacation leave shall accrue and accumulate, except that such accumulation may not exceed fifty days. When a holiday occurs during an employee's vacation, he (she) shall receive an additional day vacation in lieu of the holiday; provided, that upon severance of employment, no employee may receive as vacation pay more than fifty days' unused vacation leave. (Res. 33-83 § 2, 1983; Res. 914, 1978; Res. 619 § 2(1), 1976).

Title 2 ADMINISTRATION AND PERSONNELChapter 2.28 VACATION AND SICK LEAVE**2.28.030 Vacation--Holidays designated.**

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

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

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

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

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

Extra help employees will be paid at their regular straight-time rate for hours worked on a holiday. (Res. 06-02 Attach. A, 2002; Res. 10-93, 1993; Res. 8-92, 1992; Res. 10-88, 1988; Res. 33-83 § 3, 1983; Res. 619 § 2(2), 1976).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.28 VACATION AND SICK LEAVE

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**2.28.040 Vacation--Change in job classification.**

When an employee of the county continues employment, but in a changed classification, no compensation for accrued annual leave earned during his employment in the first classification will be paid in addition to the salary he received under his new classification. The number of days earned may be carried over and added to the number of days the individual will accumulate in his new classification.

Nothing in this section shall be construed to prevent the granting of time off as compensating for extra service or additional overtime work. (Res. 33-83 § 4, 1983; Res. 619 § 5, 1976).

Title 2 ADMINISTRATION AND PERSONNELChapter 2.28 VACATION AND SICK LEAVE

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**2.28.050 Leave without pay.**

Any absence from duty allowed, for which equivalent leave has not been accrued, shall be considered as leave without pay. The value of the excess over the amount accrued shall be deducted from the earnings of the employee and clearly set forth in the payrolls affected. All deductions shall be prorated according to the average working days in a month. Each county official or department head shall be required to maintain a daily time book, on which will be kept the information transmitted to the monthly payrolls, using the same symbols as appear thereon. (Res. 33-83 § 5, 1983; Res. 619 § 2(3), 1976).

Title 2 ADMINISTRATION AND PERSONNELChapter 2.28 VACATION AND SICK LEAVE**2.28.060 Sick and bereavement leave--Accumulation.**

(a) The employees of the county shall be entitled to and receive sick leave with pay as follows: one day sick leave for each full month of employment in the calendar year in which he (she) is first employed; provided that the employee is placed on the payroll on or before the fifteenth day of the month and actually works continuously through the remainder of the month, and thereafter, one day's sick leave for each full month's employment in each successive calendar year. Sick leave that is not used shall accumulate, except that such accumulation may not exceed one hundred fifty days. The county shall require the employee to present a certificate from a regular practicing physician or other bona fide practitioner when sick leave periods extend beyond three days. Payment shall not be made for any unused sick leave, current accumulated, future or otherwise, except as set out in subsections 2.28.070(a) and (b).

(b) Sick leave may be used to cover those situations in which an employee is unable to work due to: (1) the employee's own health condition (illness, injury, physical or mental disability, including disability due to child birth); (2) the need to care for the employee's dependent children under the age of eighteen who are ill or injured; (3) medical or dental appointments for the employee or dependent child, provided that the employee must make a reasonable effort to schedule such appointments at times which have the least interference with the work day; (4) the need to care for a spouse, parent or child of the employee who is ill or injured and requires the presence of the employee, except that no more than five days of sick leave may be taken for any occurrence; (5) exposure to a contagious disease where on the job presence of the employee would jeopardize the health of others; (6) use of a prescription drug which impairs job performance or safety; (7) additional leave beyond bereavement leave for a death in the immediate family may be authorized by the board.

(c) The county provides regular full-time and part-time employees with paid bereavement leave for up to three days in the event of the death of an immediate family member. Immediate family for purposes of bereavement leave includes only the employee's spouse, parent, grandparent, child, grandchild, sister or brother. (Res. 125-97 (Att. A), 1997).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.28 VACATION AND SICK LEAVE

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**2.28.070 Sick leave--Payment for unused days.**

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

(a) Upon retirement, the employee shall receive pay for all accumulated unused sick leave; provided:

(1) An employee must have a minimum of fifteen years of continuous service; or

(2) An employee must meet all the requirements to be eligible for retirement under the State Employees' Retirement System.

(b) Upon the death of an employee currently in the county's employ, his beneficiary shall receive pay for all accumulated unused sick leave.

(c) When sickness occurs and no sick leave is accumulated, the employee may choose to:

(1) Use vacation credits accrued to his (her) credit in absence of sick leave; or

(2) Take leave without pay. (Res. 33-83 § 7, 1983; Res. 847, 1977; Res. 619 § 3 (part), 1976).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.28 VACATION AND SICK LEAVE

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**2.28.080 Recordkeeping duties.**

Upon certification of the monthly payroll, each elective official shall indicate thereon with the letter "V" for such days as each employee has been on vacation during the particular month and likewise indicate with the letter "S" for sick leave, and with the letter "O" for absence without pay, and the letter "C" for extra service or compensating time. (Res. 33-83 § 8, 1983: Res. 619 § 4, 1976).



Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.29 SEVERANCE PAY

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**2.29.010 Probationary period.**

Every employee of the county shall serve a probationary period of six months from date of hire or rehire after layoff unless a different probationary period is prescribed by state statute, and further, no person terminated voluntarily or involuntarily within such probationary period shall receive severance pay; and further, within such probationary period, the employee is subject to termination with or without cause. (Res. 63-84 (part), 1984; Res. 23B-83 (part), 1983).

Title 2 ADMINISTRATION AND PERSONNELChapter 2.29 SEVERANCE PAY**2.29.020 Employee eligible when.**

Each county employee who is terminated involuntarily after successful completion of such probation shall be paid two weeks' severance pay at the employee's then wage or salary rate provided that no severance pay shall be paid to any employee involuntarily separated for disciplinary reasons such as, but not limited to, dishonesty, insubordination, or actual or threatened violence against another county employee or official; and further provided that no severance pay shall be paid to an employee involuntarily separated who has been given at least two weeks' notice of termination in writing. (Res. 63-84 (part), 1984; Res. 23B-83 (part), 1983).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.29 SEVERANCE PAY

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**2.29.030 Voluntary termination.**

An employee who voluntarily terminates his employment with the county by resignation, change of residency to another county, or any other action, shall not be paid severance pay in any amount. (Res. 63-84 (part), 1984; Res. 23B-83 (part), 1983).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.31 SICK LEAVE SHARING POLICY

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**2.31.010 Sharing of sick leave--County policy.**

It shall be the policy of the board of county commissioners to allow employees to transfer sick leave to other employees, provided:

- (1) The recipient employee suffers from, or has a dependent relative or household member suffering from, an illness, impairment, or physical or mental condition which is of an extraordinary or severe nature and which has caused, or is likely to cause, the employee to go on leave without pay status, or terminate county employment;
- (2) The recipient employee's absence and the use of shared leave are justified;
- (3) The recipient employee has depleted or will shortly deplete his or her annual and sick leave reserves;
- (4) The recipient employee has abided by county rules regarding sick leave use. (Res. 91-91, 1991).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.31 SICK LEAVE SHARING POLICY

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**2.31.020 Transfer of leave in advance--Amount of leave.**

The board authorizes the transfer of leave in advance. The board shall establish the amount of leave which an employee is eligible to receive, provided no employee shall receive more than two-hundred sixty days. (Res. 91-91, 1991).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.31 SICK LEAVE SHARING POLICY

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**2.31.030 Employee transferring leave must have accrued thirty days of leave.**

An employee who has an accrued sick leave balance of more than thirty days may request that the county transfer a specified amount of sick leave to another employee authorized to receive leave under Section 2.31.010 of this chapter. In no event may the employee request a transfer of an amount of leave that would result in his or her sick leave account going below thirty days. (Res. 91-91, 1991).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.31 SICK LEAVE SHARING POLICY

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**2.31.040 Inter-departmental transfer--Permitted.**

Leave transferred under this section may be transferred from employees of one department of the same department, or to an employee of another department. (Res. 91-91, 1991).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.31 SICK LEAVE SHARING POLICY

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**2.31.050 Classification of employee on leave.**

While an employee is on leave transferred under this section, he or she shall continue to be classified as a county employee and shall receive the same treatment in respect to salary, wages, and employee benefits as the employee would normally receive if using accrued annual leave or sick leave. All salary and wage payments made to employees while on leave transferred under this section shall be made by the department employing the person receiving the leave. Leave shall be transferred on an hour for hour basis. (Res. 91-91, 1991).



Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.47 COMPLIANCE WITH STATE AND FEDERAL FAMILY LEAVE LAWS

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**2.47.010 In general.**

The terms and conditions set out in this chapter shall be in effect for all employees for the implementation of the state and federal family leave laws. (Res. 21-95 (part), 1995).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.47 COMPLIANCE WITH STATE AND FEDERAL FAMILY LEAVE LAWS

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**2.47.020 Year.**

The calendar year shall be designated as "the year." (Res. 21-95 § 1, 1995).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.47 COMPLIANCE WITH STATE AND FEDERAL FAMILY LEAVE LAWS

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**2.47.030 Use of leave.**

An employee will have available the use of sick leave if appropriate. After sick leave is exhausted, or not appropriate, an employee can choose to use either annual leave or can go on leave without pay. (Res. 21-95 § 2, 1995).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.47 COMPLIANCE WITH STATE AND FEDERAL FAMILY LEAVE LAWS

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**2.47.040 Accrual of leave/seniority.**

An employee will accrue sick leave and annual leave if he/she is on leave with pay. If the employee is on leave without pay, he/she does not accrue any sick leave or annual leave. An employee would have to work/be on leave with pay status, for at least twelve days during the month to accrue any leave. (Res. 21-95 § 3, 1995).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.47 COMPLIANCE WITH STATE AND FEDERAL FAMILY LEAVE LAWS

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**2.47.050 Notice.**

The employee will give thirty days' notice if the need for the leave is foreseeable. (Res. 21-95 § 4, 1995).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.47 COMPLIANCE WITH STATE AND FEDERAL FAMILY LEAVE LAWS

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**2.47.060 Doctor's certificate.**

- (a) The county may request a doctor's certificate. The doctor will not be required to list the diagnosis. The doctor will certify that the need for the leave meets the criteria of the laws.
- (b) The county and/or employee's insurance will pay for the visit to the doctor for the certificate. If either party wishes a second opinion, they will pay the cost of the doctor. If two conflicting opinions are received and a third doctor is needed, the union and the county will agree on the third doctor, and the county and the employee will split the cost.
- (c) If two conflicting opinions are received and the employee is nonunion, the nonunion employee and the county will agree on the third doctor and the county and the employee will split the cost. (Res. 21-95 § 5, 1995).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.47 COMPLIANCE WITH STATE AND FEDERAL FAMILY LEAVE LAWS

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**2.47.070 Medical/dental benefits.**

The county will continue paying the allowed amount for medical/dental/vision/life insurance while the employee is on family leave; this is the allowable for employee and dependent coverage. The employee will make arrangements with payroll to pay his/her portion, and will submit these payments as necessary to meet the insurance coverage deadlines. (Res. 21-95 § 6, 1995).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.47 COMPLIANCE WITH STATE AND FEDERAL FAMILY LEAVE LAWS

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**2.47.080 Significant others.**

Significant others are not covered by the law. (Res. 21-95 § 7, 1995).



Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.52 ROAD DEPARTMENT POLICY\*

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**2.52.165 Application.**

If any portion of Sections 2.52.170 through 2.52.315 are in conflict with county ordinances, state or federal statute, or the union agreement, the statute, ordinance or union agreement will take precedence. (Ord. 617 (part), 1976: § 2(17) of Res. dated March 24, 1969).

Title 2 ADMINISTRATION AND PERSONNELChapter 2.52 ROAD DEPARTMENT POLICY\***2.52.170 Generally.**

The number, classification and rates of pay of all employees will be determined by the board upon recommendation of the engineer and shall be adjusted to meet the needs of the department and as required to operate within the budget. The engineer shall have complete direction of all personnel in the road department in accordance with the established policies and general directives of the board. All personnel will be recruited, appointed, promoted, demoted or discharged by the engineer; supervisory positions will be handled only in consultation with the board. (See Section 2.52.310, right of appeal to the board.) (Res. (part) dated December 14, 1970: § 2(l) of Res. dated March 24, 1969).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.52 ROAD DEPARTMENT POLICY\*

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**2.52.180 Recruitment.**

- (a) New employees will be selected from bona fide applications received in response to an advertisement with the intent to fill a position(s). No casual applications will be accepted.
- (b) There shall be no "seniority" with regard to date of application.
- (c) Mason County residents will be given first opportunity in recruitment. (Res. 15-85, 1985; Res. (part) dated December 14, 1970: § 2(2) of Res. dated March 24, 1969).

Title 2 ADMINISTRATION AND PERSONNELChapter 2.52 ROAD DEPARTMENT POLICY\*

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**2.52.190 Appointment.**

- (a) Criteria for appointment shall be ability and fitness for the position to be filled.
- (b) Race, creed, organization membership (or nonmembership) or political party affiliation shall not be a basis for hiring or not hiring any individual.
- (c) Appointment will be made of those individuals considered best to serve the interests of Mason County; the need of the individual will not be prime factor in selection for appointment.
- (d) Ordinarily, persons engaged in regular work of a seasonal nature will not be considered for summer or other part-time work, except as may be required during emergencies. Upperclass high school students and college students may be hired for summer work when and as specifically authorized by the board.
- (e) Ordinarily, persons who are close relatives of county employees will not be appointed.
- (f) Appointees shall be designated "permanent" or "temporary." Permanent employees shall be granted all fringe benefits upon appointment, but shall serve a probationary period of six months during which time employment may be terminated by either party without prejudice. Temporary employees will be granted no fringe benefits except those required by law, and will not be members of the State Employees' Retirement System. (Res. (part) dated December 14, 1970: § 2(3) of Res. dated March 24, 1969).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.52 ROAD DEPARTMENT POLICY\*

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**2.52.200 Discharge.**

(a) Only the engineer shall have authority to discharge an employee. However, it is the responsibility of any supervisor to recommend such action if he considers such action warranted.

(b) An employee may be dismissed on the basis of poor work performance or conduct prejudicial to the best interests of the county. Examples of grounds for automatic dismissal are as follows:

- (1) Refusal to obey orders;
- (2) Refusal to cooperate with fellow workers;
- (3) Theft;
- (4) Drunkenness, on the job, in public or when a call to work may reasonably be expected;
- (5) Erratic or unexcused absenteeism;
- (6) Malingering (misuse of "sick leave");
- (7) Carelessness; endangering safety of self and other employees and the public, and endangering property. (Res. (part) dated December 14, 1970: § 2(4) of Res. dated March 24, 1969).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.52 ROAD DEPARTMENT POLICY\*

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**2.52.210 Promotion.**

When qualified personnel are available within the department, supervisory positions or those requiring special skills will be filled by promotion. Promotion involves the usual six-month probationary period as for initial employment. No one will be required to take a cut in pay by reason of promotion. (Res. (part) dated December 14, 1970: § 2(5) of Res. dated March 24, 1969).

Title 2 ADMINISTRATION AND PERSONNELChapter 2.52 ROAD DEPARTMENT POLICY\***2.52.220 Work-day--Work-week.**

Normal hours of work for all employees shall be forty hours per week, eight hours per day Monday through Friday inclusive.

(1) Overtime for hourly-rated employees will be paid as set forth in detail in the union agreement. No compensatory time will be allowed in lieu of overtime pay except as may be specifically approved by the board.

(2) Overtime for monthly-salaried employees shall not result in additional compensation except upon specific authorization by the board. Excess time worked because of emergencies, necessity to coordinate with contractor schedules and other valid and authorized or directed reasons will entitle the employee to take compensatory time off. All compensatory time shall be fully documented as it is earned by indication as earned on the employee's time sheet. Any accumulation in excess of ten working days shall be examined by the engineer and the employee may be required to take time off or a recommendation may be made to the board to pay overtime at time-and-one-half. Compensatory time shall when possible be used in year earned, and shall be mutually agreed upon between the employee and the engineer.

(3) Time for all employees shall include all travel from their respective assigned reporting stations to their work and return to such assigned stations.

(4) Time clocks shall be used as prescribed in this subdivision by all hourly employees of the county road department:

(A) Each employee shall punch his time card upon arrival at his respective reporting station and again upon leaving the job at the end of the workday.

(B) No employee shall punch in or out for a fellow employee.

(C) If for any reason an employee does report for or leave from work at a different location than normal, the road superintendent will write in the starting and/or quitting time and will submit to the county engineer a written reason for the deviation from the normal. This function will be performed by the road supervisor at Belfair and Matlock and the superintendent will approve the reason.

(D) Any employee apprehended punching a time card other than his own will be subject to the following disciplinary actions:

Offense	Disciplinary Measure
1st offense	1 day suspension without pay
2nd offense	3 days suspension without pay
3rd offense	Dismissal with cause.

(Res. 617 (part), 1976; Res. (part) dated February 22, 1972; Res. (part) dated December 14, 1970; § 2(6) of Res. dated March 24, 1969).

Title 2 ADMINISTRATION AND PERSONNELChapter 2.52 ROAD DEPARTMENT POLICY\***2.52.230 Vacation.**

Vacation time is earned by all employees at the rate of one working day per month subject to the following restrictions and bonuses:

- (1) No vacation time may be taken during the first six months of employment.
- (2) Vacation time shall be taken at the convenience of the county and must be approved by the engineer upon application in advance. (Every reasonable effort will be made to suit the employee's convenience).
- (3) Additional vacation time will be granted all employees with four or more years of service as follows:
  - (A) Four years, one additional day per year;
  - (B) Eight years, three additional days per year;
  - (C) Ten years, four additional days per year;
  - (D) Thirteen years, six additional days per year;
  - (E) Fifteen years, eight additional days per year.
- (4) A liberal vacation policy may be proclaimed by the board or approved by the board upon request of one or more employees when a holiday falls on a Tuesday or a Thursday. In no case will such isolated working days be treated as an additional holiday and may not be taken as vacation without specific approval.
- (5) No more than forty-five working days annual leave may be accumulated by an employee. Cash payment as a bonus for accrued annual leave that is not actually taken will not be allowed; however, when an employee is furloughed or separated from service without prejudice, he may be continued on the payroll for the time equivalent to the amount of annual leave accrued and not previously taken. When the employee is discharged for cause, he shall be paid in full for all accrued annual leave. (Res. 617 (part), 1976; Res. (part) dated February 22, 1972; Res. (part) dated December 14, 1970: § 2(7) of Res. dated March 24, 1969).



Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.52 ROAD DEPARTMENT POLICY\*

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**2.52.240 Sick leave.**

- (a) Sick leave with pay will accrue to all regular employees at the rate of one working day per month. Ninety-six hours of employment during a calendar month will qualify for one month of employment for sick leave purposes.
- (b) Sick leave may be accumulated to a total of one hundred twenty working days.
- (c) Sick leave not to exceed three days may be used due to the confinement of a member of the employee's immediate family or in the case of the death of a member of the employee's immediate family: father, mother, father-in-law or mother-in-law, brother, sister, brother-in-law or sister-in-law. If extended travel is required, special allowance may be made at the discretion of the county.
- (d) To collect more than three days sick leave at any one time or more than ten days in any one year, the employee may be required to furnish a doctor's certificate upon his return for retention on file in the employee's personnel file.
- (e) Misuse of sick leave time credit will be automatic grounds for dismissal.
- (f) Sick leave without pay may be granted by the board in cases of extended illness for which insufficient sick leave credit has been earned.
- (g) It is the responsibility of each office or supervisory employee to notify the engineer personally at the beginning of any period claimed for sick leave. Other employees notify their immediate supervisor.
- (h) Upon the death of an employee, his beneficiary shall receive pay for all accumulated, unused sick leave. Upon retirement, the employee shall receive fifty percent of accumulated, unused sick leave.
- (i) When no sick leave is accumulated, the employee may select to take either vacation or loss of pay. (Res. 617 (part), 1976; Res. (part) dated February 22, 1972; Res. (part) dated December 14, 1970: § 2(8) of Res. dated March 24, 1969).

Title 2 ADMINISTRATION AND PERSONNELChapter 2.52 ROAD DEPARTMENT POLICY\***2.52.250 Civil leave.**

Any necessary leave may be allowed by the engineer to permit any employee to serve as a member of a jury, or as a subpoenaed witness in a litigation or prosecution which does not result from the employee's own actions. The county will pay the difference between the court-awarded pay and the employee's regular pay for the leave so granted. (Res. (part) dated December 14, 1970: § 2(9) of Res. dated March 24, 1969).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.52 ROAD DEPARTMENT POLICY\*

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**2.52.260 Military leave.**

As required by RCW 38.40.060, leave not to exceed fifteen calendar days in any one year, over and above the annual leave and sick leave to which an employee might otherwise be entitled, will be allowed for active training duty to any employee who is a member of the Washington National Guard, the Army, Navy, Air Force, Coast Guard or Marine Corps Reserve of the U.S.A. Any authorized period in excess of fifteen calendar days shall be charged to leave without pay or annual leave at the option of the employee. (Res. (part) dated February 22, 1972: Res. (part) dated December 14, 1970: § 2(10) of Res. dated March 24, 1969).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.52 ROAD DEPARTMENT POLICY\*

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**2.52.270 Leave of absence without pay.**

- (a) Leave without pay may be granted by the engineer to the extent of five working days.
- (b) Extended leave without pay may be granted by the board for a period not to exceed one hundred eighty calendar days.
- (c) All leave without pay shall be at the convenience of the county.
- (d) No leave without pay will be granted to enable an employee to take advantage of seasonal work or business opportunities.
- (e) No leave without pay will be granted until all vacation credit has been used, except for bona fide sickness or pursuant to military orders. (Res. (part) dated February 22, 1972; Res. (part) dated December 14, 1970: § 2(11) of Res. dated March 24, 1969).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.52 ROAD DEPARTMENT POLICY\*

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**2.52.280 Absence without duly authorized leave.**

(a) Absence without duly authorized leave shall be treated as leave without pay and will constitute grounds for disciplinary action.

(b) Unauthorized absence for three consecutive days constitutes separation from county services. (Res. (part) dated February 22, 1972; Res. (part) dated December 14, 1970: § 2 (12) of Res. dated March 24, 1969).

Title 2 ADMINISTRATION AND PERSONNELChapter 2.52 ROAD DEPARTMENT POLICY\***2.52.290 Legal holidays.**

The following legal holidays have been authorized for all department employees:

(1) New Years Day	January 1
(2) Lincoln's Birthday	February 12
(3) Washington's Birthday	Third Monday in February
(4) Memorial Day	Last Monday in May
(5) Independence Day	July 4
(6) Labor Day	September--First Monday
(7) Veterans Day	November 11
(8) Thanksgiving Day	November--Fourth Thursday
(9) Day after Thanksgiving	November--Fourth Friday
(10) Christmas Day	December 25
(11) Floating	Anytime--Prior approval of engineer

Any other day proclaimed a legal holiday by the Governor of the state of Washington. (Res. 617 (part), 1976; Res.(part) dated December 14, 1970: § 2(13) of Res. dated March 24, 1969).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.52 ROAD DEPARTMENT POLICY\*

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**2.52.295 Safety.**

- (a) Loss Prevention Policy. The loss prevention policy as adopted by the board on October 26, 1970, (See Chapter 2.60 of this title) will be adhered to by all personnel without deviation.
- (b) Safety Committee. The safety committee will be composed of:
  - (1) Engineer or assistant engineer;
  - (2) Safety representative appointed by board of county commissioners;
  - (3) Road superintendent;
  - (4) Equipment superintendent;
  - (5) Four supervisors and bridge foreman;
  - (6) Three men elected by the union employees to serve for six months per term;
  - (7) One representative from field survey;
  - (8) Traffic patrolman. (Res. (part) dated February 22, 1972: Res. (part) dated December 14, 1970: § 2(14) of Res. dated March 24, 1969).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.52 ROAD DEPARTMENT POLICY\*

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**2.52.300 Political activity.**

(a) All employees shall refrain from public activity in partisan politics and highly controversial propositions which would cause embarrassment to the board or any individual commissioner or which would be detrimental to the best interests of the county.

(b) Actions which in general are permissible are voting, attending meetings, joining a political party, running for nonpartisan office and making voluntary campaign contributions.

(c) Actions which in general are forfeited by the employee in consideration of his employment by the county are essentially those prohibited by the Federal Hatch Act as interpreted by the various courts. (Res. (part) dated December 14, 1970: § 2(15) of Res. dated March 24, 1969).



Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.52 ROAD DEPARTMENT POLICY\*

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**2.52.310 Right of appeal.**

(a) Any employee shall have the right to appeal to the board any disciplinary or discharge order by the engineer.

(b) Such appeal shall result in a formal hearing by the entire board and the decision of the board shall be final. (Res. (part) dated December 14, 1970: § 2(16) of Res. dated March 24, 1969).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.52 ROAD DEPARTMENT POLICY\*

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**2.52.315 Occupational safety and health regulations--Penalty for noncompliance.**

The following policy is adopted by Mason County:

- (1) The county engineer shall issue written rules for employees to follow. These rules shall become effective immediately.
- (2) The penalty for noncompliance shall be as follows:
  - (A) First offense--Written warning,
  - (B) Second offense--One day suspension,
  - (C) Third offense--One week suspension,
  - (D) Fourth offense--Dismissal. (Res. 271, 1972).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.56 JURY OR SUBPOENAED WITNESS COMPENSATION

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**2.56.010 County employees--Jury or subpoenaed witnesses.**

Any county employee who is called to serve on the jury or subpoenaed as a witness in court shall receive as salary, the difference between his regular salary and any compensation received from the court, and immediately upon being discharged from the court, the employee shall (within a reasonable time) report back to his job. This shall go into effect upon corroboration by the prosecuting attorney. (Res. dated February 20, 1967).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.108 SEXUAL HARASSMENT POLICY

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**2.108.010 Sexual harassment--Prohibited.**

The county prohibits sexual harassment of its employees in any form. Employees must not engage in such prohibited conduct and where such conduct is found to exist, discipline will result. (Res. 78-92 (part), 1992).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.108 SEXUAL HARASSMENT POLICY

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**2.108.020 Sexual harassment--Outlined.**

Unwelcome sexual advances, requests for sexual favors, or other verbal, physical, or visual conduct of a sexual nature constitute sexual harassment when:

- (1) Submission to such conduct is made a condition of an individual's employment; or
- (2) Submission or rejection of such conduct is used as a basis for making decisions affecting the individual; or
- (3) Such conduct, intentionally or unintentionally, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment. (Res. 78-92 (part), 1992).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.108 SEXUAL HARASSMENT POLICY

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**2.108.030 Reporting sexual harassment.**

Any employee who is aware of any instances of sexual harassment should report the alleged act immediately to his or her supervisor. If the employee is uncomfortable in discussing the matter with the supervisor or if the supervisor is not available, the employee should report the alleged act immediately to central services administration/personnel division. (Res. 78-92 (part), 1992).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.108 SEXUAL HARASSMENT POLICY

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**2.108.040 Investigation of complaints--Corrective action.**

All complaints will be investigated immediately and, upon completion of the investigation, the appropriate parties will be notified immediately of the findings. Any supervisor, agent, or other employee who has been found to have sexually harassed another employee will be subjected to appropriate corrective action, ranging from a disciplinary warning to termination. No employee will suffer retaliation for reporting instances of sexual harassment. (Res. 78-92 (part), 1992).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.108 SEXUAL HARASSMENT POLICY

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**2.108.050 Questions regarding sexual harassment.**

We trust that all employees of the county will act responsibly to maintain a pleasant working environment, free of discrimination, allowing for each employee to perform to his or her maximum potential. The county encourages any employee to bring questions he or she may have regarding discrimination of this type to central services administration/personnel division. (Res. 78-92 (part), 1992).



Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.116 WHISTLEBLOWER POLICY

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**2.116.010 General policy.**

In compliance with the Local Government Employee Whistleblower Protection Act, RCW 42.41, this chapter is created to encourage employees to disclose any improper governmental action taken by county officials or employees without fear of retaliation. This chapter also safeguards legitimate employers interests by encouraging complaints to be made first to the county, with a process provided for speedy dispute resolution. (Res. 9-96 (part), 1996).

Title 2 ADMINISTRATION AND PERSONNELChapter 2.116 WHISTLEBLOWER POLICY

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**2.116.020 Definitions.**

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

"Improper governmental actions" means any action by a county officer or employee that is:

(1) Undertaken in the performance of the official's or employee's official duties, whether or not the action is within the scope of the employee's employment; and

(2) In violation of any federal, state or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds;

(3) "Improper governmental action" does not include personnel actions including but not limited to employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of the local government collective bargaining and civil service laws, alleged labor agreement violations, reprimands, or any action that may be taken under Chapter 41.14 or 41.56 RCW.

"Retaliatory action" means (a) Any adverse change in a local government employee's employment status, or the terms and conditions of employment including denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand or unsatisfactory performance evaluations, demotion, transfer, reassignment, reduction in pay, denial of promotion, suspension, dismissal or any other disciplinary actions; or (b) hostile actions by another employee towards a local government employee that were encouraged by a supervisor or senior manager or official. (Res. 9-96 (part), 1996).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.116 WHISTLEBLOWER POLICY

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**2.116.030 Procedure for reporting improper government action.**

(a) County employees who become aware of improper governmental action should follow this procedure:

(1) Bring the matter to the attention of the board of county commissioners or the prosecuting attorney, in writing, stating in detail the basis for the employee's belief that an improper action has occurred. This should be done as soon as the employee becomes aware of the improper action;

(2) The board of county commissioners or their designee, or the prosecuting attorney shall promptly investigate the report of improper government action. After the investigation is completed (within thirty days of the employee's report), the employee shall be advised of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.

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

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

(d) Employees may report information about improper governmental action directly to an outside agency if the employee reasonably believes that an adequate investigation was not undertaken by the county to determine whether an improper government action occurred, or that insufficient action was taken by the county to address the improper action or that for other reasons the improper action is likely to recur. (Res. 9-96 (part), 1996).

Title 2. ADMINISTRATION AND PERSONNELChapter 2.116 WHISTLEBLOWER POLICY**2.116.040 Protection against retaliation.**

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

- (1) Employees shall provide a written complaint to the board of county commissioners or prosecuting attorney within thirty days of the occurrence of the alleged retaliatory action. The written charge shall specify the alleged retaliatory action and the relief requested.
- (2) The board of county commissioners or their designee, or the prosecuting attorney shall investigate the complaint and respond in writing within thirty days of receipt of the written charge.
- (3) After receiving the county's response, the employee may request a hearing before a state administrative law judge (ALJ) to establish that a retaliatory action occurred and to obtain appropriate relief under the law. The request for hearing must be delivered within the earlier of either fifteen days of receipt of the county's response to the charge of retaliatory action or forty-five days of receipt of the charge of retaliation to the board of county commissioners for response.
- (4) Within five working days of receipt of a request for hearing the county shall apply to the state office of administrative hearings for an adjudicative proceeding before an administrative law judge. At the hearing, the employee must prove that a retaliatory action occurred by a preponderance of the evidence in the hearing. The ALJ will issue a final decision not later than forty-five days after the date of the request for hearing, unless an extension is granted. (Res. 9-96 (part), 1996).

Title 2 ADMINISTRATION AND PERSONNELChapter 2.116 WHISTLEBLOWER POLICY**2.116.050 Implementation.**

The board of county commissioners is responsible for implementing these policies and procedures. This includes posting the policy codified in this chapter on the county bulletin board, making the policy available to any employee upon request, and providing the policy to all newly hired employees. Officers, managers and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility. (Res. 9-96 (part), 1996).

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.116 WHISTLEBLOWER POLICY

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**2.116.060 Violation.**

Violations of this chapter and these procedures may result in appropriate disciplinary action.  
(Res. 9-96 (part), 1996).