

PERSONNEL POLICY MANUAL

Washington Resource Conservation & Development Council

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“Providing Leadership in Conservation Collaboration!”



PERSONNEL POLICY UPDATE NOTIFICATION

The Washington Resource Conservation and Development Council is undergoing a policy review. The following policies have been updated by the Board of Directors and replace those applicable sections in the 2019 Personnel Policy Manual.

For questions, please contact:
Hilary Lundgren, Executive Director
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ABOUT

Approved: November 22, 2022

About the Washington Resource Conservation and Development Council

The Washington Resource Conservation and Development Council (WRCD) is a 501c(3) non-profit organization organized under Chapters 24.03 of the Revised Code of Washington.

The WRCD is governed by a volunteer Board of Directors (Board). The Board provides strategic leadership and is responsible for the governance, long-range direction, and sustainability of the WRCD, providing financial oversight and advocating the values that guide our organization. The Board directly supervises the Executive Director (ED).

References to the “Executive Committee” referenced in the policies and procedures below include positions on the WRCD Board of Directors as identified in the WRCD Bylaws.

Employees should keep in mind that the WRCD operates on public funds, donations, and grants. This obliges all employees to ensure that WRCD resources are used wisely and efficiently and that we function in credible ways that can withstand public scrutiny. We must document our activities and expenditures and demonstrate that we have acted in the public’s interest.

EMPLOYMENT CLASSIFICATIONS

Approved: November 22, 2022

Replaces Policy Series 102 in 2019 Personnel Policy Manual

Policy.

Each employee will be classified as a Full-Time or Part-Time Employee, Regular or Temporary Employee, Contingent Worker, and Exempt or non-exempt.

Applies to:

All WRCD employees and contingent workers.

Definitions.

FULL-TIME EMPLOYEES

Full-time employees are those that work an average of 32-40 hours per week.

PART-TIME EMPLOYEES

Part-time employees are those employees working less than a weekly average of 32 hours per week.

REGULAR EMPLOYEES

A regular employee can be hired full-time or part-time with no defined employment end date. Regular employees receive benefits offered by the WRCD.

TEMPORARY EMPLOYEES

Temporary employees can be full-time or part-time employees who are hired for a specific period of time or a specific project. The U.S. Department of Law defines a temporary employee as an employee who is hired to work for one year or less with a specified end date. In addition, federal law also dictates that you cannot hire the same temp employee for more than two consecutive years.

These employees are not entitled to share in benefits offered by the WRCD except those required by law.

CONTINGENT WORKERS

Contingent workers are individuals who are outsourced to perform specific duties on a non-permanent and non-employee basis. Contingent workers may work remotely but are not considered an employee of the WRCD. Contingent workers perform under a statement of work provision agreed upon by the WRCD. Once the project is complete, the contingent worker will no longer work for the WRCD. The WRCD may utilize the same contingent worker on recurring projects if the WRCD is satisfied with the worker's performance. Contingent workers

- do not have access to benefits offered by the WRCD,
- are not salaried,
- are required to pay for and file their own taxes with the IRS, and
- have control over how and when they perform their work.

Examples of contingent workers: are contract workers, independent contractors, interns, and consultants.

EXEMPT EMPLOYEES

Exempt employees are not entitled to overtime pay in accordance with FLSA. Exempt Employees are eligible or may negotiate for compensatory time off to compensate for hours worked. Exempt employees will be required to keep a record of their duties.

In compliance with 29 CFR §541.101, the following employees will be eligible for exempt status from payment of overtime premium pay under the executive exemption of the Fair Labor Standards Act:

- i. Executive Director

NON-EXEMPT EMPLOYEES

Non-exempt employees are entitled to overtime when they work more than 40 hours per week.

Non-exempt employees must be paid minimum wage, receive sick leave, and are not paid on a salary basis.

TERMS OF EMPLOYMENT

Approved: November 22, 2022

Replaces the following policies 2019 Personnel Policy Manual:

101 - Terms of Employment

103 - Six-Month Probationary Period

104 - Disciplinary Action

AT-WILL EMPLOYMENT

Policy.

Employment with the WRCD is on an “at-will basis”.

Applies to: All WRCD employees and contingent workers.

Protocol.

- 1) An employee may resign at any time or be dismissed with or without cause, subject to state and federal laws. In either case, the party who initiates the action is normally expected to give reasonable notice to the other party. (At least 2 weeks’ notice is considered reasonable for most positions.)
- 2) Continued employment of the Executive Director is at the sole discretion of the Board of Directors and contingent upon factors determined by the Board of Directors, including but not limited to available funding, job performance, changes in program direction, or reorganization.
- 3) Continued employment of all other staff positions is at the discretion of the Executive Director and will be made in consultation with the Board of Directors, including but not limited to available funding, job performance, changes in program direction, or reorganization.

SIX-MONTH PROBATIONARY PERIOD

Policy.

Upon hire, each employee (except temporary employees and contingent workers) will be on probationary status for the first six months of employment. Another 6-month probationary period may start and must be completed when an employee is promoted or transitioned to a different position. If necessary, the WRCD may extend the probationary period. Employees will be made aware of the six-month probationary period, including extensions, at the time of hire, promotion, or transition.

The probationary period does not guarantee employment for the full six-month period. Continued employment at the WRCD is At-Will -- an employee may be terminated for any reason at any time, either during or after the probationary period.

In case of termination during the probationary period, notice or pay in lieu of notice may be offered.

Applies to: Newly hired, promoted, or transferred employees and their supervisor.

Definitions.

PROBATIONARY PERIOD

Introductory six-month period, which may be extended, that allows the supervisor and employee to assess the working relationship and performance.

- Pay in lieu of notice: Compensation may be offered to an employee terminated without advance notice.

Protocol.

1. The Executive Director or employees supervisor will provide written notification to the employee of their employment status (extension of the probationary period, permanent, full-time, part-time, dismissal, etc.) upon completion of the probationary period.
 - a. After six months, the employee's supervisor may provide a job evaluation to the employee.
 - i. If the employee does not perform satisfactorily at any time during the probationary period, they may be dismissed.
 - ii. At the successful conclusion of the six-month probationary period, each employee may be considered for a pay increase if funding allows.

The Executive Director and Board of Directors retain full discretion concerning any changes in rates of pay changes and make no guarantee of annual or periodic pay increases.

ELIGIBLE BENEFITS DURING THE PROBATIONARY PERIOD

Policy.

During the probationary period, the employee will receive social security, unemployment insurance, workers' compensation, leave under the Family Medical Leave Act, and WRCD benefits, including sick leave, holiday pay, and medical insurance eligibility. During the probationary period, employees will accumulate annual leave but not be eligible for annual leave until after the completion of the probationary period. After completing the six-month probationary period, upon completion of a satisfactory evaluation, the employee will be eligible to use annual leave and other benefits available to WRCD employees.

Applies to: Newly hired, promoted, or transferred employees and their supervisor.

ANNUAL PERFORMANCE REVIEW

Policy.

Each employee (except temporary employees and contingent workers), will receive an annual performance review.

Applies to: All WRCD employees.

Protocol.

The Executive Director or employees supervisor will provide a written annual performance review upon completion of the probationary period.

1. Employees may be dismissed if they do not perform satisfactorily at any time.
2. At the end of successful of the review period, each employee may be considered for a pay increase if funding allows.
3. The employee's supervisor will provide documentation of the performance review to the Executive Director and a copy to the employee.
4. The Executive Director will place a copy of the performance written performance review in the employee's personnel file.

The Executive Director and Board of Directors retain full discretion with regard to any changes in rates of pay changes and make no guarantee of annual or periodic pay increases.

LABOR AND DISTRIBUTION REPORTING

Approved: December 14, 2022

Replaces the following policy series 108 in the 2019 Personnel Policy Manual

WORK HOURS

Policy.

The hours of work are eight (8) hours, between 6:00 A.M. and 6:00 P.M., with a ½ to 1-hour lunch break each workday. The typical time period to be worked and other optional work schedules, such as maxi-flex, will be negotiated and approved by the Executive Director or employee's supervisor at the time of hiring or upon receipt of a written request by an employee.

1. Work Hours, Exceptions: Occasional deviations from established working hours may be allowed under unusual workloads or personal circumstances if approved by the employee's supervisor or Executive Director prior to the occurrence.

Applies to: All WRCD employees.

Definitions

FLEX SCHEDULE

A flexible schedule that contains core hours on fewer than 10 working days. Employees may vary the number of hours per day and the number of days per week. Full-time employees must work at least 64 hours per 10 working day period. Employees must account for core time on each workday. Arrival and departure times may vary.

BREAKS

Policy.

Work breaks are allowed for all employees, provided they do not exceed 15 minutes in any four-hour period. Full-time employees will be entitled to two daily breaks, one in the morning and one in the afternoon. An unpaid lunch break of up to 60 minutes is also provided for employees working more than 4 hours in one day.

Applies to: All WRCD employees.

PAY PERIOD, PAYMENT SCHEDULE, AND TIMESHEETS

Approved: December 14, 2022

Applies to: All employees.

Policy

The WRCD pay period is one month. Except for under unusual circumstances, payment for work will be provided no later than the 3rd working day of the following month. Supervisors will be responsible to let employees know exactly when payroll checks are issued and available.

Payroll checks will be available at the WRCD office for pick-up, mailed to teleworking employees, or electronic funds transfer (EFT) so long as the employee has voluntarily consented to the deposit and the wages are deposited into a financial institution of the employee's choosing. If EFT/direct deposit is chosen, direct deposit will remain in effect until changed by the employee.

TIMESHEETS

Protocol

- A. Charges to awards for salaries and wages will be treated as direct or indirect costs based on documented payrolls approved by the employee's supervisor or Executive Director.
- B. The distribution of time worked must be supported by labor distribution reports. Labor distribution reports will be prepared and controlled according to the following minimum standards:
 1. Employees, including contractors performing in-house work, are responsible for preparing their timecards/timesheets.
 - A. Electronic timesheet templates will be provided and will be used.
 - B. Timesheets should be filled out as work is performed.
 - C. All hours worked must be recorded on timesheets.
 2. Timesheets must be signed in accordance with the WRCD's electronic signature policy by the employee and the employee's authorized supervisor and submitted to the bookkeeper.
 3. Timesheets are due by noon on the last working day of the pay period. Pay periods are every month, starting on the 1st and ending on the last day of the month.
 4. Employees are also responsible for submitting proper mileage and cost reimbursement forms monthly to their supervisor. Mileage and cost reimbursement forms must be signed in accordance with the WRCD's electronic signature policy. All forms and receipts are due by noon on the last working day of the pay period.
 5. Employees are responsible for keeping good records and completing and submitting all required forms when they are due. Employees should make proper preparations when submitting receipts to ensure they are submitted promptly.
- C. Overtime or compensatory hours must be approved by the Executive Director or employee's supervisor before their occurrence, in writing or e-mail. Compensatory time must be used by the end of the following pay period.

- D. Supervisors authorized to sign and approve timesheets are President, Vice-president, Secretary / Treasurer, Program Manager, or Executive Director.

EMPLOYEE BENEFITS

Approved: November 22, 2022

Replaces the following policy series 118 in the 2019 Personnel Policy Manual

HEALTH BENEFITS

The WRCD offers an optional health insurance plan to employees.

Policy

EMPLOYER CONTRIBUTION. The WRCD contributes up to 65% towards the premium for enrolled employees and the employee's portion of the premium is deducted pre-tax monthly from paychecks.

Enrollment and Cancellation Protocol:

Enrollment:

- Enrollment may begin the first day of the month following 30 days of employment; or
- Eligible employees may opt-in to receive health insurance during the insurance providers annual open enrollment period.

Health insurance policy cancellation:

- Employees must contact the Executive Director to cancel health insurance benefits outside of the insurance provider's enrollment period. The Executive Director will provide further instructions for canceling the policy.
- Health insurance benefits will end on the last day of the month in the event of termination or retirement.

Eligibility:

Employees hired either part-time or full-time as a regular employee, working more than an average of 25 hours per week after 30 days of employment.

ANNUAL LEAVE

Approved: December 14, 2022

Replaces the following policy series 110 in the 2019 Personnel Policy Manual

The WRCD offers annual leave to eligible employees.

ANNUAL LEAVE ACCRUAL

Eligible employees will accrue the following based on the term of employment:

- 0-2 Years of Service, including the probationary period: 0.0625 hours of annual leave per hour worked.
- 2-5 Years of Service, including the probationary period: .075 hours of annual leave per hour worked
- 5+ Years of Service, including the probationary period: up to .0937 hours of annual leave per hour worked

No one employee may accumulate more than 240 hours of total annual leave. If that limit is met, any additional leave earned will be lost.

Annual leave is not accrued for overtime hours worked, paid holidays, sick leave, or for annual leave taken. Annual leave is only accrued for hours worked.

Eligibility:

- Full or part-time, regular employees.

USE OF ANNUAL LEAVE

Policy.

Leave may not be used before it is accrued.

Employees on probationary status are not eligible to utilize annual leave until the end of the probationary period.

Applies to: Full or part-time, regular employees.

Protocol.

Employees intending to utilize annual leave will notify their supervisor or Executive Director sufficiently in advance of when time off is to be taken to permit work schedules to be met. This notice must be either verbal, in writing, or in an email.

For annual leave earned that is eligible to be cashed out upon termination of employment, the employee must give at least 2 weeks' notice when terminating their employment to be eligible to cash out that annual leave.

ELECTRONIC SIGNATURE POLICY

Approved: December 14, 2022

Applies to: All employees.

Policy

The WRCD allows the use of electronic signatures obtained by services such as Adobe Sign as an acceptable alternative to an original signature for those documents requiring signature or acknowledgment in accordance with minimum standards, see below.

Electronic signatures through such a process will be given full legal effect under federal and state law. Please note that some documents still require an inked signature.

Refer to our listing of document types and their approved forms of signature at the end of this document.

Definitions.

- Electronic signature (e-signature) refers to any electronic process that indicates acceptance of an agreement or record. Most electronic signature solutions in the United States fall into this broad category. Electronic signatures use a wide variety of common electronic authentication methods to verify signer identity, such as email, corporate ID, password protection, or a PIN sent to a mobile phone. Proof of signing is demonstrated via a secured process that often includes an audit trail and a final tamper-evident digital certificate embedded into the completed signed document.
- Digital signature uses a digital certificate from a trust service provider (TSP), such as a certificate authority (CA), to authenticate a signer's identity. The digital certificates demonstrate proof of signing by binding the digital certificate associated with each signature to the document using encryption.

Minimum Requirements.

Use of an electronic signature service must be in accordance with the following minimum standards, consistent with State Uniform Electronic Transactions Act (UETA). Compliance with these standards helps to ensure the validity of an electronic signature. To ensure compliance with UETA, the WRCD shall implement the following best practices:

1. Signatories must agree to execute and transact business under the documents electronically (within the terms of the agreement)
2. Implement measures to verify who is signing the document, such as:
 - a. Requiring the signatory answer questions that only the signatory would know;
 - b. Requiring the signatory to create a secure account that only they have access to in order to complete the electronic forms;
 - c. Request a social security number;
 - d. Sending a verification email to the signatory regarding the electronic transaction;
3. Store electronic records accurately and do so in a way that makes the records accessible to all persons (including regulators) who are entitled by law to access such records.

Document Types and Allowable Forms of Signature

Inked Signature Required

- I-9
- Other documents upon request, including State and Federal agencies, funders, etc.

Electronic or Inked Signature

- Employee Acceptance of Hire
- Receipt and Acknowledgement of Performance Review
- Monthly timesheets
- Mileage and Cost Reimbursement Requests
- Employee Terms of Employment Letter
- Personnel Policy Handbook Acknowledgement
- W-9
- Contracts and agreements
- Payroll direct deposit form
- Fiscal sponsorship agreements



Washington

RESOURCE CONSERVATION & DEVELOPMENT COUNCIL

Mileage and Per Diem Policy

Purpose:

The Policy is made to encourage maximum participation by Washington Resource Conservation & Development Council (W RC&D) board directors and to establish mileage and per diem rates for the W RC&D. Unless otherwise stated in a funding agreement:.

Limitations:

Policy applies to current W RC&D directors only. Directors who are afforded per diem and mileage or its equivalent (vehicle/fuel) through other means shall do so. Every effort to consider the financial viability of the W RC&D shall be made by its directors while recognizing the need for participation.

Mileage Policy:

W RC&D mileage rate shall be equal to the current federal mileage rate. An itemized invoice for mileage, along with a brief description of origin, destination, and purpose must be submitted to the SCW RC&D Executive Director or program manager for approval.

Lodging, Subsistence and Travel Expense Policy:

W RC&D lodging, subsistence, and travel reimbursements must first be authorized by the Executive Director or program manager prior to accrual. Reimbursement rates shall follow current federal reimbursement rates unless otherwise approved by the Board and supported by receipt(s).

This policy was reviewed and approved by the Washington RC&D Council at a regularly convened board meeting on March 6, 2018.

Signed,

Frank Hendrix, Chair, W RC&D

Date



Washington

RESOURCE CONSERVATION & DEVELOPMENT COUNCIL

TELEWORKING POLICY

The Washington RC&D Council (RC&D), along with Program Managers, have the authority to permit employees, when deemed appropriate, to perform their job through teleworking. The RC&D will actively support teleworking where it is reasonable and practical to do so and where operational needs will not be adversely affected.

Telework is defined as working at home or at another off-site location that is linked electronically (via computer, fax, etc.) to a central office (109 S 3rd Street, Yakima, Washington, 98901). Teleworking is a cooperative arrangement between the RC&D and an employee, based upon the needs of the job, work group, and the RC&D. This policy does not apply to situations where a supervisor occasionally allows an employee to work at home on a temporary, irregular basis.

Employees allowed to telework from home or off-site, for some or all of their employment, remain subject to the terms and conditions of employment set forth in the RC&D Personnel Policy and elsewhere. In addition to their existing obligations and responsibilities, teleworkers must agree to do the following:

1. Maintain a regular work schedule and an accurate accounting of what they work on and when.
 2. Comply with all of the safety regulations that apply to an office. That means having a safe work environment free of clutter, exposed wiring, slippery surfaces, etc. Any employee who teleworks grants a license to the company to inspect their work premise during normal work hours.
 3. Understand that any hardware, software, or other supplies and equipment purchased by the RC&D remains the property of the RC&D and will be returned to the RC&D should the alternative work arrangement be terminated.
 4. Understand that RC&D hardware, software, or other supplies and equipment purchased by the RC&D and located at an alternative work location may not be used for personal activities.
 5. Understand that the all RC&D policies and procedures relating to legal compliance and work ethic obligations remain in full force and effect while off-site.
 6. Be responsible for any company equipment used off-site. The employee may be responsible for the cost of repair or replacement of any equipment if handled in a careless or reckless manner. The company is not responsible for personal equipment used without express written authorization from the company.
 7. Be responsible for maintaining regular contact with your Supervisor. The Supervisor shall be the teleworking employee's primary contact within the central work location. It is expected that the
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Supervisor and the teleworker will act together to keep each other apprised of events or information obtained during the working day.

8. Maintain their work product in a safe and secure environment. Any confidential materials, trade secrets or proprietary information should be maintained under lock and key and appropriately discarded. Digital information should be backed up in a manner as stated in the RC&D Accounting Policies and Procedures Manual at the Central Office.
9. Understand that any injuries occurred at home, or off-site, and that occur while performing work related activities during reasonable working hours are covered by Washington State L&I Worker's Comp. The reporting requirements for a telecommuter related to a workplace injury are the same as if they occurred on company premises.
10. Arrange for proper day care or elder care services so as not to interfere with job performance.
11. Remember that you are a representative of this company no matter where you are. Please use your best judgment at all times.

The Teleworking Policy was Reviewed and Adopted by the Council on March 6, 2018.

President, Frank Hendrix
Washington RC&D Council

I understand and agree to the above Teleworking Policy.

Employee Name (print)

Employee Signature

Date

Supervisor Name (print)

Supervisor Signature

Date



Washington

RESOURCE CONSERVATION & DEVELOPMENT COUNCIL

Diversity Policy

In principle and in practice, W RC&D values and seeks diverse and inclusive participation within RC&D councils nationwide. The W RC&D will promote involvement and expand access to leadership opportunity regardless of race, ethnicity, gender, religion, age, sexual orientation, nationality, disability, appearance, geographic location, or professional level.

The Council will provide leadership and training resources to accomplish this objective while serving as a model to our sponsors.

We will also strive to:

- Have an aggressive outreach plan that encourages members of underrepresented groups to become Council members and to receive council services.
- Serve our whole community.
- Review our organizational structure and eliminate barriers to membership which hinder diversity.
- Include an outreach plan in our Area and Annual Plans.
- Hold public council meetings with advance announcements and to use meeting facilities accessible to disabled members of the public.
- Adopt a non-discrimination policy and non-discrimination statements on all public council documents.
- Develop appropriate educational opportunities for all council members to understand the diversity needs of the council and the communities we serve.

This Policy was Reviewed and Adopted by the Council on March 6, 2018

Frank Hendrix, Chair

Reese Lolley, Vice-Chair

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Appendix A. Personnel Policy (including Sexual Harassment, Whistleblower, and Drug-Free Workplace Policies) Agreement Form 30

100 INTRODUCTION

This document does not constitute nor create an employment contract between the -Washington Resource Conservation & Development Council (RC&D) and any of its employees. The RC&D Board of Directors retains the ability to act apart from this document at their sole discretion.

These policies are not intended to be a complete or final statement of all RC&D personnel policies and procedures. These policies and procedures are to serve as a guide and may require periodic review or revision.

These policies do not supersede any state or federal laws.

~~101 TERMS OF EMPLOYMENT~~

~~Employment with the RC&D is on an "at will basis". An employee may resign at any time or may be dismissed at any time with or without cause. In either case, the party who initiates the action is normally expected to give reasonable notice to the other party. (At least 2 weeks' notice is considered reasonable for most positions.)~~

102 APPOINTMENTS

~~Each employee will be classified as a Regular Employee, Exempt or non-Exempt; Temporary Employee; Part-time Employee; as defined below. Regardless of how the position is classified, all new employees of the Council are subject to a six-month probationary period during which the Executive Board has the discretion to terminate employment at any time.~~

~~A. REGULAR EMPLOYEES~~

~~Regular employees are full-time appointments with no predetermined termination date. Regular employees, including support staff employees, are categorized as non-exempt, meaning that their normal working hours are defined and they are eligible for overtime or compensatory time off. Compensatory time off must be taken within the same or the following pay period in which it is earned. Employees in this classification are entitled to all benefits offered by the RC&D.~~

~~B. EXEMPT EMPLOYEES~~

~~Exempt employees are full-time appointments with their normal working hours not defined. Exempt Employees are eligible or may negotiate for discretionary or additional time off to compensate for extra duties. Exempt employees will be required to keep a record of their duties. Employees in this classification are entitled to all benefits offered by the RC&D as outlined in this manual.~~

~~In compliance with 29 CFR §541.101, the following employees will be eligible for exempt status from payment of overtime premium pay under the executive exemption of the Fair Labor Standards Act:~~

- ~~1. Executive Director~~

~~C. TEMPORARY EMPLOYEES~~

~~Temporary employees are full time or part time employees who are hired for a specific period of time. These employees are not entitled to share in benefits offered by the RC&D, except those required by law.~~

~~D. PART-TIME EMPLOYEES~~

~~Part time employees are those employees working less than a weekly average of 32 hours per week. These employees are entitled to share in the fringe benefits offered by the RC&D, potentially at a prorated basis (i.e., percent of 32 hour week worked times benefits designated for full time).~~

103 SIX MONTH PROBATIONARY PERIOD

~~Each employee (with the exception of temporary employees), upon hire, will be on probationary status for the first six months of employment. After six months, the employee may receive a job evaluation and annually thereafter. If the employee does not perform satisfactorily any time during the probationary period, they may be dismissed. At the successful conclusion of the six-month probationary period, each employee may be considered for a pay increase, if funding allows. However, the Executive Director and Board of Directors retains full discretion with regard to any changes in rates of pay changes and makes no guarantee of annual or periodic pay increases.~~

~~Both during and after the probationary period, continued employment is *At Will* by the Council. The employee may be terminated at any time, with or without cause, and with or without notice, subject to applicable state and federal laws. Continued employment is at the sole discretion of the Board of Directors and contingent upon factors determined by the Board of Directors, including but not limited to available funding, job performance, changes in program direction, or reorganization.~~

~~During the probationary period, the employee will receive limited benefits that include sick leave, holiday pay, and medical insurance eligibility. During the probationary period, employees will accumulate annual leave, but not be eligible for annual leave until after completion of the probationary period. After completion of the six month probationary period, upon completion of a satisfactory evaluation, the employee will be eligible to use annual leave and other benefits that are available to RC&D employees.~~

104 DISCIPLINARY ACTION

A. CAUSES FOR DISCIPLINARY ACTION.

Disciplinary action may result in the reassignment, probation, suspension, or termination of employment for any of the following reasons: unsatisfactory work performance; excessive tardiness; unexcused absences; failure to observe RC&D policies as delineated herein; use of or being under the influence of alcohol or unauthorized drugs while on duty; insubordination; sexual harassment of other staff, Council members, or the public; unethical or unlawful behavior (e.g., mismanagement or misappropriation of

funds, theft, bribery, falsification of records, conviction of a felony, etc.), and repeated traffic offenses while on RC&D business.

B. AUTHORITY TO SUSPEND.

The Executive Board shall have the authority, at their discretion, to terminate, to suspend, with or without pay, or invoke other disciplinary action of any RC&D employee.

C. APPEAL OF DISCIPLINARY ACTION.

All non-probationary employees subjected to disciplinary action may appeal, in writing, such actions to the Executive Board of the RC&D. However, such written appeals must be filed within five working days of the time such disciplinary action is commenced.

D. NOTIFICATION OF DISCIPLINARY ACTION.

The following types of disciplinary action may be utilized as necessary in enforcing the Council work rules and standards of conduct, with the specific type and degree of disciplinary action to be determined by the nature of the offense and at the discretion of the Executive Board; corrective interview, probation, suspension, or involuntary termination.

1. CORRECTIVE INTERVIEWS.

When an employee has violated a rule, displayed poor working performance, or for some other reason requires supervisory attention, the first step will take the form of a corrective interview. In this interview, the Program Manager or Executive Director shall discuss clearly and frankly with the employee the reason(s) necessitating the interview. During this interview the employee will be given an explanation of how performance must be improved and given a specific time period to achieve the improvement. A report shall be prepared and filed in the employees personnel file, clearly outlining the reason(s) for the interview and the content of the interview by the Program Manager or Executive Director within five (5) working days following the action. If improvement is not achieved within the specified time period, the Executive Director will use discretion in any disciplinary or termination action to be taken. Any action to be taken will be documented and submitted to the Executive Board and a copy provided to the employee with the original placed in the employee's personnel file. A corrective interview may not be conducted where specific actions of the employee are deemed cause for immediate probation, suspension, or termination.

2. PROBATION.

This action shall be considered a severe warning issued in writing by the Program Manager or Executive Director. This type of probation shall not apply to those employees not completing their initial probationary hiring periods. The written notice shall explain clearly the reason(s) for the probationary action, stipulate the duration of the probation period (not to exceed 60 calendar days), list the standards for judging the employee's improvement, and state the action taken (usually suspension or termination) if the deficiencies are not corrected within the probationary period. Copies shall be given to the employee,

chairperson, and a copy retained by the Council in the employee's personnel file clearly acknowledging receipt by the employee.

3. SUSPENSION.

The Program Manager or Executive Director may designate that an employee be suspended with or without pay until the determination of the final form of disciplinary action be applied in the specific case. Suspension shall not exceed ten (10) working days. A letter of suspension signed by the Program Manager or Executive Director shall be given the employee at the time of notification of the suspension. A copy shall be placed in the employee's personnel file.

4. TERMINATION, INVOLUNTARY.

When circumstances so warrant, an employee may be involuntarily terminated (discharged, dismissed, fired). Such action shall be approved by the Executive Director following careful consideration of all aspects of the specific case. A letter of termination signed by the Executive Director stating the reason(s) for dismissal shall be given the employee, with a copy being placed in the employee's personnel file. Employees terminated will receive accrued benefits less any advances or other obligations due the Council at the close of the pay period following such termination. Final settlement will be withheld until all keys, records, property, and other relevant items have been turned over to the Executive Director by such employee.

Employees may request the reason for discharge by sending a written request to the RC&D for a signed written statement of the reason for discharge and the effective date.

Businesses must respond to the request in writing within 10 days of receipt of the employee's request. If a employee wants to write a letter requesting a written reason for being fired, the employee should be sure to date the letter, keep a copy of it, and send it to the RC&D by certified mail, return receipt requested. This provides evidence of when the request was sent and whether or not the business received it. Send letter to:

Washington RC&D Council
Attn.: Executive Director
109 S. 3rd Street
Yakima, WA 98901

105 OTHER INTERNAL PERSONNEL POLICIES

A. LAY OFF/RECALL.

If a current employee is laid off because of lack of work or lack of budget resources, and resources and workloads are such that an employee could be recalled, that employee

will be given preference for the open position, provided, however, that the former employee meets all the job requirements for the particular opening.

~~B. BREAKS.~~

~~Work breaks are allowed all employees provided they do not exceed 15 minutes in any four hour period. For full time employees, employee will be entitled to two breaks per day, one in the morning and one in the afternoon. An unpaid lunch break of up to 60 minutes is also provided for employees working more than 4 hours in one day.~~

106 EMPLOYEES LEAVING RC&D EMPLOYMENT

Employees voluntarily leaving the employment of the RC&D will turn in the office related keys; any RC&D files, equipment or supplies in use; and their final timesheet with accumulated annual leave eligible for cash out, overtime, or compensatory leave hours on the last day of work in the presence of the Executive Director or Program Manager. They should receive a short debriefing related to the computer files, software, and project budgets and status under their responsibility. Packing may be monitored to ensure only personal items are removed from the office. Any software passwords or lock combinations known by the employees should be changed as soon as possible.

A two week notice is required to be eligible to receive a “cash out” of any eligible annual leave (see section 110 – Annual Leave Policy).

107 WAGE AND SALARY ADMINISTRATION AND CHANGES IN SALARIES

- A. Salaries and wages of all new employees, quoted at hourly, weekly, or monthly rates, shall be established when making an offer of employment and approved by the Executive Director. Employees will also be made aware of the six-month probationary period.
- B. Each employee's performance will be formally reviewed at the end of the probationary period, and then annually thereafter. After the review, adjustments to pay rate may be made, as determined by the Program Manager or Executive Director and as funding allows. Documentation of the performance review will be provided to the employee and a copy placed in the employee's personnel file.
- C. New hires, terminations, pay rate changes, voluntary payroll deductions, and court-ordered payroll deductions will be approved in writing by the Executive Director. A copy of all such authorizations will be retained in each employee's personnel file.
- D. Master personnel records will be maintained of each active employee and of past employees for the prior five years. The Fair Labor Standards Act Record Retention requires that for all non-exempt employees, RC&D will retain the following records for at least three (3) years: employee's name, home address, occupation, and hours and days of work.

108 ~~LABOR DISTRIBUTION REPORTING~~

- ~~A. The hours of work are eight (8) hours, between 6:00 A.M. and 6:00 P.M., with a ½ to 1-hour lunch break, each workday. The typical time period to be worked and other optional work schedules, such as maxi-flex, will be negotiated and approved by the Executive Director or Program Manager at the time of hiring or upon receipt of a written request by an employee.~~
- ~~B. Work Hours, Exceptions: Occasional deviations from established working hours may be allowed under unusual workload or personal circumstances, if approved by the employee's supervisor or Executive Director prior to the occurrence.~~
- ~~C. The RC&D pay period is one month. Except for under unusual circumstances, payment for work will be provided no later than the 3rd working day of the following month. Supervisors will be responsible to let employees know exactly when payroll checks are issued and available. Payroll checks will be available at the RC&D office for pick-up, or will be mailed to teleworking employees.~~
- ~~D. Charges to awards for salaries and wages, whether treated as direct costs or indirect costs, will be based on documented payrolls approved by the employee's supervisor or Executive Director. The distribution of time worked must be supported by labor distribution reports. Labor distribution reports will be prepared and controlled according to the following minimum standards:~~
 - ~~1. Employees, including contractors performing in-house work, are responsible for preparing their own timecards/timesheets.
 - ~~a. Digital timesheet templates will be provided and will be used.~~
 - ~~b. Timesheets should be filled out as work is performed.~~
 - ~~c. All hours worked must be recorded on timesheets.~~~~
 - ~~2. Timesheets must be printed out and signed by the employee, verified and signed by the employee's direct supervisor, and then submitted to the bookkeeper. Teleworking employees may be given the option of submitting timesheets via email to their supervisor using a digital signature.~~
 - ~~3. Timesheets are due by noon on the last working day of the pay period. Pay periods are every month, starting on 1st and ending on last day of the month.~~
 - ~~4. Employees are also responsible to submit and sign proper mileage and cost reimbursement forms to their supervisor each month. All forms and receipts are due along with the timesheet.~~
 - ~~5. Employees are responsible to keep good records and complete and submit all required forms when they are due. Teleworking employees should make proper preparations when mailing in receipts to make sure they are submitted in a timely fashion.~~

~~E. Overtime or compensatory hours must be approved prior to their occurring, in writing or e-mail, by the Program Manager or Executive Director. Compensatory time must be used by the end of the following pay period.~~

~~F. Supervisors authorized to approve timesheets are listed below:~~

~~President, Vice president, Secretary / Treasurer, Program Manager, or Executive Director~~

109 OVERTIME AND COMPENSATORY TIME

- A. ALL FLSA Non-Exempt personnel working more than forty (40) hours in the seven (7) day period from Sunday to Saturday will be paid one and one-half (1 ½) times the hourly rate for overtime work. Personnel can also request compensatory time, and for each hour of overtime worked the employee will earn 1 ½ hours compensatory time. This compensatory time must be used by the end of the following pay period.
- B. All FLSA Exempt personnel incurring overtime are to be credited at the rate of one hour of compensatory time for each hour of overtime worked. This compensatory time must be used by the end of the following pay period.
- C. All overtime, must be authorized by the Program Manager or Executive Director, in writing or e-mail, before it is incurred. A copy of this authorization should accompany the timesheet. The Program Manager and Executive Director have the right to use their discretion based on budgets and organizational needs when choosing whether to authorize overtime.
- D. Working overtime without prior approval is cause for dismissal.
- E. Overtime or compensatory time is only based on actual hours worked per week, and does not include any annual, medical / family leave, or Holiday leave hours taken.

~~110 ANNUAL LEAVE POLICY~~

- ~~A. Eligible full-time (32 hours per week), regular employees will receive .0625 hours of annual leave per hour worked. Leave may not be used before it is accrued.~~
- ~~B. After 2 years of continuous employment (including the probationary period), employees are entitled to up to .075 hours of annual leave per hour worked. After 5 years of continuous employment, employees are entitled to up to .0937 hours of annual leave per hour worked.~~

- ~~C. Employees intending to utilize annual leave will notify their supervisor or Executive Director sufficiently in advance of when time off is to be taken to permit work schedules to be met. This notice must be either verbal, in writing, or in an email.~~
- ~~D. No one employee may accumulate more than 240 hours of total annual leave. If that limit is met, any additional leave earned will be lost.~~
- ~~E. For annual leave earned that is eligible to be cashed out upon termination of employment, the employee must give at least 2 weeks' notice when terminating their employment to be eligible to cash out that annual leave.~~

111 SICK LEAVE

Sick leave is available to eligible employees. When sick leave is available, the following applies:

- A. Regular employees will receive .0625 hours of sick leave per hour worked. Leave may not be used before it is accrued.
- B. Temporary employees will receive .025 hours of sick leave per hour worked.
- C. Sick leave may be used for personal health reasons, attending medical / dental appointments, pregnancy/parental leave, as well as for the care of family members or other loved ones.

The Paid Sick Leave Rules (2017) allow workers with available paid sick leave or other paid time off for the following reasons:

(i) An absence resulting from an employee's mental or physical illness, injury, or health condition; to accommodate the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an employee's need for preventive medical care;

(ii) To allow the employee to provide care for a family member with a mental or physical illness, injury, or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or care for a family member who needs preventive medical care; and

(iii) When the employee's place of business has been closed by order of a public official for any health-related reason, or when an employee's child's school or place of care has been closed for such a reason.

For purposes of this section, "family member" is defined as:

(a) A child, including a biological, adopted, or foster child, stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status;

(b) A biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child;

(c) A spouse;

(d) A registered domestic partner;

(e) A grandparent;

(f) A grandchild; or

(g) A sibling.

An employer may not discipline an employee for leave taken under this law.

In addition, a reasonable amount of leave is also allowed, paid or unpaid, for victims of domestic violence, or their family members, under RCW 49.76. See the RCW for more guidance on this leave allowance. A reasonable amount of time will be determined by both the individual staff member seeking leave and the Executive Director. Some type of verification or documentation may be requested. All laws regarding confidentiality will be upheld.

- D. Arrangements shall be made to notify the employees' supervisor as soon as possible on, or before, each day that medical / family leave is to be taken.
- E. Upon termination of employment, unused medical / family leave will be lost. Employees are not entitled to any payout of unused medical / family leave at any time, before or after end of employment.

112 DONATED MEDICAL / FAMILY LEAVE

When an employee on extended medical / family leave has exhausted all of their accrued leave, other employees may donate medical / family leave to them in the case of a prolonged illness, pregnancy, parental leave, care for a loved one, or other medical / family related reason. The donor must retain for their own use a minimum of 40 hours of medical / family leave. Donated medical / family leave must be approved by the Executive Director via a donated leave form, prior to the end of that pay period. Donated medical / family leave must be noted on the donor's timesheet. Leave transfer availability and equivalency is dependent on pay rate, available funding, and other factors, and is to be determined by the Executive Director.

This is not a guaranteed allowance. There may be circumstances due to program requirements or budget constraints that will not allow for extended medical / family leave beyond what the employee has personally accrued. This determination will be made by the Executive Director

and, when appropriate, Program Manager.

113 Leave for Spouses of Deployed Military Personnel

Limited leave is allowed for spouses or domestic partners of military personnel per RCW 49.77.

- A. This leave allowance applies to spouses or registered domestic partners of military personnel (National Guard, active duty, or reservists) deployed or on leave from deployment during times of military conflict.
- B. Qualified staff may take 15 days unpaid leave from work per deployment.
- C. This leave does not apply at the end of a deployment.
- D. Leave is without pay, but accrued annual leave may be substituted at the choice of the employee. Medical / family leave does not apply.
- E. Leave allowance only applies to full-time employees or part-time employees who work, on average, at least 20 hours per week.

114 Leave for Certain Emergency Services Personnel

Leave without pay, or annual leave, may be allowed for employees who serve as volunteer firefighters, reserve peace officers, and Civil Air Patrol members, per RCW 49.12.460. This provision only applies if the qualified employee:

- A. Gets called to a fire, an emergency, or an emergency services operation, **and**
- B. They are asked to remain on the scene by the incident commander, **and**
- C. They miss regularly schedule work hours, or are late for work.
- D. Volunteer firefighters are only covered if they get called to an emergency call or fire scene while they are away from their jobs.

115 UNAVOIDABLE ABSENCES

A. LEAVE WITHOUT PAY

Requests for leave without pay must be submitted to the employee's supervisor in writing for approval. Such requests shall explain the justification and the time period involved. Leave without pay cannot exceed the equivalent of 40 working days unless expressly allowable under state or federal law. Annual leave benefits shall not accrue during any leave of absence.

B. UNAUTHORIZED OR UNEXCUSED ABSENCE

Unauthorized or unexcused absence will be treated as absence without pay and may be grounds for disciplinary action. Upon return, the employee shall give a written statement to the Executive Director explaining the reason for the absence.

C. JURY DUTY

When an employee is called for local, state, or federal court jury duty, or as a witness, the employee is eligible to receive an unpaid leave of absence to serve. The employee needs to communicate with their supervisor and the Executive Director as soon as possible regarding jury duty time expectations. If the supervisor or the Executive Director feels that the absence would result in an undue hardship on the RC&D, a letter of request for exemption or postponement may be submitted. Regardless, if the employee serves in jury duty, there will be no impact to the employee's position, performance review, or eligibility for promotion.

116 HOLIDAY LEAVE

For eligible employees who have completed their six-month probationary period, the RC&D will provide paid leave for the following listed federal holidays. During those holidays, the office will be closed and business will not *typically* be conducted by the board or staff. Eligible employees will receive paid leave on those days, at an amount relative to the typical hours per pay period they work, to be determined by their supervisor (for example, an employee that typically works 80 hours two-week period will receive 8 hours of holiday leave, one typically working 40 hours per two week period would receive 4 hours of holiday leave). Holidays that apply under this policy include:

- New Year's Day
- Birthday of Martin Luther King, Jr.
- Washington's Birthday
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Day

117 PARENTAL LEAVE

It is RC&D policy to provide regular, exempt, or part-time employees, who have been employed by RC&D for at least 12 consecutive months prior to expected date of birth or adoption placement, with the following parental leave allowances:

- A. Employees who are expecting or adopting a child, or are either married to or are a Washington State registered domestic partner of a person expecting a child, are eligible for 12 weeks of unpaid parental leave, to commence upon the birth or placement of adopted child.

- B. The employee has the option of using earned annual leave, medical / family leave, or donated medical / family leave during the 12 weeks of parental leave, but this does not extend the total parental leave beyond the 12 week period. In addition, if the employee elects to work an intermittent or reduced hour schedule during the time of allowed parental leave, that also does not extend the total parental leave beyond the 12 week period.
- C. In addition, employees who are pregnant may take up to an additional six weeks of unpaid parental leave before the expected birth date, if recommended by a physician. A physician's note may be requested before leave is approved.

~~118 HEALTH BENEFITS~~

~~The RC&D offers an optional health insurance plan to employees. New employees who elect to participate may enroll beginning the first of the month following 30 days of employment. The RC&D contributes \$200 towards the premium for enrolled employees and the employee's portion of the premium is deducted pre-tax monthly from paychecks. Health insurance benefits will end on the last day of the month in the event of termination or retirement.~~

119 RETIREMENT BENEFITS

The RC&D does not currently offer retirement benefits or pension plans.

120 EMPLOYEE MILEAGE REIMBURSEMENT

- A. The RC&D does not provide vehicles for work related duties. With the prior approval of their supervisor or Executive Director, employees may use personal vehicles for RC&D related activities. Employees will be reimbursed at the current mileage rate established by the Internal Revenue Service. In addition, parking fees and tolls incurred in business travel are reimbursable. In some rare cases, use of a rental vehicle may be allowed and reimbursed.
- B. It is required for each person who uses their personal vehicle for work related business to carry general liability auto insurance.
- C. Employees must complete, sign, and submit proper mileage and cost reimbursement forms to their supervisor at the end of each pay period to receive reimbursement.

121 TRAVEL POLICY

- All non-exempt employees traveling out-of-the-area should avoid, whenever possible, incurring overtime. If overtime cannot be avoided, preapproval for overtime travel must be authorized by their supervisor or the Executive Director before travel occurs. Refer to overtime section for more information.

- All travel expenses (mileage, per diem, lodging, airfare, etc.) expected to be incurred must be preapproved by the Program Manager or Executive Director, if it is not part of an already agreed upon budget or scope of work. Lodging and airfare arrangements should be made by the Executive Director whenever possible.

122 EXPENSE DOCUMENTATION

- A. All employees are required to have sufficient documentation to establish the amount, date, place, and the essential character of reimbursable expenditures. Receipts, when applicable, must be provided along with the proper cost reimbursement form at the end of each pay period.
- B. The Executive Director shall yearly set rates for maximum employee reimbursements for mileage and per diem.

123 LEGAL / ETHICAL RESPONSIBILITIES

A. DISCLOSURE OF ORGANIZATION INFORMATION.

The RC&D's participant, financial, and administrative information is a valuable, intangible property asset. Protection of this information is vital to our continued growth and our ability to provide quality services to our participants. Besides, unauthorized licensure of client information may be a violation of the Privacy Act or applicable state law.

Under our country's laws, this type of information is treated as intellectual property, usually in the form of information, knowledge, or know-how, the possession of which gives the owner some advantage over other organizations who do not possess it. To be protected under law, such information must not be generally or publicly known or must be patented or copyrighted if publicly disclosed. The organization's intellectual property assets are not always of a technical nature. Typical of such information are:

1. Service information about specific participants.
2. Organization business, research, and new service plans.
3. Operating plans.
4. Salary, wage, and benefits data.
5. Employee funding source and vendor lists.

This list, while obviously not complete, suggests the wide scope and variety of organization information that must be safeguarded. Special safeguards should be observed for organization participant, financial, or administrative information. Such information is usually marked with a notice that imposes restrictions on the need to know within the organization. However, most of what we know about our own jobs and the jobs of others, even without these classifications, should remain in the office when we finish the day's work. If we leave the employ of the organization, our legal obligation is to protect the organization's intellectual property until it becomes clear that it has

become publicly available or the organization no longer considers it necessary to restrict its use. We should remember also that correspondence, printed matter, documents or records of any kind, specific process knowledge, procedures, and special organization ways of doing things are all the property of and must remain at the organization.

B. POLITICAL CONTRIBUTIONS.

No funds or assets of the organization may be contributed to any political party or organization or to any individual who either holds public office or is a candidate for public office. The direct or indirect use of any funds or other assets of the organization for political contributions in any form, whether in cash or other property, services, or the use of facilities, is strictly prohibited. The organization also cannot be involved with any committee or other organization that raises funds for political purposes. This rule applies both inside and outside the United States, except in those cases permitted by law and expressly authorized by the Executive Board of the RC&D.

Following are examples of prohibited activities:

1. Contributions by an employee that are reimbursed through expense accounts or in other ways.
2. Purchase by the organization of tickets for political fundraising events.
3. Contributions in kind, such as lending employees to political parties or using organization assets in political campaigns.
4. Indirect contributions by the organization through suppliers, funding sources, or agents.

C. GOVERNMENT OFFICIALS.

In the United States, the organization is legally prohibited from offering, promising, or bestowing money, gifts, loans, rewards, services, use of facilities, lavish or extensive entertainment, or other favors to a government official or employee with a view toward influencing or inducing such official or employee to use his/her influence to effect an action or decision. You must refrain from such acts.

This includes any employee of a Federal, state, or local government agency.

No employee of the RC&D will offer, give, or promise to offer or give, directly or indirectly, any money, gratuities, or other things of value to any U.S. government employee with current or possible responsibility on an award of the organization. A gratuity includes any gift, favor, entertainment or other item having monetary value of over \$10 per event or presentation. This phrase includes services, conference fees, vendor promotional training, transportation, lodging and meals, as well as discounts not available to the general public and loans extended to anyone other than a bank or financial institution.

The provisions of this code apply fully to anyone who acts for the organization. For example, you may not allow an agent to act on behalf of the organization. If you know or

have reason to believe that the agent would disregard the code or any law in performing his duties, bring it to the attention of the Executive Board or RC&D Executive Director.

D. COMMERCIAL BRIBERY.

You are not allowed to make a payment either directly or indirectly or as a kickback to influence someone else, nor are you allowed to accept anything of value from someone who wants to do business with the organization. With the exception of government officials acting on a procurement, inexpensive advertising and promotional items are not considered to have "value," and an occasional business meal may be accepted or given if it has a value of under \$50.

In some business relationships outside the government, an occasional gift is appropriate.

The organization strongly discourages any gifts to any individual, but in the event a gift is proposed to be made, approval must be secured in advance from both the cognizant officer of the operating area involved and the Executive Board. However, you may only accept inexpensive gifts of an advertising and promotional nature. Gifts which do not fit this category must be returned. If the return of a gift is not practicable because of its nature, it may be given to a charitable institution and the giver informed of its disposition.

You may neither give nor receive any lavish or expensive entertainment, but occasional normal and customary social business amenities are permitted.

If you are asked to make or accept a payment or gift in any form prohibited by this code, report the matter to your supervisor immediately.

E. COPYRIGHT OWNERSHIP.

1. RC&D's policy is to strictly comply with copyright law with respect to the copying of documents and computer software. Current Federal Copyright Law (Title 17 U.S. Code) governs the making of photocopies and/or other reproductions of copyrighted materials by individuals or employees.

Under recent copyright law amendments, a copyright owner no longer has to necessarily include a copyright notice on his or her work for it to be protected by a copyright. Any original work of authorship, whether published or unpublished, created in tangible form, may automatically be afforded copyright protection and all RC&D personnel should be aware of these protections.

2. Title 17 U.S. 106, 107 and 108 of the copyright law dictate the rights of copyright owners under what circumstances a photocopy of a copyrighted work may be legally made. RC&D strongly believes that the federal copyright law must be upheld. Compliance with this law is the responsibility of each employee, volunteer, or board member of the RC&D, and we do not condone the unauthorized reproduction of copyrighted materials.

3. All matters regarding the RC&D's copyright policy which require further clarification or determination shall be referred to the Executive Director.

F EMPLOYEE CONFLICT OF INTEREST

1. General.

You have a primary responsibility to the organization and are expected to avoid any activity that may interfere, or have the appearance of interfering, with the performance of this responsibility. Similarly, you may not use nor disclose confidential or proprietary information in any outside activity.

A conflict of interest exists if certain aspects of your outside business or other interests may adversely affect your motivation or performance.

A conflict of interest can also occur when a situation lends itself to improperly influencing you. Employees should also avoid situations that can appear to hold a conflict of interest, even if the employee believes such a conflict doesn't exist.

2. Recognizing and Reporting Conflict of Interests.

Discuss possible conflicts of interest with your supervisor, who may in turn refer the matter to the Executive Board or Executive Director. If you wish, you may consult the Executive Board or Executive Director directly, with the understanding that the Executive Board or Executive Director will hold disclosures in confidence unless they involve violations of law or failure to eliminate conflicts within a reasonable time. If necessary, the Executive Board or Executive Director will report the disclosure to the proper authorities.

Issues regarding a believed conflict of interest regarding another staff or board member should be discussed directly with the Executive Director or member of Executive Board, and not with other outside entities, staff, or board members.

3. Employee's Duty to Report Conflicts of Interest.

It is your duty to report to the Executive Board or Executive Director any known conflicts of interest within the organization. Further, you should report to the Executive Board or Executive Director any instances that come to your attention where non-organization personnel misrepresent themselves and organization officials or employees.

G. RECORD KEEPING

To provide an accurate and auditable record of all financial transactions, the RC&D books, records, and accounts must be maintained in conformity with generally accepted accounting principles and the RC&D *Accounting Policies and Procedures Manual*. You are responsible for safeguarding organization assets under your control and for maintaining an auditable record of financial transactions.

Further, the RC&D specifically requires that:

1. No funds or accounts may be established or maintained for purposes that are not fully and accurately described on the books and records of the organization.
2. Receipts and disbursements must be fully and accurately described on the books and records of the organization. Timesheets of employees must be reviewed, signed by supervisor or the Executive Director, and retained in an employee payroll file.
3. No false entries may be made on the books or records nor any false or misleading reports issued.
4. Payments may be made only to the granting party or a valid assignee and only for the actual services rendered or products delivered. No false or fictitious invoices may be paid.

If you have reason to believe that the organization's books and records are not in accord with the foregoing requirements, report the matter to the Executive Director or a member of the Executive Board.

H. GENERAL BUSINESS CONDUCT AND DISCLOSURE

1. Unethical actions, or the appearance of unethical actions, are unacceptable under any conditions. The procedures and reputation of the RC&D depend to a very large extent on the following considerations.

Each employee must apply his/her own sense of personal ethics, which should extend beyond compliance with applicable laws in business situations, to govern behavior where no existing regulation provides a guideline. It is your responsibility to apply common sense in business decisions where specific rules do not provide all the answers. In determining compliance with this code in specific situations, ask yourself the following questions:

- a. Is my action legal?
- b. Is my action ethical?
- c. Does my action comply with RC&D policy?
- d. Am I sure that my action doesn't appear inappropriate?
- e. Am I sure that I would not be embarrassed or compromised if my action became known within the RC&D or publicly?
- f. Am I sure that my action meets my personal code of ethics and behavior?

You should be able to answer "yes" to all of these questions before taking action.

Supervisors are responsible for the ethical business behavior of his/her subordinates. Supervisors must weigh carefully all courses of action suggested in ethical as well as economic terms and base their decisions on the guidelines provided by this code as well as their personal sense of right and wrong.

Implementation of the provisions of this code is one of the standards by which the performance of all levels of employees will be measured.

2. In recommending or proposing a particular business transaction or course of action for approval, those involved must disclose to their supervisor, the Executive Director, or to a member of the Executive Board, all the pertinent information they know about such transactions and the persons involved. The disclosure should include significant information that they may have reason to believe has been omitted by others.
3. Specifically, the organization does not tolerate the willful violation or circumvention of any laws of the United States, its states, counties, cities, or a foreign country by an employee during the course of that person's employment; nor does the organization tolerate the disregard or circumvention of corporate policy or engagement in unscrupulous dealings. Employees should not attempt to accomplish by indirect means, through agents and intermediaries, what is directly forbidden.

Failure to comply with the standards contained in this code will result in disciplinary action that may include termination, referral for criminal prosecution, and reimbursement to the organization or the government for any losses or damage resulting from the violation. As with all matters involving disciplinary action, principles of fairness will apply. Any employee charged with a violation of this code will be afforded an opportunity to explain his or her actions before disciplinary action is taken.

Disciplinary action will be taken:

- a. Against employees who authorize or participate directly in actions which are a violation of this code.
- b. Against any employee who has deliberately failed to report a violation or deliberately withheld relevant and material information concerning a violation of this code.
- c. Against any supervisor who attempts to retaliate, directly or indirectly, or encourages others to do so, against any employee who reports a violation of this code.

124 ACCIDENTS

All accidents and/or injuries must be reported by employees to their supervisor or the Executive Director regardless of the nature or severity of the accident or injury. The supervisor or Executive Director shall evaluate any injury or suspected injury and assist in securing appropriate medical assistance.

Failure to report accidents may be grounds for denying worker's compensation, and/or cause for discipline up to and including dismissal.

125 POLICY AGAINST WORKPLACE VIOLENCE

Violent actions on RC&D property or facilities, or while on RC&D business, will not be tolerated or ignored. Any unlawful violent actions committed by employees or members of the public while on RC&D property, or while using RC&D facilities, will be prosecuted as appropriate. The RC&D intends to use reasonable legal, managerial, administrative, and disciplinary procedures to secure the workplace from violence and to reasonably protect employees and members of the public. Any RC&D employee who violates this policy shall be subject to disciplinary action up to and including termination.

The word violence in this policy shall mean an act or behavior that:

- A. is physically assaultive;
- B. a reasonable person would perceive as obsessively directed, e.g., intensely focused on a grudge, grievance, or romantic interest in another person, and reasonably likely to result in harm or threats of harm to persons or property;
- C. consists of a communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of an individual;
- D. would be interpreted by a reasonable person as carrying potential for physical harm to the individual;
- E. is a behavior, or action, that a reasonable person would perceive as menacing;
- F. involves the inappropriate displaying or use of a weapon, destroying property, or throwing objects in a manner reasonably perceived to be threatening; or
- G. consists of a communicated or reasonably perceived threat to destroy property.

126 EQUAL EMPLOYMENT OPPORTUNITY & NON-DISCRIMINATION

- A. It is the policy of the RC&D that there shall be no discrimination against any prospective or current employee, member, or contractor because of race, religion, national origin, color, age, sex, marital status, sexual orientation, familial status, political beliefs, dietary restrictions, or physical, mental, or sensory handicap.
- B. This non-discrimination policy shall apply to, but not be limited to: Council activities and member recruitment, employment, upgrading, demotion, transfer, recruitment, advertising, lay off or termination, rates of pay or other forms of compensation, and selection of training, including apprenticeship.
- C. The RC&D is an equal employment employer. As such, it will do everything possible to promote equal opportunity in all phases of its employment practices.
- D. Any complaints or problems regarding discrimination shall be reported to a staff supervisor, the Executive Director, or to a member of the Executive Board. It should not

be reported to unaffected staff. The complaint or problem will be handled through State of Washington guidelines and processes related to non-profit corporations. It is, of course, the right of all employees to seek redress by the Washington State Human Rights Commission, Equal Employment Opportunity Commission, or through a court of law; however, it is ideal that the administrative remedies outlined in this policy will be exhausted before outside agencies are consulted.

127 SEXUAL HARASSMENT POLICY

Sexual harassment in any form will not be tolerated from RC&D employees, the Executive Board, or Council members.

Any Council employee or member who uses implicit or explicit coercive sexual behavior to control, influence, or otherwise affect the career, salary, or job of another individual is engaging in sexual harassment. Similarly, anyone who participates in deliberate or unsolicited verbal comments, gestures, or physical contact of a sexual nature that is unwelcome or interferes with work productivity is engaging in sexual harassment. Finally, anyone who engages in any of the behaviors cited above while conducting business with or for the Council is engaging in sexual harassment.

Sexual harassment will not be tolerated in the RC&D. All reports of such behavior will be examined immediately by the Executive Board and will be resolved swiftly, consistently, and fairly. Any Council employee who sexually harasses another individual while conducting Council business will be subject to disciplinary action as outlined in Section 104 (Disciplinary Action) of this document. Any Council member or member representative who subjects a Council employee or other member to sexual harassment will be asked to leave the Council and may face court actions under state and federal laws.

128 WHISTLEBLOWER POLICY

A. PURPOSE.

This Whistleblower Policy of the RC&D: 1) encourages staff and volunteers to come forward with credible information on illegal practices or serious violations of adopted policies of the RC&D; 2) specifies that the RC&D will protect the person from retaliation; and 3) identifies where such information can be reported.

B. REPORTING RESPONSIBILITY.

The RC&D encourages complaints, reports, or inquiries about illegal practices or serious violations of the RC&D policies, including illegal or improper conduct by RC&D itself, by its leadership, or by others on its behalf. Appropriate subjects to raise under this policy would include financial improprieties, accounting or audit matters, ethical violations, or other similar illegal or improper practices or policies. Other subjects on which the RC&D has existing complaint mechanisms should be addressed under those mechanisms, such as raising matters of alleged discrimination or harassment via the RC&D's human resources channels, unless those channels are themselves implicated in the

wrongdoing. This policy is not intended to provide a means of appeal from outcomes in those other mechanisms.

C. PROTECTION FROM RETALIATION.

The RC&D prohibits retaliation by or on behalf of the RC&D against staff, members, or volunteers for making good faith complaints, reports, or inquiries under this policy or for participating in a review or investigation under this policy. This protection extends to those whose allegations are made in good faith but prove to be mistaken. The RC&D reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints, reports, or inquiries or who otherwise abuse this policy.

D. REPORTING VIOLATIONS

Complaints, reports, or inquiries may be made under this policy on a confidential or anonymous basis. They should describe in detail the specific facts demonstrating the bases for the complaints, reports, or inquiries. They should be directed to the Program Manager, Executive Director, or member of the Executive Board. If either person is implicated in the complaint, report, or inquiry, it should be directed to the other, or to another board member. The RC&D will conduct a prompt, discreet, and objective review or investigation. Staff or volunteers must recognize that the RC&D may be unable to fully evaluate a vague or general complaint, report, or inquiry that is made anonymously.

E. ACCOUNTING AND AUDITING MATTERS

The Executive Board shall address all reported concerns or complaints, reports, or inquiries regarding corporate accounting practices, internal controls, or auditing. The President shall immediately notify the Board of Directors of any such complaint, report, or inquiry and work with them until the matter is resolved.

F. ACTING IN GOOD FAITH

Anyone filing a complaint concerning a violation or suspected violation of policy must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation or unethical behavior. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

129 DRUG-FREE WORKPLACE POLICY

In accordance with FAR Clause 52.223-5, Certification Regarding a Drug-Free Workplace, RC&D certifies that it provides a drug-free workplace policy, which states:

A. PURPOSE.

The RC&D is committed to protecting the safety, health, and well-being of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our goals. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment.

B. POLICY APPLICATION.

This drug-free workplace policy covers any individual that is applying for a position or is employed by the RC&D, as well as individuals that are supervised by board members or employees, such as volunteers. Our policy includes, but is not limited to: managers, supervisors, full-time, part-time, seasonal, temporary, and off-site employees, volunteers, interns, and applicants. It does not include employees of other organizations conducting business with or for the RC&D, such as contractors and partners. Outside organizations and contractors are responsible to have and follow their own drug-free workplace policy. This policy applies during all working hours, whenever conducting business or representing the organization, and while in or outside the RC&D office. Workplace by definition means both inside the office and outside of the office on job sites, meetings, or any travel during working hours.

C. POLICY VIOLATION PROCEDURES.

It is a violation of our drug-free workplace policy to use, possess, sell, trade, and/or offer for sale alcohol, illegal drugs or intoxicants during work hours, or to be under the influence of alcohol or drugs during work hours. If an individual violates the policy, the consequences can be serious. In the case of applicants, if he or she violates the drug-free workplace policy, the offer of employment can be withdrawn. The applicant may reapply after one year and must successfully pass a pre-employment drug test. If an employee violates the policy, he or she will be subject to progressive disciplinary action, up to and including termination of employment, and may be required to enter rehabilitation. An employee required to enter rehabilitation, who fails to successfully complete it and/or repeatedly violates the policy, will be terminated from employment. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems. Depending upon the circumstances, other action, including notification of appropriate law enforcement agencies, may be taken against any violator of this policy.

While on travel or when attending a conference, it is understandable that an employee may choose to utilize alcohol outside of work hours, such as during a work-related social event or on personal time. Employees are strongly encouraged, whenever representing the RC&D, to only utilize alcohol outside of work hours, to be responsible, and never to drink and drive.

D. CRIMINAL DRUG VIOLATION.

Any employee who is convicted of a criminal drug violation in the workplace must notify the organization in writing within five (5) calendar days of the conviction. The organization will take appropriate action within 30 days of notification. Federal contracting agencies will be notified when appropriate. Failure to report a conviction in the time given will result in immediate termination of employment. Any staff member arrested in connection with a criminal drug violation occurring in the workplace will be placed on personal leave of absence without pay and could face termination of employment pending the outcome of any legal investigation and conviction.

E. DRUG / ALCOHOL TESTING POLICY.

At the present time, drug / alcohol tests are only done when there is reasonable indication that an employee is under the influence of alcohol or drugs during working hours or while conducting work duties. Such tests may be required if inconsistent or erratic behavior or physical signs of drug or alcohol use are observed during work hours. The Executive Director or the Executive Board will determine when and if such tests should be requested. No notice is required to be given to the employee before a drug / alcohol test is requested. If an employee is directed to conduct a drug / alcohol test, they are required to do so within 4 hours of receiving that direction. From the time that the drug / alcohol test is requested to the time that the results are received, the employee will be on leave without pay status. The Executive Director will prearrange and schedule that test, but the responsibility to pay for a drug / alcohol test is that of the employee. The employee may also be directed to be driven to and from the testing site by another employee, rather than drive there on their own. Attempting to drive oneself to a testing facility or home when they are suspected of being under the influence of drugs or alcohol is grounds for immediate termination. If there is a suspicion that the drug / alcohol test was intentionally tampered with by the employee (e.g., substituting someone else's urine for his or her own), a retest may be required and scheduled by the Executive Director. Evidence of such tampering is grounds for immediate termination. An employee can also be subject to immediate termination if he/she refuses to take a drug / alcohol test, will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test. If the drug / alcohol test turns out to be negative, the employee may be reimbursed for their costs at the discretion of the RC&D.

F. POSITIVE DRUG / ALCOHOL TEST.

Any employee who tests positive for drugs or alcohol will be placed on suspension without pay status until a course of action is decided by the Executive Director or the Executive Board. The employee may request a retest if sufficient amounts of the sample remain to be retested. The cost of the second test is the responsibility of the employee.

Once a positive test for drugs or alcohol has been established, depending on the situation, the results of the test, or other factors, there are three possible results. They may be given a warning, they may be immediately terminated, or the employee may be offered an opportunity to participate in rehabilitation, to be arranged and paid for by the employee. This will only be offered if funding and program schedules allow. In such cases, the employee must sign and abide by the terms set forth in a Return-to-Work Agreement as a condition of continued employment, required to pass a Return-to-Duty test, and sign a Return-to-Work Agreement. The employee can be terminated immediately if he/she tests positive a second time or violates the Return-to-Work Agreement.

In the State of Washington, an employer's drug-free workplace policy does supercede the legal use of marijuana and the Medical Use of Marijuana Act.

G. TREATMENT.

The RC&D recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug-free workplace policy:

1. Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
2. Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.

Treatment for alcoholism and/or other drug use disorders may be covered by the employee's health insurance. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

H. CONFIDENTIALITY.

All information received by the organization through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

I. WORKPLACE SAFETY.

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

All employees are required to neither report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.

In addition, employees are encouraged to:

1. Be concerned about working in a safe environment.
2. Support fellow workers in seeking help.
3. Report dangerous behavior to their supervisor.

It is the supervisor's responsibility to:

1. Inform employees of the drug-free workplace policy.
2. Investigate reports of dangerous practices.
3. Document negative changes and problems in performance.
4. Counsel employees as to expected performance improvement.
5. Clearly state consequences of policy violations.

The above Personnel Policy Manual was approved by the RC&D Board on:.