

**RESOLUTION NO. 95-04**  
**AMENDING RESOLUTION NO. 148-99 TO AMEND**  
**THE MASON COUNTY PERSONNEL POLICIES**

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 are beneficial to county managers and employees;

WHEREAS, the Board has determined that certain changes in the Mason County Personnel Policies should be made:

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners does hereby amend the Mason County Personnel Policies by changing Chapter 2.4 (Attachment A), changing Chapter 5.7 (Attachment B), changing Chapter 7.1 (Attachment C), changing Chapter 7.2 (Attachment D), and adding a new Chapter 8.15 (Attachment E) effective October 26, 2004.

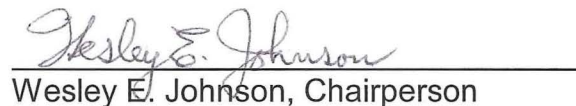
Dated this 26th day of October, 2004

BOARD OF COUNTY COMMISSIONERS

ATTEST:

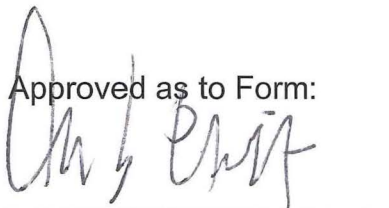


Rebecca S. Rogers  
Clerk of the Board

  
Wesley E. Johnson, Chairperson

  
Herb Baze, Commissioner

Approved as to Form:



Michael Clift  
Chief Deputy Prosecutor

  
Jayni L. Kamin, Commissioner

## **2.4 SEXUAL HARASSMENT PROHIBITED**

Sexual harassment is a form of sex discrimination and is illegal. Sexual harassment will not be tolerated by the County.

Sexual harassment is behavior of a sexual nature which is unwelcome. Examples of sexual harassment include verbal behavior such as unwanted sexual comments, suggestions, jokes, or pressure for sexual favors; non-verbal behavior such as suggestive looks and leering; and physical behavior such as pats or squeezes, or repeatedly brushing against someone's body. Other conduct also may constitute sexual harassment depending upon given facts and circumstances.

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

1. submission to such conduct is either an explicit or 2.4 or implicit term or condition of employment; or,
2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or,
3. such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment.

Employees engaging in sexual harassment are subject to discipline, including termination. See Discrimination Complaint Procedure, Policy ~~2.6~~ 2.5, for guidance on what to do if you experience sexual harassment.

## **5.7 COMPENSATION UPON TERMINATION**

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

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

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

## Attachment C

### 7.1 VACATION LEAVE

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

<u>Years of Continuous Service</u>	<u>Vacation Days Earned</u>
1-3 years	12 days per year
4-7 years	15 days per year
8-9 years	18 days per year
10-11 years	20 days per year
12-14 years	22 days per year
15-16 years	23 days per year
17-19 years	24 days per year
20 or more years	25 days per year

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

Regular full-time employees must work, or be in a paid status, at least ~~ninety (90)~~ eighty (80) hours in a month to accrue vacation for the month. Regular part-time employees must work, or be in a paid status, at least in the same proportion to ~~ninety (90)~~ eighty (80) hours as their regular hours are to full-time employment to accrue vacation for that the month.

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

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

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

position to assume an Elected Office will be paid for unused vacation time upon termination of employment.

## 7.2 SICK LEAVE

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

Regular full-time employees must work, or be in a paid status, at least ~~ninety (90)~~ eighty (80) hours in a month to accrue sick leave for the month. Regular part-time employees must work, or be in a paid status, at least in the same proportion ~~to ninety (90)~~ to eighty (80) hours as their regular hours are to full-time employment to accrue sick leave for that the month.

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

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

A doctor's certificate may be required when an employee is absent for a period in excess of three (3) days or when a pattern of sick leave use indicates possible sick leave abuse.

To the extent allowed by law, the County may also request the opinion of a second doctor at the County's expense to determine whether the employee suffers from a chronic physical or mental condition which impairs his/her ability to perform the job.

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

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

- (1) Upon termination of employment with fifteen (15) years of continuous service with Mason County;
- (2) Upon termination of employment with Mason County, when the termination is contemporaneous with retirement from the applicable Washington State public employees retirement system; or
- (3) Upon the death of an employee, in which case payment shall be made to his/her estate.

Upon termination of employment, including termination of employment prior to assume an Elected Office, under circumstances in which the employee is not eligible for payment of unused sick leave, all unused sick leave shall be forfeited. The provisions of this paragraph shall not apply to employees who terminated employment to become an Elected Official of Mason County prior to the adoption of this policy.

### **8.15 USING POSITION FOR PERSONAL GAIN**

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

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