



AGENDA –Tuesday, September 5, 2023

6:30 p.m. Workshop

7:00 p.m. City Council Meeting

In-Person and Zoom Webinar

Meeting ID: 829 2381 4826

Password: 123456

6:30 WORKSHOP

WS 23-14	Personnel Policies Discussion – TAB A
WS 23-15	Golf Cart Use in City Limits – TAB B

7:00 p.m. CALL TO ORDER; PLEDGE OF ALLEGIANCE; AND ROLL CALL

Call to order	Mayor Phillips, Council Member Svendsen, Council Member Phelps,
And roll call	Council Member Murry, Council Member Reddy & Council Member Coleman

PROCLAMATION – HISPANIC HERITAGE MONTH

PUBLIC COMMENT

At this time, the Mayor will call for any comments from the public on any subject whether it is on the agenda for any item(s) the public may wish to bring forward and discuss. Preference will be given to those who must travel. **Please limit your comments to three minutes. The City Council does not take any action or make any decisions during public comment.** To request Council action during the Business portion of a Council meeting, contact the City Administrator at least one week in advance of a meeting.

CONSENT AGENDA – TAB C

All matters, which are listed within the consent section of the agenda, have been distributed to each member of the Long Beach City Council for reading and study. Items listed are considered routine by the Council and will be enacted with one motion unless a Council Member specifically requests it to be removed from the Consent Agenda to be considered separately. Staff recommends approval of the following items:

- Minutes, August 21, 2023, Regular Meeting
- Payment Approval List for Warrant Registers – 61724-61746 & 91390-91435 for \$307,166.30

- AB 23-43 – CBA with Teamsters 2023-2026– TAB D
- AB 23-44 – Resolution 2023-10 Updates to the City Personnel Policy – TAB E
- AB 23-45 – Resolution 2023-11 Amending the Council Rules and Procedures – TAB F
- AB 23-46 – Ordinance 1022 Amending the 2023 Pay Table – TAB G

DEPARTMENT HEAD ORAL REPORTS CORRESPONDENCE AND WRITTEN REPORTS

- Sales Tax Collections
- Lodging Tax Collections
- Transportation Benefit Collections
- Lone Fir Cemetery Invitation Letter
- Wong/Kee Decision V 2023-02

FUTURE CITY COUNCIL MEETING SCHEDULE

The Regular City Council meetings are held the 1st and 3rd Monday of each month at 7:00 PM and may be preceded by a workshop.
September 18, 2023, October 2, 2023 & October 16, 2023

ADJOURNMENT

American with Disabilities Act Notice: The City Council Meeting room is accessible to persons with disabilities. If you need assistance, contact the City Clerk at (360) 642-4421 or advise City Administrator at the meeting.

TAB - A



**CITY COUNCIL
WORKSHOP BILL
WS 23-14**

Meeting Date: September 5, 2023

AGENDA ITEM INFORMATION		
SUBJECT: Review Amendments to the City's Personnel Policies	Originator:	
	Mayor	
	City Council	
	City Administrator	DG
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Events Coordinator	
	Finance Director	
	Police Chief	
	PW Director	
COST:		
SUMMARY STATEMENT: Discuss the proposed amendments to the City's personnel policies.		

Workshops are public meetings with the purpose of allowing the City Council to discuss topics. No formal decisions are made at workshops. While almost every meeting when a majority of the city council is present is considered a public meeting, that doesn't necessitate the Council allowing public comment. If the Mayor and Council request more information or clarification they may seek input from the audience.

TAB - B



**CITY COUNCIL
WORKSHOP BILL
WS 23-15**

Meeting Date: September 5, 2023

AGENDA ITEM INFORMATION		
SUBJECT: Golf Cart use within City Limits	Originator:	
	Mayor	
	City Council	
	City Administrator	DG
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Events Coordinator	
	Finance Director	
	Police Chief	
PW Director		
COST:		
SUMMARY STATEMENT: Discuss the possibility of allowing limited use of golf carts within city limits.		

Workshops are public meetings with the purpose of allowing the City Council to discuss topics. No formal decisions are made at workshops. While almost every meeting when a majority of the city council is present is considered a public meeting, that doesn't necessitate the Council allowing public comment. If the Mayor and Council request more information or clarification they may seek input from the audience.

[SECTIONS](#)[Ask MRSC](#)[Home](#) > [Explore Topics](#) > [Transportation](#) > Low-Speed Electric Vehicles - Golf Carts, NEVs and MEVs

more

Low-Speed Electric Vehicles - Golf Carts, NEVs and MEVs

This page provides information on the regulation of low-speed electric vehicles in Washington State, such as golf carts, medium-speed electric vehicles, and neighborhood electric vehicles.

[On this Page \[hide\] ▲](#)[Overview](#)[Statutes](#)[Examples of Local Government Golf Cart Provisions](#)[Safety Standards](#)

Overview

There has been a growing public interest in using low-speed four-wheeled electric vehicles to make short trips for shopping, social, and recreational purposes. These passenger-carrying vehicles, although low-speed, offer a variety of advantages, including comparatively low-cost and energy-efficient mobility.

To drive on public roads in Washington, these vehicles must be "street legal." Washington provides for the use of neighborhood electric vehicles (NEVs) and moderate-speed electric vehicles (MEVs) under certain conditions. These vehicles are often referred to as "golf carts."

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Both NEVs and MEVs must conform to federal regulations under [49 CFR Sec. 571.500](#), and both may be driven on city streets and county roads that are not state routes if the road has a speed limit of 35 mph or less.

- [RCW 46.04.320](#) – Definition of "motor vehicle" includes neighborhood electric vehicles, medium-speed electric vehicles, and (for purposes of [chapter 46.61 RCW](#) only) golf carts
 - [RCW 46.04.1945](#) – Definition of "golf cart"
 - [RCW 46.04.295](#) – Definition of "medium-speed electric vehicle"
 - [RCW 46.04.357](#) – Definition of "neighborhood electric vehicle"
- [RCW 46.08.175](#) – Cities and counties may create "golf cart zones" on streets or highways with a speed limit of 25 mph or less, allowing for incidental operation of golf carts
- [RCW 46.61.723](#) – Operation of medium-speed electric vehicles
- [RCW 46.61.725](#) – Operation of neighborhood electric vehicles

Examples of Local Government Golf Cart Provisions

- [Arlington Municipal Code Ch. 10.88](#) – Use of Golf Carts (or Similar Vehicles) on Public Property
- [Cheney Municipal Code Ch. 11.90](#) – Operation of Golf Carts
- [Grant County Code Ch. 11.34](#) – Operation of Golf Carts
- [La Conner Municipal Code Ch. 9.50](#) – Golf Cart Zone
- [Langley Municipal Code Ch. 10.24](#) – Golf Cart Zone
- [Liberty Lake Municipal Code Ch. 7-4](#) – Operation of Golf Carts
- [Mill Creek Municipal Code Ch. 10.20](#) – Prohibits golf carts on city streets; carts may be operated in designated sidewalk/bike lanes
- [Orting Municipal Code Ch. 7-8](#) – Golf Cart Zone

Safety Standards

National Highway Transportation Safety Administration (NHTSA)

As a result of a growing conflict between state, local, and federal laws which restricted the ability of vehicle manufacturers to produce and sell vehicles and consumers to buy them, the National Highway Transportation Safety Administration (NHTSA) set safety standards for a class of low-speed vehicles in 1998. Those are the standards that Washington NEVs and MEVs must meet.

When the National Highway Transportation Safety Administration (NHTSA) was setting safety standards for low-speed vehicles, it chose to use the industry term golf car. It noted that: While many members of

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the public use the term "golf cart," the manufacturers of those vehicles use the term "golf car." This final rule uses "golf car," except in those instances in which the other term is used in quotation.

- [NHTSA: Final Rule 49 CFR Part 571](#) [Docket No. NHTSA 98-3949]
- [U.S. Government Publishing Office \(GPO\): 63 FR 33194](#) (1998) – Provides discussion and background to final rule
- [U.S. Government Publishing Office \(GPO\): 49 CFR Sec. 571.500](#) – Standard No. 500; Low-speed vehicles. This is the minimum safety standard for Washington's NEVs and MEVs to operate on public roads and streets of this state. The manufacturers of golf cars that operate at less than 20 mph do not have to meet these safety standards. The federal rule went into effect in 1998 and was amended in 2003.

Additional Standards

- [Outdoor Power Equipment Institute \(OPEI\): Standards](#) – Provides updates, guidelines, and standards for NEV, MEV, and golf cart owners.
- [American National Standards Institute \(ANSI\): Golf Cars Safety Specifications](#) (2020)

Last Modified: March 02, 2023

Sample Documents

Topics

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TAB - C

LONG BEACH CITY COUNCIL MEETING

August 21, 2023

6:30 COUNCIL WORKSHOP

Mayor Phillips, C. Svendsen, C. Phelps, and C. Coleman were in attendance. C. Murry and C. Reddy were absent.

WS 23-13 Council Rules Discussion

David Glasson, City Administrator, presented the workshop bill. The purpose of this workshop is to discuss the Council Rules and Procedures.

There were no decisions or motions made at this time.

7:00 CALL TO ORDER

Mayor Phillips called the meeting to order.

ROLL CALL

David Glasson, City Administrator, called roll with Mayor Phillips, C. Svendsen, C. Phelps, and C. Coleman in attendance. C. Murry and C. Reddy were absent.

PUBLIC COMMENT

There were no public comments.

CONSENT AGENDA

Minutes, August 7, 2023, Regular Meeting

Payment Approval List for Warrant Registers – 61691-61723 & 91335-91389 for \$283,100.62

C. Svendsen made the motion to approve the Consent Agenda. C. Phelps seconded the motion; 3 Ayes; 2 Absent, motion passed.

BUSINESS

AB 23-41 – CBA with FOP 2023-2025

David Glasson, City Administrator, presented the agenda bill. City Staff and the FOP have met numerous times and have reached an agreement.

C. Coleman made the motion to authorize the Mayor to enter into the CBA with the FOP for 2023-2025. C. Svendsen seconded the motion; 3 Ayes; 2 Absent, motion passed.

AB 23-42 – Resolution 2023-09 Authorizing Signatures for RCO grant

Ariel Smith, Community Development Director, presented the agenda bill. The city is pursuing a local projects maintenance grant and this resolution is a requirement of submittal.

C. Svendsen made the motion to authorize the Mayor to sign Resolution 2023-09. C. Phelps seconded the motion; 3 Ayes; 2 Absent, motion passed.

DEPARTMENT HEAD ORAL REPORTS

CORRESPONDENCE AND WRITTEN REPORTS

- None

C. Coleman made a motion to excuse C. Murry and C. Reddy from the meeting. C. Phelps seconded the motion; 3 Ayes; 2 Absent, motion passed.

ADJOURNMENT

Mayor Phillips adjourned the meeting at 7:14 p.m.

Mayor

City Clerk



Warrant Register

Check Periods: 2023 - August - Second

I, THE UNDERSIGNED DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST THE CITY OF LONG BEACH, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.

Council Member	Council Member	Council Member	Clerk/Treasurer
61724	Bell, Helen S	8/18/2023	\$390.56
61725	Binion, Jacob M	8/18/2023	\$2,246.99
61726	Brown, Kaine E	8/18/2023	\$1,215.84
61727	Cox, Mallory E	8/18/2023	\$711.95
61728	Cutting, Griffen G	8/18/2023	\$1,215.76
61729	Goulter, John R	8/18/2023	\$2,423.70
61730	Huff, Timothy M	8/18/2023	\$2,171.95
61731	Kemmer, Larry L	8/18/2023	\$2,024.48
61732	McCord, Brendon M	8/18/2023	\$1,260.32
61733	Padgett, Timothy J	8/18/2023	\$2,211.34
61734	Risher, Erik K	8/18/2023	\$1,812.86
61735	Wright, Flint R	8/18/2023	\$3,373.24
61736	AFLAC	8/18/2023	\$378.35
61737	Awc - ST & Life	8/18/2023	\$871.10
61738	City of Long Beach - Fica	8/18/2023	\$16,308.38
61739	City of Long Beach - FWH	8/18/2023	\$12,385.08
61740	Dept of Labor & Industries	8/18/2023	\$2,407.49
61741	Dept of Retirement Systems	8/18/2023	\$16,252.53
61742	Dept of Retirement Systems Def Comp	8/18/2023	\$2,715.00
61743	Employment Security - Long Term Care	8/18/2023	\$361.85
61744	Employment Security Dept	8/18/2023	\$469.41
61745	Employment Security Dept - Unemployment	8/18/2023	\$213.73
61746	WEX Health, Inc.	8/18/2023	\$175.00
91390	Pacific County Auditor	8/21/2023	\$205.50
91391	Glasson, David	8/24/2023	\$56.25
91392	Eron, Judy	8/25/2023	\$250.00
91393	Chinook Observer	8/28/2023	\$274.50
91394	Gray, Karen	8/28/2023	\$89.97
91395	Mallory Safety and Supply LLC	8/28/2023	\$100.72

Execution Time: 17 second(s)

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Register

91396	Why Racing Events, Inc.	8/28/2023	\$10,000.00
91397	Kemmer, Larry	8/28/2023	\$205.00
91398	Ford Electric	8/28/2023	\$50,608.61
91399	Bartlett, Lisa	8/30/2023	\$1,743.00
91400	Bolden, Dee	8/30/2023	\$1,554.00
91401	Grotting, Ed	8/30/2023	\$1,554.00
91402	Herman, Ronald	8/30/2023	\$1,291.50
91403	Seaman, Loren	8/30/2023	\$1,554.00
91404	Smith, Mark S	8/30/2023	\$1,354.50
91405	Smith, Michael	8/30/2023	\$766.50
91406	Postmaster	8/30/2023	\$936.81
91407	Bell, Helen	8/31/2023	\$133.96
91408	A-1 Redi Mix	9/1/2023	\$2,170.65
91409	AlSCO-American Linen Div.	9/1/2023	\$442.25
91410	Arts Auto Parts Inc.	9/1/2023	\$65.98
91411	Astoria Ford	9/1/2023	\$1,507.00
91412	Astoria Janitor & Paper Supply	9/1/2023	\$2,380.19
91413	Backflow Management Inc	9/1/2023	\$1,500.00
91414	BSK Associates	9/1/2023	\$1,240.00
91415	Chinook Observer	9/1/2023	\$292.80
91416	Cintas	9/1/2023	\$81.40
91417	City of Long Beach	9/1/2023	\$1,986.26
91418	Dept of Ecology	9/1/2023	\$3,085.50
91419	Evergreen Septic Inc	9/1/2023	\$3,870.00
91420	Fastenal Company	9/1/2023	\$596.57
91421	Galls, LLC	9/1/2023	\$668.75
91422	H. D. FOWLER	9/1/2023	\$4,143.79
91423	Integrated Power Services, LLC	9/1/2023	\$60,385.97
91424	L.N. Curtis & Sons	9/1/2023	\$2,017.83
91425	Lindstrom & Son Construction	9/1/2023	\$8,664.00
91426	Motorola Solutions Inc.	9/1/2023	\$51,714.81
91427	Oceanside Animal Clinic	9/1/2023	\$520.10
91428	Pacific County Auditor	9/1/2023	\$18.00
91429	Pacific County Sheriffs	9/1/2023	\$67.50
91430	Prestegard, Ray	9/1/2023	\$250.00
91431	Public Utility District 2	9/1/2023	\$10,246.91
91432	Simple Streams	9/1/2023	\$590.15
91433	Solutions Yes	9/1/2023	\$251.78
91434	Verizon Wireless	9/1/2023	\$1,182.38
91435	Vision Municipal Solutions	9/1/2023	\$950.00
Total			\$307,166.30
Grand Total			\$307,166.30

TAB - D



**CITY COUNCIL
AGENDA BILL**

AB 23-43

Meeting Date: September 5, 2023

AGENDA ITEM INFORMATION

SUBJECT: Collective
Bargaining Agreement with
the Local Teamsters -
Public Works and Clerical

Originator:

Mayor

City Council

City Administrator

City Attorney

City Clerk

City Engineer

Community Development Director

Finance Director

Fire Chief

Police Chief

Streets/Parks/Drainage Supervisor

Water/Wastewater Supervisor

Other:

DG

COST: NA

SUMMARY STATEMENT: City staff has met with the Teamsters numerous times and have come to an agreement.

RECOMMENDED ACTION: Authorize the Mayor to enter into the CBA with the Local Teamsters 58 for representation of public works and clerical staff.

TAB - E



**CITY COUNCIL
AGENDA BILL**

AB 23-44

Meeting Date: September 5, 2023

AGENDA ITEM INFORMATION

SUBJECT: Resolution
2023-10 Amending the
City's Personnel Policy

Originator:

Mayor

City Council

City Administrator

City Attorney

City Clerk

City Engineer

Community Development Director

Finance Director

Fire Chief

Police Chief

Streets/Parks/Drainage Supervisor

Water/Wastewater Supervisor

Other:

DG

COST: NA

SUMMARY STATEMENT: City staff has reviewed the policies for consistency and updates related to state law.

RECOMMENDED ACTION: Authorize the Mayor to sign Resolution 2023-10 amending the city's personnel policies.

RESOLUTION 2023-10

A RESOLUTION OF THE CITY OF LONG BEACH, WASHINGTON, UPDATING, AMENDING AND MAKING ADDITIONS TO THE CITY OF LONG BEACH PERSONNEL POLICY

WHEREAS, the City of Long Beach has to make addition or amendments to the City Personnel Policy; and

WHEREAS, the City needs to amend, update or add to Long Beach Personnel Policies due to changes in State Law; and therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LONG BEACH, WASHINGTON, The Mayor and City Clerk are hereby authorized and directed to execute said personnel policies changes, additions and amendments, a copy of which is attached hereto and by this reference made part hereof, as the official act and deed of the City of Long Beach.

Passed this 5th day of September 2023.

Ayes Nays Absent

Jerry Phillips, Mayor

ATTEST:

Jessie Hermens, City Clerk



Personnel Policies

Last updated: 01609/4505/20232
Resolution 2022-3-XX

Welcome to the City of Long Beach!

This manual outlines the personnel policies, benefits and standards that, as a member of the City of Long Beach team, you will be entitled to and expected to follow. It is your personal guide to policies that we have developed to help us achieve our mission to be a premier city that delivers quality services to our customers. You should study the manual carefully, and we suggest that you keep it available for ready reference. You may receive new pages to update changes from time to time, and it is our desire that you will take the time to keep your manual up to date.

Some statements may need clarification. The City Administrator stands ready to assist you should you have any questions or problems.

The public looks upon every employee as a representative of the City. This is true whether you are at work or out in the community. We are confident that you will do your part in maintaining our high quality of service to our customers and your community.

It is a must that each employee is treated fairly, equally, and with dignity, as an individual and as an important part of the City.

The following are the expectations to ensure consistent and positive operations of the City of Long Beach:

1. Team work and communications
2. Integrity, honesty, dignity, and respect for others
3. Professionalism, initiative, and confidentiality
4. Accountability focused actions and timely follow-through
5. Commitment to make our City and yourself successful
6. Quality service to all external and internal customers
7. Accurate work
8. Cost effective measures with value
9. Positive impact and interaction with the community
10. Good time management and quality work
11. Punctuality
12. Professional image

We are committed to do our utmost to make your city experience both challenging and rewarding.

Jerry Phillips
Mayor

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I. INTRODUCTION

The Handbook is prepared so that employees will better understand how the City operates and what is expected of employees. It is a summary of the City's personnel policies and practices, and is intended as a general guide to how the organization functions. We want to create a work environment that allows individuals to maximize their contribution to the organization and results in personal satisfaction. We believe that when consistent personnel policies are known and communicated to all, the chances are increased for greater job satisfaction.

While the City hopes that the employment relationship will be positive, things do not always work out as planned. Either party may decide to terminate the employment relationship. No supervisor, Administrator or representative of the City, other than the Mayor, has the authority to enter into any agreement with you for employment for any specified period or to make any promises or commitments contrary to the contents of this handbook. This handbook is not intended as a contract, express or implied, or as a guarantee of employment for any specific duration. As the need arises, the City may from time to time modify these policies. The City also reserves the right, at its sole discretion, to depart from the guidelines outlined in this handbook, in order to meet the business needs of the City. If you have any questions about any of our policies, please ask your supervisor or City Administrator.

We wish you success in your position and hope that your employment relationship with the City will be a personally rewarding experience.

II. APPLICABILITY AND AUTHORITY

A. Applicability

This Handbook is applicable to all employees who serve at the discretion of the Mayor and except where specifically stated otherwise.

B. At Will

At will positions include specific senior management positions designated by the Mayor; temporary, extra help and limited term positions; and regular employees who have not yet completed the orientation period. No provisions of this Handbook shall change at will status.

C. Local, State or Federal Law

In cases where these policies are in conflict with local, state or federal law, the provisions of local, state or federal law will govern. If any provision of these policies or their application to any person or circumstance is held invalid, the remainder of the policies will not be affected.

D. Authority

Authority to take personnel actions is vested in the Mayor or City Administrator. This authority shall include but not be limited to hiring, promoting, demoting, evaluating, reclassifying and terminating employees. Authority for personnel actions is frequently delegated to Department Supervisor; however, coordination of all such actions through the City Administrator.

III. DEFINITIONS

A. Anniversary Date

The date used for the purpose of calculating leave benefits and length of service. Usually the anniversary date is the date the employee began work for the City, but adjustments to the anniversary date shall be made proportionate to any unpaid time off.

B. Break in Service

The period of time between the date an employee separates from service and the date the employee is rehired.

C. Callback

All time worked in excess of a scheduled shift, which is not an extension of that shift, and is unanticipated, unforeseen, and not a regular function of the employee's work schedule.

D. City

The City of Long Beach, Washington.

E. City Administrator

The individual appointed by the Mayor to serve in this capacity.

F. Core Hours

Those hours during which City offices are open to the public and during which staffing is available to provide service to our customers. Core hours for the City are 8:00 a.m. to 5:00 p.m. Monday through Friday. Any deviation must be approved by the City Administrator.

G. Demotion

Any case where a regular employee moves on a non-temporary basis to a different position in a lower salary range with the exception of such movement resulting from a compensation study or salary survey.

H. Department Supervisor

An individual appointed by the Mayor to serve as the Department Supervisor.

I. Deputy City Administrator

The individual appointed by the Mayor to serve in this capacity.

J. Domestic Partner

The individual named in a current, valid Affidavit of Marriage/Domestic Partnership on file with the City Administrator. The Partnership may be of the same or opposite sex. The Partnership must satisfy the following criteria: □ Partners shall not be part of another Domestic Partnership or marriage,

- Partners shall be mentally competent, 18 years of age or older, not related by blood closer than permitted for marriage under RCW 26.04.020.1a and .2.
- Partners share a regular and permanent residence and living expenses.

JK. Drugs

Includes any substance which is controlled in its distribution by federal or state law, including but not limited to, narcotics, depressants, stimulants, hallucinogens, cocaine and cannabis. Does not include prescription and over-the-counter medication used according to prescription or consistent with standard dosage.

KL. Employment Status Definitions

1. Regular Full Time

A regular position established by the City budget that is expected to be ongoing and to work a 40-hour week.

2. Regular Part Time

A regular position established by the City budget that is expected to be ongoing and to work at least 20 but less than 40 hours per week.

3. Limited Term

A position that has a specific end date, works 20 or more hours a week and is not Extra Help. The maximum term is limited to three years.

4. Extra Help

A position that is employed in activities related to seasonal programs, variable intermittent workloads, or ongoing work of less than 20 hours a week, further defined below.

a) Seasonal

Work that is seasonal beginning approximately the same season of each calendar year, customarily less than six months in duration.

Maximum Hours:

- 1,040 hours a year with no limit on weekly hours if all work is seasonal.
- If some of the work is not seasonal then all hours worked count toward a maximum average of 29 per week in the first 3 months of employment and during 12 months of employment.

b) Variable-hour

Work that is not seasonal but is intermittent and/or hours that are unpredictable from week to week.

Maximum Hours:

- 1,040 a year and
- an average of 29 per week during the first 3 months of employment and during 12 months of employment.

LM. Exempt Employee

An employee exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA) as defined by that Act or applicable state law and designated as such by the City Administrator.

MN. Immediate Family

Unless defined otherwise in these policies, the employee's grandparent, parent, parent-in-law, foster parent, spouse, domestic partner, biological child, adopted child, step child, child of domestic partner, foster child, a legal ward or child of a person standing in loco parentis if the child is younger than 18, grandchild, sister, sister-in-law, brother or brother-in-law.

In appropriate circumstances, an employee may believe that another individual should be considered a member of the immediate family for the purpose of applying these policies. The employee shall make a written request explaining to the City Administrator why the employee believes that this individual should be considered a member of the immediate family. The City Administrator shall decide to approve or deny the request. (If the definition of immediate family is different in certain approved benefit plans or policies; the provisions of those plans or policies will govern.)

NO. Insubordination

Expressed hostility or contempt for an employee's supervisor or willful disregard of a supervisor's reasonable directive.

OP. Intern

A position that is a form of on-the-job training that may be either voluntary or on paid status.

PQ. Non-Exempt Employee

An employee covered by the minimum wage and overtime provisions of the Fair Labor Standards Act.

QR. Promotion

Any case where a regular employee moves on a non-temporary basis to a different position in a higher salary range with the exception of such movement resulting from a compensation study or salary survey.

RS. Standby

Specific assignment of an employee during off-hours to be available to come to work if needed. Standby is not considered as time worked.

SI. Step Increase Date

The date that is used for the purpose of annual performance review and step increase. ~~Usually~~Usually, the step increase date is the date the employee began work in his or her current position, but adjustments shall be made proportionate to any unpaid time off.

TU. Time in Paid Status

The period of hours during a pay cycle for which an employee receives compensation including hours worked, vacation, sick, holiday, or other paid leaves.

UV. Transfer

Any case where a regular employee moves on a non-temporary basis to a different position in the same salary range.

VW. Work Location

Work locations are the places ~~employees~~employee's work. The primary locations include city owned buildings, adjacent structures and parking lots, and grounds. Work is located around the city and surrounding area covering inspections on structures, installation, repairs and maintenance on city infrastructure and other places as deemed necessary to the city.

City Hall: 115 Bolstad Avenue West

City Shop: 313 6th Street ~~North-East~~Northeast

Long Beach Water Treatment Plant: 5415 67th Place

Long Beach Police Department: ~~212 Pacific Avenue South~~ 106 3rd Street North West

WX. Work Week

A fixed and regularly recurring period of seven (7) consecutive twenty-four (24) hour periods. The standard workweek for employees consists of the period from 12:01 a.m. Sunday to 12:00 midnight the following Saturday. Where a different work week is required, the City Administrator will define an appropriate work week and communicate that to the employees.

IV. EMPLOYMENT POLICIES

A. Recruitment and Selection

1. External and Internal Recruitment

Job Posting and Application: Open positions will be posted on the City's web page and the official publication of the City with links to the application process. The opening will be posted for a minimum of five working days. To ensure internal employees are aware of an open position, the City Administrator will announce openings through email and post at the above work locations.

Selecting Candidates for an Interview: The hiring supervisor with consent of the city administrator will review the applications and identify candidates that will proceed to an interview. Additionally, all regular employees who applied will be granted an interview provided they possess the experience and training qualifications listed in the job description for the position.

Selecting the Best Candidate: The City's policy is to hire the best candidate for any job vacancy. The best candidate is an applicant who meets the minimum qualifications for the position and has the strongest match between their knowledge, skills and abilities and the work responsibilities of a position. The best candidate will be determined based upon a review of application materials, the results of tests and/or background checks required by positions,

an evaluation of responses to interview questions, prior work experience and favorable references. If there is not an internal candidate who has a strong match between their knowledge, skills and abilities and the work responsibilities of the position; the position may be re-posted and made available to external applicants.

2. Internal Recruitment Only

The Department Supervisor, after consultation with the Mayor/City Administrator, will determine if an opening will be available internally only.

Job Posting and Application: The City Administrator will announce openings through email, directing interested employees to apply through the City's web page with links to the application process. The opening will be posted for a minimum of five working days, any employee may apply.

Selecting Candidates for an Interview: The department supervisor will review the applications and identify candidates that will proceed to an interview after consultation with the Mayor/City Administrator. All regular employees who applied will be granted an interview provided they possess the experience and training qualifications listed in the job description for the position.

~~Selecting the Best Candidate: The City's policy is to hire the best candidate for any job vacancy. The best candidate is an applicant who meets the qualifications for the position and has the strongest match between their knowledge, skills and abilities and the work responsibilities of a position. The best candidate will be determined based upon a review of application materials, the results of tests and/or background checks required by positions, an evaluation of responses to interview questions, and favorable references. If there is not an internal candidate who has a strong match between their knowledge, skills and abilities and the work responsibilities of the position; the position may be re-posted and made available to external applicants.~~

B. Reference Checking

All requests for information regarding past or present employees shall be directed to the City Administrator. The City Administrator will then release information stating job title, length of service and eligibility for rehire. If the employee has signed a statement releasing the City from liability, additional information may be given.

C. Prohibited Political Activities – Code of Ethics, Appendix A

While all employees have the right to participate in political or partisan activities of their choosing, employees are stewards of the public's trust in matters of City government. Political activity may not adversely affect the responsibilities of employees in their official duties. Because of the sensitive nature of the services in which the City is engaged, the following activities are prohibited:

1. Use of City Resources, Property, Authority and Influence

Employees may not campaign on City time or in City uniform or while representing the City in any way. Employees may not allow others to use City facilities or funds for political activities. Employees may not use City authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office. Violation of this policy

2. Coercion

Employees may not directly or indirectly coerce, attempt to coerce, or command a state or local officer or employee to pay, lend, or contribute anything of value to any party, committee, organization, agency, or person for political purposes.

3. Elected Office, Commission or Board Service

Employees may not serve as an elected official of the City, a member of a City commission, or a member of a City board while an employee of the City.

4. Conflict of Interest

All employees must comply with the conflict of interest rules set forth in RCW Chapter 42.23. If there is an ongoing significant conflict of interest between an employee's elected position outside of the City and their position with the City, the employee must resign from one of the positions. Site RCW 42.30????

Violation of any part of this policy may be grounds for disciplinary action, up to and including termination.

D. Prohibited Personal Gain - Code of Ethics, Appendix A

The following standards are established for all City employees for conducting business within the guidelines of the Code of Ethics and providing friendly and courteous service to the public. The Code of Ethics is located in Appendix A of this manual.

Employees are prohibited from:

1. Receiving proceeds or having any financial interest in any sale to the City of any service or property when such proceeds or financial interest was received with the prior knowledge that the City intended to purchase such property or obtain such service.
2. Soliciting or accepting anything of economic value as a gift, gratuity, or favor from any person, firm or corporation involved in a contract or transaction which is or may be the subject of official action of the City; provided, that the such prohibitions shall not apply to:
 - a. Attendance at a hosted meal when it is provided in conjunction with a meeting directly related to the conduct of City business or where attendance is appropriate as a staff representative.

- b. An award publicly presented in recognition of public service.
 - c. Attendance at a hosted meal where general information is being presented, but where no active consideration of a contract is being discussed.
 - d. Advertising items of no material value which are widely distributed to others under essentially the same business relationship with the donor or any other gift that is deemed by the City Administrator to be of insignificant value such that it does not present a conflict of interest.
3. Disclosing confidential information (except as provided for under public disclosure regulations), participating in the making of a contract, accepting private employment or providing private services that would be in conflict or incompatible with the performance of official duties as a City employee.

Violation of this policy may be grounds for disciplinary action, up to and including termination.

E. Employee Orientation

Upon hire or appointment, the Department Supervisor and City Administrator shall be responsible for the orientation of each employee. Orientation may include explanation of the organization and services of the City, work and safety rules, personnel manual and procedures, departmental rules and procedures, completion of payroll forms and introduction to City personnel.

1. Orientation Period for Initial Hire

Upon hire to a regular position, each employee will be at will while serving in a six-month orientation period. Upon the recommendation of the Department Supervisor and the City Administrator, the orientation period may be extended up to an additional 6 months at the discretion of the City Administrator.

The orientation period is part of the selection process and affords the employee and the City an opportunity to evaluate whether the match between the job and the employee is appropriate.

An employee may be discharged without cause or notice prior to the completion of the orientation period. Successful completion of the orientation period means a regular employee is no longer at will; however, this should not be construed as creating a contract or as guaranteeing employment for any specific duration.

This section shall not apply to specified senior management positions at will, temporary, extra help, and limited term positions.

2. Orientation Period for Promoted or Transferred Employees

A promoted or transferred employee shall serve a ~~3-month~~36-month orientation period in the new position. ~~Upon the recommendation of the Department~~

~~Supervisor, the orientation period may be extended up to an additional 3 months at the discretion of the City Administrator.~~

The promoted or transferred employee may be removed from the new position at any time prior to the completion of the orientation period by the Department Supervisor giving written notice of failure to complete the orientation period. The Department Supervisor shall consult with City Administrator before making the decision to remove an employee.

If removed, the employee may return to the position from which he or she promoted or transferred by providing written notice to the Department Supervisor for the former position. This notice must be provided within 5 days of the notice of failure to complete the orientation period.

During the orientation period, the promoted or transferred employee may request to voluntarily return to the former position by making a written request to the Department Supervisor for the former position. If the position has not yet been offered to a new employee, the Department Supervisor, after consulting with the City Administrator and any other affected department, may approve the return.

This section shall not apply to at will positions.

F. Equal Employment Opportunity

It is the intent of the City to provide equal employment opportunity for all employees and applicants for employment without regard to race, color, religion, gender, national origin, marital status, age, sexual orientation or disability (as defined under state and federal law). This policy applies to all terms and conditions of employment, including, but not limited to: hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training. If an employee believes that his or her rights under this provision have been violated, he or she should follow the complaint reporting and resolution process outlined in Section 4, Discrimination Complaint Procedure.

G. Prohibition of Employee Harassment

The City expressly prohibits any form of unlawful employee harassment based on race, color, religion, sex, national origin, marital status, age, sexual orientation or disability (as defined under state and federal law) which includes behavior by coworkers, supervisors, vendors, citizens, or any other individual or group with whom an employee may come in contact in the course of their job duties. Improper interference with the ability of employees to perform their jobs will not be tolerated.

With respect to sexual harassment, the City expressly prohibits the following:

1. Unwelcome sexual advances; requests for sexual favors; and all other verbal or physical conduct of a sexual or otherwise offensive nature, especially where:
 - a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment;

- b) Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
 - c) Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.
2. Offensive comments, jokes, innuendoes, and other sexually oriented statements or displays.

H. Discrimination Complaint Procedure

Each member of management is responsible for creating and maintaining an atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees are responsible for respecting the rights of all co-workers.

If an employee believes he or she has experienced any ~~job-related~~job-related harassment based upon sex, race, color, religion, national origin, marital status, age, sexual orientation or disability, or believes he or she has been treated in an unlawful, discriminatory manner, the employee should promptly:

1. Report the incident to his or her supervisor. The supervisor will immediately report the information to the City Administrator and together they will determine how to investigate the matter and ensure that appropriate action is taken.
 - a) If an employee believes it would be inappropriate to discuss the matter with his or her supervisor, the employee may bypass the supervisor and report the complaint directly to the City Administrator or to the Mayor. The person receiving the report shall consult with other appropriate parties, and together they will determine how to undertake an investigation and ensure appropriate action is taken.
2. The complaint will be kept confidential to the extent possible.
3. If the City determines that an employee is guilty of harassing or discriminating against another employee, appropriate disciplinary action will be taken against the offending employee, up to and including termination of employment.
4. The City prohibits any form of retaliation against any employee for filing a good faith complaint under this policy or for assisting in a complaint investigation.
5. Any employee who makes a complaint in bad faith, who provides false information regarding a complaint or who engages in any form of retaliation will be subject to disciplinary action, up to and including termination.

I. Employment of Immediate Family

1. Members of the immediate family of City elected officials will not be employed by the City in any capacity.
2. Members of the immediate family of employees will not be hired if:
 - a) One individual would have the authority or power to influence decisions, supervise, hire, remove or discipline the other;

- b) One individual would be responsible for financially auditing the work of the other;
- c) One individual would handle confidential material that creates improper or inappropriate exposure to that material by the other; or
- d) The member of the immediate family would be employed in the same department as the employee with the following two exceptions:
 - (1) Extra help employees may be employed in the same department as an immediate family member if no conflict of interest exists, including those outlined above.
 - (2) Spouses may be employed in the same department if no conflict of interest exists, including those outlined above.
- 3. If two employees marry, enter into a domestic partnership or become related, and in the judgment of the City Administrator, the problems noted above exist or could exist, one of the employees will be required to terminate employment unless some step can be taken to eliminate the problem. The decision to define and implement steps to eliminate the problem is at the sole discretion of the City Administrator. A decision as to which employee will remain must be made by the two employees within 30 days of the date they marry, enter into a domestic partnership or become related. If the parties do not make a decision within 30 days, the City Administrator shall make the determination.

J. Personnel Files

Official personnel files are maintained by the City Administrator or designee. An employee has the right to inspect his or her personnel file at reasonable times during regular business hours. An employee wishing to see his or her personnel file should contact the City Administrator. An employee has the right to have a copy of any information in his or her personnel file.

Personnel files are kept confidential to the maximum extent permitted by law.

K. Reporting Improper Governmental Action and Protecting Employees against Retaliation

and Protecting Employees against Retaliation

- 1. It is the policy of the City to encourage reporting by City employees of improper governmental action and to protect City employees who have reported improper governmental action in accordance with City policy by providing remedies for retaliation.
- 2. Key Definitions:
 - a) **Improper Governmental Action** is any action by a City officer or employee that is:

- (1) undertaken in the performance of the official's or employee's official duties, whether or not the action is within the scope of the employee's employment; and
 - (2) in violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and a specific danger to the public health or safety or is a gross waste of public funds. "Improper governmental action" does not include personnel actions. In addition, employees are not free to disclose matters that would affect a person's right to legally protected confidential communications.
 - b) **Retaliatory Action** means (a) any adverse change in a City employee's employment status, or in the terms and conditions of employment including: denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand or unsatisfactory performance evaluations, demotion, transfer, reassignment, reductions in pay, denial of promotion, suspension, dismissal, or any other disciplinary action, not independently justified by factors unrelated to the reporting of improper government action; or (b) hostile actions by another employee that were encouraged by a supervisor or administrator.
 - c) **Emergency** means a circumstance that if not immediately changed may cause damage to persons or property.
2. **Reporting Mechanism:** An employee who becomes aware of improper governmental action shall report the action to the Department Supervisor. If the employee reasonably believes that the improper governmental action involves the Department Supervisor, then the employee shall report the action to the City Administrator. If the employee reasonably believes that the improper governmental action involves the City Administrator, then the employee shall report the action to the Mayor. The person receiving the report shall notify the City Attorney. In an emergency, the employee may report the improper governmental action directly to the government agency with responsibility for investigating the improper action.
 3. **Investigation:** The person receiving the report shall confer with the City Attorney and they shall agree upon an appropriate method of investigation. The person receiving the report shall ensure that prompt action is taken to properly investigate.
 4. **Confidentiality:** The investigation should be conducted as confidentially as possible. Until the investigation is final, the identity of all employees involved shall be kept confidential to the extent permitted by law. At all times, the identity of the reporting employees shall be kept confidential to the extent possible under law, unless the employee authorizes the disclosure of his or her identity in writing.

5. When the investigation is completed, the person receiving the report shall advise all employees involved in the investigation of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.
6. If an employee fails to make a good faith attempt to follow the provided reporting mechanism, the employee shall not be entitled to receive the protection against retaliation provided by this policy. Any false or frivolous claims or reporting will be subject to disciplinary action up to and including termination.
7. **Protection against Retaliatory Actions.** The City is prohibited from taking retaliatory action against an employee because he or she has in good faith reported an improper government action in accordance with this policy.
8.
 - a) An employee who believes he or she has been retaliated against shall provide written notice of the charge of retaliatory action to the City Administrator (or to the Mayor if the charge is against the City Administrator) within 30 days of the alleged retaliatory action. The notice shall specify the alleged retaliatory action and the relief requested.
 - b) The City Administrator shall have 30 days to respond to the charge.
9. **Appeal to the State.** Upon receipt of the City Administrator's response, or after the 30 day response period, the employee may request a hearing before a state administrative law judge for the purpose of establishing that a retaliatory action occurred and to obtain appropriate relief provided by law. The employee must submit the request for a hearing to the City Administrator within 15 days of delivery of the City Administrator's response, or within 15 days after the response period has expired. Within 5 working days of receipt of a request for hearing, the City shall apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge (ALJ).
9. **Relief Granted Under The Act**
 - a) Reinstatement, with or without pay.
 - b) Injunctive relief necessary to return the employee to the position he or she held before the retaliatory action and to prevent the recurrence of retaliation.
 - c) Costs and reasonable attorneys' fees.
 - d) Penalty assessed against each individual retaliator or up to \$3,000 plus recommendation to City Administrator that retaliator be suspended or dismissed.
 - e) State law does not provide for general economic damages or damages for emotional distress.
10. **List of Agencies:** The following is a partial list of agencies responsible for enforcing federal, state and local laws and investigating other issues

involving improper governmental action. Employees having questions about these agencies or the procedures for reporting improper governmental action are encouraged to contact the following:

City of Long Beach

City Attorney or
City Administrator
Long Beach City Hall
PO Box 310
Long Beach, WA 98133
360-642-4421
Web: www.LongBeachwa.gov

Pacific County

Ombudsman or
Prosecuting Attorney
P O Box 45
South Bend, WA 98586
360-875-9361

Web: www.co.pacific.wa.us

State of Washington

Auditor's Office
302 Sid Snyder Avenue SW
Olympia, WA 98504-0021
Web: www.sao.wa.gov

Human Rights Commission
711 South Capitol Way, St 402
Olympia, WA 98504-2490
Web: www.hum.wa.gov

Dept. of Ecology
3190 - 160th SE
Bellevue, WA 98008-5852
Web: www.ecy.wa.gov

Dept. of Labor & Industries
PO Box 44000
Olympia, WA 98504
Web: www.lni.gov

L. Outside Employment

The City expects that it shall be the primary employer for all regular employees. Therefore, employees shall not engage in employment or render services for pay for any public or private interest (including self employment) when such activity may:

- a) Occur during working hours;
- b) Detract from the efficiency of the employee while performing City duties;
- c) Constitute a conflict of interest or create an appearance of impropriety as determined by the City Administrator;
- d) Utilize confidential information or contacts made during City employment which would give an unfair insider advantage or would otherwise be an inappropriate use or disclosure of such information or contacts;
- e) Take preference over extra duty required by City employment;
- f) Interfere with emergency callout duty;
- g) Tend to impair independence of judgment or action in performance of official duties;
- h) Involve the use of any City resources such as copiers, telephones, supplies, other equipment, or time; or
- i) Interfere in any other manner with the employee's provision of quality customer service.

2. In order to protect the interests of both the City and the employee, it is important that an employee and his or her Department Supervisor ~~have an opportunity to~~ discuss any outside employment with the goal of avoiding any possible conflicts between the City and the other employment.
 - a) Prior to engaging in any outside employment, an employee shall provide his or her Department Supervisor with written notice of his or her intent to engage in the outside work. If an employee is unsure as to these criteria or the effect of his or her outside employment, he/she should consult with his or her Department Supervisor or the City Administrator for clarification.
 - (1) After receiving the employee's request, the Department Supervisor shall consult the City Administrator and if the request complies with this policy, the City Administrator may approve the outside employment.
 - (2) If the Department Supervisor determines that the outside employment interferes with or reduces the efficiency of City employment, then the Supervisor shall recommend to the City Administrator that the request to engage in the employment shall be denied.
 - b) After considering the employee's written request and the recommendation of the Department Supervisor, the City Administrator shall make a decision approving or denying the request.
3. Failure to comply with these provisions concerning outside employment may be grounds for disciplinary action, up to and including termination.

V. GENERAL WORKING CONDITIONS AND PERSONNEL ADMINISTRATION

A. Working Hours

1. The workweek for regular, full-time employees is 40 hours. The daily hours of work shall be set by the Department Supervisor with respect to each department as necessary for the efficient operation of the City. Employees may be requested to work different schedules, including varying shifts, weekends, holidays and overtime to meet the needs of the City or of specific departments. Non-exempt employees must use the time clocks provided at each work location to track working hours and breaks. Non-exempt employees may not clock in more than 7 minutes prior to their scheduled shift unless called in or given approval by their supervisor. If the Employee fails to punch in, the supervisor needs to initial and document the time. Varying schedules or overtime may also be required in emergency situations as defined by the City Administrator.

2. Employees may request to work flex time or to job share. Flex time and job share arrangements may not interfere with efficient City operation and must provide for effective service delivery. Flex time and job share must be approved by the Department Supervisor, ~~after consultation with~~ and the City Administrator.

B. Breaks

1. Lunch and Rest Breaks

All employees working an 8-hour day shall be entitled to at least a one-half hour unpaid meal period within five hours of the beginning of their shift and scheduled as close to the midpoint of the day as possible. In addition, employees are entitled to a paid fifteen-minute rest break for each four hours of working time. Employees who are able to take a break as needed do not have to take a formally scheduled break and it is the employees' responsibility to take these breaks. Breaks shall be arranged so as not to interfere with normal business operations. All breaks should be taken away from the employee's immediate work area. Breaks cannot be combined or saved until the end of the day in order to arrive at work late or to leave work early.

2. Lactation Breaks

For one year after her child's birth, nursing employees are allowed to take reasonable breaks to express breast milk whenever the nursing employee feels it is necessary to do so. A private space for this purpose will ~~be established~~ be established at all City work locations. If you need information on the space at your work ~~location~~ location, contact a supervisor or the City Administrator.

C. Children in the Workplace

Employees are expected to report to work without being accompanied by children or family members. Employees must take time off from work subject to City of Long Beach leave policies should they need to care for children or other family members. Any deviation from this requires written approval from the city administrator.

D. Overtime

This section applies to non-exempt employees. Employees will receive compensation for approved time in paid status in excess of 40 hours in a work week. Vacation, Comp and Sick hours are considered as time in paid status. Employees receiving overtime will be paid at one and one-half the regular hourly rate of pay. All overtime must be authorized in advance by the supervisor.

E. Standby

This section applies to non-exempt employees. A department may assign an employee who may be needed to work during off-hours to be on standby. Standby assignment normally will be rotated among similarly situated employees. An employee placed on standby shall be provided with a paging device to enable the

employee to conduct his or her personal business within range of the paging device. Each employee on standby will receive compensation at the currently established rate for those hours on standby, and this allowance will be suspended when callback commences. Standby is not to be counted as hours worked for purposes of computing overtime or eligibility to receive benefits. Employees on standby will be expected to report for work within an hour of a request. If an employee on standby status fails to respond to a call to return to work, he or she may be subject to disciplinary action.

F. Callback

This section applies to non-exempt employees. Employees called back to work shall be paid a minimum of two hours at a rate of time and one-half. Hours worked on callback beyond the 2-hour minimum shall be paid at the overtime rate of pay, unless such time is part of the employee's regularly scheduled work shift. In instances where the task for which the employee is called back is accomplished by telephone or by remote access, or in instances where the employee does not physically respond to the job site, the employee shall be paid a minimum of fifteen (15) minutes at one and one half (1.5) times the regular rate of pay.

G. Compensatory Time

This section applies to non-exempt employees. Limited amounts of compensatory time may be granted. An employee who is in paid status more than 8 hours in a 24 hour day or 40 hours in a work week may earn compensatory time at one and one-half times the straight time, instead of paid overtime, when requested by the employee and approved by the employee's supervisor. Compensatory time may not accumulate beyond 120 hours.

H. Inclement Weather

1. The City is in the business of providing vital public services and therefore does not cease operations during times of inclement weather or natural disasters. The City may be the only organization providing essential services to citizens. Therefore, all employees are asked to make every reasonable effort to report to work during such times even if it is inconvenient.
2. A non-exempt employee who is unable to get to work or who leaves work early because of weather or natural disaster conditions may either charge the time missed against accrued vacation leave, compensatory time, or take leave without pay for the time missed. Tardiness due to an employee's inability to report for scheduled work because of severe weather conditions may be allowed up to one hour at the beginning of the work day or at the discretion of the City Administrator. Inclement weather or natural disaster tardiness in excess of that allowed by the City Administrator shall be charged as provided above.
3. In the event that the City Administrator advises employees not to report to work or to leave early due to inclement weather or natural disaster, such

time off will be paid time off and not charged to accrued vacation leave or compensatory time. Non-exempt employees who are available and report to work or continue to work in this situation, if requested by the City Administrator, shall either be paid time and one-half for the actual hours worked or be given compensatory time off, at another time mutually agreed upon by the employee and the supervisor.

I. Performance Evaluations

1. Each regular employee's performance will be evaluated by his or her supervisor on an annual basis. This will include a self-evaluation and be completed by January 31st each year. The City also has a formal performance evaluation system.
2. Employees who disagree with their formal performance evaluations may provide comments on the evaluation form itself and may also submit a rebuttal in writing that will be attached to a copy of their performance evaluation and kept in their official personnel file. Employees may also appeal pursuant to Section 8 Complaint Resolution Procedure.

J. Classification and Compensation Plan

The City has a strong interest in attracting and retaining excellent employees. It is the policy of the City to maintain a comprehensive classification and compensation program. Within budget limitations, the City endeavors to pay salaries competitive with those paid within comparable jurisdictions and within the applicable labor market.

The City Administrator shall be responsible for the administration of the classification and compensation plan. All changes in classifications and changes in assignment of classifications to salary ranges must be approved by the City Council.

1. Job Classification

The Job Description and Salary Range assigned to the responsibilities of a position is the 'job classification.' A job description includes a job title and statements that define the position, including essential and marginal job functions and qualifications for knowledge, ability, experience and training. The experience and training qualifications in the job description are considered to be minimum qualifications. Salary range assignments are recommended by the City Administrator, with input from the Department Supervisor. Periodically, the City may revise job classifications as needed or as part of a compensation study.

2. Classification Review

Positions sometimes evolve as a result of changed duties and responsibilities assigned by a supervisor. A classification review studies these changes to determine if a different job description and salary range assignment is appropriate. Importantly, not all changes warrant a different salary range assignment, the majority of the assigned duties must be a

different type or complexity that is compensated at a different level to warrant a different salary range assignment.

3. Steps and Increases

The compensation plan consists of six salary steps which are referred to as a salary range. Step 1 is the bottom; Step 6 is the top.

Regular employees not at the top step are eligible for advancement to the next step annually. The step increase ~~will be effective on the step increase date~~ depends on the date of hire. Employees hired June 30th or earlier will step the next January. Employees hired July 1st or later will step on the second January after the hire date. All eligible future steps will be on the following January 1st of each year.

4. Starting Rates of Pay

New employees generally will begin their employment at ~~Step 1~~ the lowest step of the salary range for the position. At the request of a Department Supervisor, the City Administrator may recommend to the Mayor that a new employee start at a higher step. The Mayor must give approval prior to offering a salary above ~~step 1~~ the lowest step. Offers will be extended by either the City Administrator or the Department Supervisor.

Circumstances that support hiring above ~~Step 1~~ the lowest step include:

- a) Additional and directly applicable education or experience above the minimum requirements;
- b) Market conditions, including the applicant's current salary, that support a higher starting salary;
- c) The proposed higher salary will not create inequities with existing internal salaries.

5. Promotion

A regular employee receiving a promotion shall be placed in the first step in the new salary range grade that provides for at least a 54% increase or the top step of the new salary range if there is not a step that allows at least a 54% increase. The employee's promotion date becomes the employee's step increase date. Promotions follow the same schedule as step increases for future steps.

If the Department Supervisor believes that circumstances warrant an exception to the 54% placement rule, and if the City Administrator concurs, they may recommend to the Mayor a higher placement. Circumstances that support a placement greater than a 54% increase are:

- a) Additional and directly applicable education or experience above the minimum requirements;
- b) Market conditions that support a higher starting salary;
- c) The proposed higher salary will not create inequities with existing internal salaries.

6. Transfer

A regular employee receiving a transfer shall remain in the same step and retain the same step increase date.

7. Demotion

Disciplinary Demotion. If the demotion is a result of a disciplinary action, the employee shall be placed in the highest step in the new salary range that provides for a decrease. The demotion date will become the employee's new step increase date.

Any Other Demotion. If the demotion is a result of any reason other than discipline and the employee's current salary is within the new salary range, the employee shall remain at the same rate of pay until the employee's next step increase date. On the step increase date, the employee shall move to the next step in the new salary range that provides for an increase. The employee shall retain the same step increase date.

If the employee's current salary is higher than the top step of the new salary range, the employee shall be placed in the top step of the new salary range.

8. Pay Schedule

The City is on a semi-monthly pay schedule that provides the equivalent of 24 paydays during a standard year (12 months divided by two).

9. Out of Class Pay

When a Department Supervisor or the City Administrator assigns a regular employee substantially higher paid responsibilities outside the scope of his or her job classification, the employee shall be paid an additional 10% for the entire period of the out of class work. The assignment and the out of class pay must be in writing and approved by the City Administrator prior to the Department Supervisor making the assignment.

10. ~~10.~~ Education Incentive

Employees with advanced degrees will be eligible for an education incentive:

Educational Incentive (appropriate must be job-related field)

Associate Degree – 2.5% above current step level

Bachelors Degree – 5.0% above current step level

K. Garnishment

The City will honor and process any legally served writ of garnishment against any employee without prejudice towards the employee.

L. Longevity

The City realizes the importance of quality staff to continue their service to the City and in recognition of the quality employees continued service to the City; the employee shall be eligible for longevity pay upon the completion of certain number of years of service. The employee will receive a one percent (1%) increase in their base pay upon the completion of ~~fifteen-ten~~ (105) years of service to the City. The

employee will receive a one and a half percent (1.5%) increase upon the completion of ~~twenty years~~fifteen years (1520), and upon the completion of twenty-five years (205) the employee will receive a two percent (2%) increase in the base pay. Upon completing ~~thirty~~twenty-five years (3025) of service to the City the employee will receive a two and a half percent (2.5%) increase to their base pay. Upon completing thirty years (30) of service to the City the employee will receive a three percent (3%) increase to their base pay.

M. Employee Training and Development

It is the intent of the City to provide training opportunities to employees for building of skills directly related to the job. These opportunities may include in-house workshops, or workshops and seminars sponsored by other agencies or institutions.

N. Reasonable Accommodation

The City of Long Beach does not discriminate against qualified individuals with a disability with regard to any aspect of employment and is committed to complying with the Americans with Disabilities Act.

The City recognizes some individuals with disabilities may require reasonable accommodations. If an employee is disabled or becomes disabled (meaning he or she has a mental or physical impairment substantially limiting one or more of the major life activities) and requires a reasonable accommodation, the employee must contact the City Administrator to begin the interactive process. Accommodation requests may be made orally or in writing to the City Administrator. Requests may be made by the employee, the employee's supervisor or someone on behalf of the employee.

A reasonable accommodation is assistance or changes to a position or working conditions that will enable an employee with a disability to perform the essential functions of their job. The City will provide reasonable accommodation to employees with medically certified disabilities, unless doing so would pose an undue hardship.

The City Administrator will meet with the employee to review the accommodation process, answer questions and provide the necessary forms which include a Medical Certification form to be completed by the employee's physician.

If the Medical Certification does not confirm that the employee has a disability, The City Administrator will seek clarification from the medical provider and the employee before rejecting the request. If the Medical Certification confirms that the employee has a disability, the employee, supervisor and City Administrator will meet and begin an interactive process. The interactive process will include discussing the disability, limitations, and possible reasonable accommodations that may enable the employee to perform the functions of his or her position, make the workplace readily accessible to and usable by the employee, or otherwise allow the employee to enjoy equal benefits and privileges of employment.

Following the interactive process, a decision will be made and the employee will be notified if the accommodation is approved or denied.

VI. BENEFITS

All benefits apply to regular and limited term employees and selected benefits apply to extra help employees and paid interns. These benefits contribute to total compensation. Complete descriptions of these benefits are available from City Hall.

A. Group Insurance

Applies to: Regular and limited term employees.

Employees and their dependents are generally eligible for medical, dental, vision, long term disability, life insurance, and the employee assistance program as defined by the City and as authorized by the carrier. The City makes contributions to the cost of these benefits as authorized by the City Council by resolution. Regular and limited term regular part-time employees and their dependents, if eligible, receive City contributions for such insurance for the employee only.

The City reserves the right to make changes in the carriers and provisions of these programs when deemed necessary or advisable and will make reasonable attempts to give prior notice to employees of any changes.

B. 457 Plan

Applies to: Regular and limited term employees.

The City provides a 457 Deferred Compensation program for eligible employees. Employees must defer funds into this plan which have been allocated for benefits by the City but are not used by the employee. In addition, an employee may make personal contributions to this plan through payroll deduction, up to the limits set by law.

C. Retirement

Applies to: All employees determined to be eligible by state law.

The City contributes to the Washington State Public Employees Retirement System (PERS) as prescribed by law. State law determines employee eligibility. For more information, contact the City Administrator or the Washington State Department of Retirement Systems.

D. Vacation

Applies to: Regular and limited term employees.

Employees accrue paid time off for vacation. Regular and limited term part-time employees receive prorated vacation accrual based on the ratio of their normally scheduled work week to a forty-hour week.

1. Accrual Table

Vacation shall be accrued monthly as follows:

Months of Employment Completed	Days of Vacation per Year	Hours Accrued per Month
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0 – 12	11	7.33
13 - 36	12	8.00
37 - 60	13.5	9.00
61 -120	16.5	11.00
121 – 144	18	12.00
145 – 180	20	13.33
181 - 240	21.5	14.33
241 +	23	15.33

2. Carryover Maximum

Carryover Maximum The maximum number of vacation hours that may be carried over from December 31 of one year to January 1 of the next year is 160 hours. To be eligible for cash out any hours, employees must take a minimum of 120 hours during the calendar year. Employees can cash out up to 40 hours during the calendar year, at the December 5th payroll.
~~The maximum number of vacation hours that may be carried over from December 31 of one year to January 1 of the next year is 160 hours.~~

3. Carryover Exceptions

Employees with a vacation balance in excess of the carryover maximum should reduce the balance to the maximum. If an employee perceives they cannot use vacation because City operations have prevented it, the employee should discuss the matter with their supervisor well ahead of requesting a carryover exception. If the employee and supervisor are unable to plan for the employee to take the time off, they may request a carryover exception. The Department Supervisor with the approval of the City Administrator may allow a carryover exception of unused accrual in excess of the carryover maximum. An employee will not be granted an exception two years in a row.

~~4. Carryover Maximum The maximum number of vacation hours that may be carried over from December 31 of one year to January 1 of the next year is 160 hours. To be eligible for cash out any hours, employees must take a minimum of 120 hours during the calendar year. Employees can cash out up to 40 hours during the calendar year, at the December 5th payroll.~~

54. Forfeiture

Unused vacation leave in excess of the carryover maximum and after taking the required 120 hours and up to 40 hours of cashed out vacation shall be forfeited at the end of the calendar year unless a carryover exception has been granted.

65. Requesting Vacation

In requesting vacation, employees should consider the City's needs to conduct the public business and to have time to plan for vacation coverage. Supervisors should respect employees' needs to take vacation. An employee's reasonable request for vacation should be approved unless the granting of the vacation would

negatively compromise the business needs of the City. In case of a conflict in scheduling vacation leave, normally the earliest request shall be given the preferred vacation choice.

An exempt employee shall not have deductions taken for vacation absences of less than a full day.

Vacation for a new employee shall accrue but shall not be used until after six months unless special authorization has been granted by the City Administrator. The City Administrator is authorized to negotiate higher accrual levels and/or starting balances of vacation with individual staff members.

76. Separation from Service

In the event of separation from service for any reason other than at retirement the employee shall be paid for any accrued vacation earned and not taken. In the case of separation for any reason when the employee is eligible for retirement as defined by the rules and regulations of the Washington State Public Employees Retirement System the maximum cash out shall be 160 hours. This will be honored upon separation once the City has received all City equipment and keys from the departing employee.

E. Holidays

1. Observed Holidays

Applies to: Regular employees.

Employees receive paid time off for holidays. Regular employees receive prorated holiday benefits based on the ratio of their normally scheduled work week to a forty-hour week.

Floating Holiday	Chosen by Employee
New Year's Day	January 1
Martin Luther King's Birthday	3 rd Monday in January
President's Day	3 rd Monday in February
Memorial Day	Last Monday in May
<u>Juneteenth</u>	<u>June 19</u>
Independence Day	July 4
Labor Day	1 st Monday in September
Veteran's Day	November 11
Thanksgiving	4 th Thursday in November
Employees' Day	Day after Thanksgiving
Christmas	December 25

If a designated holiday falls on a Saturday, the preceding Friday shall be observed and if the holiday falls on a Sunday, the following Monday shall be observed. If a designated holiday falls on any other regularly scheduled day off, it shall be observed on the work day immediately preceding or following the holiday as determined by the City Administrator.

Nonexempt regular employees working on a holiday (either the actual holiday or the City recognized holiday) shall be paid at time and a half for all hours worked. In the case that an employee works both the actual holiday and the corresponding City recognized holiday, the employee shall only receive the holiday pay for one of the days. The pay shall be for the hours worked on actual holiday.

F. Sick Leave

Applies to: All employees

Employees accrue paid time off for sick leave at the rate of eight hours for each month worked. Regular and limited term part-time employees receive prorated sick leave accrual based on the ratio of their normally scheduled work week to a forty-hour week. The City Administrator is authorized to negotiate starting balances of sick leave with individual staff members. Seasonal part time employees earn one hour of sick leave for every 40 hours worked. This leave may be used beginning on the 90th calendar day of employment.

1. Purpose

The purpose of sick leave is to provide an 'insurance policy' of a bank of paid leave to be used in the event that an employee or immediate family member experiences an illness or disability that requires an employee to be absent from work. Employees who are ill or disabled are expected to use sick leave to recover and to not report to work when they could expose co-workers to illness. Employees shall use leave to account for any sick leave related absence whether full or partial day unless they have otherwise made up the time in the same work week.

2. Use of Sick Leave

a) Employee

Sick leave may be used when an employee is ill, injured, disabled (including a disability due to pregnancy or childbirth) or has been exposed to a contagious disease where there is a risk to the health of others, or for medical or dental examinations or treatment when such appointments cannot be scheduled outside of working hours, or when the use of a prescription drug impairs job performance or safety.

b) Immediate Family Members

Sick leave may be used to care for a member of the immediate family who is ill, injured or disabled. Sick leave may also be used for qualifying Family Leave provided for in the Family Leave section.

c) Closures

Sick leave may be used if the Employee's place of business or child's school is closed by public official for health reasons.

d) Victims of Domestic Violence Leave

Applies to: All employees

Employees who are victims of domestic violence, sexual assault, or stalking may take Sick leave from work to take care of legal or law enforcement needs

or to get medical treatment, social services assistance, or mental health counseling. Employees who are qualifying family members of a domestic violence victim are also eligible for leave under this policy.

While Sick leave is available employees may elect to use vacation or other accrued paid time off while on leave.

Employees must give as much advance notice of the need for leave under this policy as is possible. Leave requests must be supported with one or more of the following:

- A police report indicating the employee or employee's family member was a victim.
- A court order providing protection to the victim.
- Documentation from a healthcare provider, advocate, clergy, or attorney. □
An employee's written statement that the employee or employee's family member is a victim and needs assistance.

For purposes of this section only, family member means child, spouse, parent, parent-in-law, grandparent or person the employee is dating. The City may request verification of family relationship.

e) Doctor's Note

After three consecutive ~~work-days~~**workdays** of sick leave an employee may be asked to provide a doctor's note or other evidence of inability to work at the discretion of the supervisor or Department Supervisor.

f) Notification

Each employee, or someone on their behalf, should inform their supervisor if unable to come to work. This notification should be done each day prior to the scheduled starting time unless it is not practicable to do so. Employees on long term leave need not notify their supervisor daily.

3. Conversion of Vacation to Sick Leave

If an employee on approved vacation is hospitalized or experiences a similar extraordinary sick leave event, the employee may make a written request to the City Administrator to convert the sick leave connected time from vacation leave to sick leave. The City Administrator shall consider the facts involved and shall approve or deny the request.

3b. Conversion of Sick Leave to Vacation Leave

Sick Leave Conversion Employees shall have the option to increase their monthly accrual of vacation accrual in exchange for reducing their monthly sick leave accrual as follows (This must be approved by the City Administrator):

- a) Employees who have accumulated 480 hours of sick leave may elect through appropriate notification to payroll to participate in a leave conversion program that provides for an automatic conversion of additionally earned sick leave to vacation leave at the rate of 0.65 hours per month;

b) Employees who have accumulated 720 hours of sick leave may elect through appropriate notification to payroll to participate in a leave conversion program that provides for an automatic conversion of additionally earned sick leave to vacation leave at the rate of 1.33 hours per month;

c) Employees who have accumulated 960 hours of sick leave may elect through appropriate notification to payroll to participate in a leave conversion program that provides for an automatic conversion of additionally earned sick leave to vacation leave at the rate of 2.67 hours per month.

4. Maximum Balance

There ~~is no~~ maximum balance on sick leave is 960 hours.

5. Separation from Service

Upon separation, ~~if an employee is eligible for retirement as defined by the rules and regulations of the Washington State Public Employees Retirement System, any employee that retires under PERS with 10 years of service with city employment in good standing shall be compensated cash value at 25% of any remaining balance of accrued unused sick leave.~~

6. On-the-job Injury

An employee who has an on-the-job injury and receives time loss payments from the Washington Department of Labor and Industries (L & I) may not use sick leave for the same hours for which the employee receives the time loss payment. An employee may use sick leave to supplement the time loss payment for the purpose of continuing to receive his or her normal salary. If sick leave is exhausted, the City will use other available leave to supplement the time loss, unless the employee otherwise notifies Payroll in writing. If an employee is awarded time loss payments for a period that the employee has already used sick leave or other available leave, the employee shall submit the L & I check to Finance and 'buy back' the equivalent amount of leave used. While on time loss, the employee's salary may not exceed the employee's normal salary when not on time loss.

G. Donated Leave

Applies to: Regular and limited term employees.

A Department Supervisor may recommend that the City Administrator allow a regular employee to receive donated sick leave from another regular employee. The City Administrator may approve the donated leave if he or she finds that the employee meets all of the following criteria.

1. Criteria

- a) The employee needs leave that qualifies for sick leave, which is of an extraordinary or severe nature and that has caused, or is likely to cause, the employee to either go on leave without pay or to terminate employment; and
- b) The employee has depleted all of his or her available leave time; and
- c) The employee has abided by all applicable policies regarding sick leave use; and

- d) The employee has been found ineligible for benefits under Worker's Compensation as governed by state law.

2. Donation

An employee may donate up to 25 hours annually of their sick leave balance. An employee is not eligible to donate sick leave hours unless a balance of 80 hours will be maintained. An employee may also choose to donate accrued vacation leave. The donating employee in either case shall submit a written request to the City Administrator.

3. Value of Leave

Donated hours will be used on an hour for hour basis with no consideration given to the dollar value of the leave donated.

4. Treatment of Leave Remaining

If more leave is donated than is used, the hours of leave that remain shall be returned to the employee(s) donating the leave on a pro rata basis.

H. Family Leave under FMLA

Applies to: All employees meeting FMLA eligibility criteria.

The City complies with the Federal Family and Medical Leave Act and all applicable state laws related to family and medical leave. This policy provides detailed information concerning the terms of FMLA. State laws may have additional requirements and provide additional protections; please check with the City Administrator for details.

1. Length of Family Leave and Eligibility

Eligible employees may take up to 12 weeks of unpaid, family leave every 12 months for certain family and medical reasons, or up to 26 weeks of unpaid, family leave every 12 months for military family care leave. To be eligible, an employee must have worked for the City for at least 12 months and for at least 1,250 hours over the previous 12 months.

2. Reasons for Taking Leave

Family leave is provided for any of the following reasons:

- To care for an employee's child after birth or placement for adoption or foster care. Leave to care for a child after birth or placement for adoption or foster care must be concluded within 12 months of the birth or placement.
- To care for an employee's spouse, child or parent who has a serious health condition.
- To care for a spouse, son, daughter, parent or next of kin who has a serious health condition as a result of military service 'military family care'.
- For qualifying exigencies (as defined by the FMLA) when a spouse, parent, son or daughter serving in the military is on, called to, or notified of impending call to covered active duty.
- If a serious health condition makes an employee unable to perform the functions of his or her job.

3. Definitions

For the purposes of Family Leave, the following definitions apply:

- **Child:** A biological, adopted or foster child, a stepchild, a legal ward or a child of a person standing in loco parentis (in place of the parent) if the child is younger than 18; or A biological, adopted or foster child, a stepchild, a legal ward or a child of a person standing in loco parentis if the child is 18 or older and incapable of self-care because of a mental or physical disability.
- **Military Family Care:** Caring for a spouse, parent, son, daughter or next of kin with a serious injury or illness as a result of military service.
- **Parent:** A biological parent of an employee or an individual who stood in loco parentis to that employee when the employee was a child.
- **Serious Health Condition:** An injury, illness, impairment or physical or mental condition that involves:
 - a. hospital care: any period of incapacity or subsequent treatment connected with or consequent to inpatient care (an overnight stay) in a hospital, hospice or residential medical care facility; or
 - b. absences plus treatment: any period of incapacity of more than three consecutive calendar days including any subsequent treatment or period of incapacity relating to the same condition that also involves 1) treatment 2 or more times by a health care provider within 30 days, by a nurse or physician's assistant under direct supervision of a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider; or 2) treatment by a health care provider on at least 1 occasion which results in a regimen of continuing treatment under the supervision of a health care provider;
 - c. pregnancy: any period of incapacity due to pregnancy or for prenatal care; or
 - d. chronic conditions requiring treatments: a chronic condition which 1) requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under the direct supervision of a health care provider; 2) continues over an extended period of time; and 3) may cause episodic rather than a continuing period of incapacity;
 - e. permanent/long term conditions requiring supervision: a period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider;
 - f. multiple treatment (non-chronic conditions): any period of absence to receive multiple treatments (including any period of recovery there

from) by a health care provider or by a provider of health care services under orders of or on referral by, a health care provider, whether for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment.

g. incapacity: inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefore or recovery there from.

- **Qualifying Exigency**: An urgent need that arises out of the fact that a covered military member is on, called to, or notified of impending call to covered active duty status. The most common qualifying exigencies include attending military functions, making financial and legal arrangements, and arranging for child care. The Department of Labor maintains a complete list of qualifying exigencies.

4. Intermittent Leave

Under some circumstances, family leave may be taken in separate blocks of time or by reducing a normal weekly or daily work schedule. Family leave may be taken intermittently if medically necessary because of a serious health condition (the employee's, or that of a spouse, child or parent). If family leave is for birth or placement for adoption or foster care, use of intermittent leave is subject to Department Supervisor approval.

5. Paid Leave before Unpaid Leave

When an employee has paid leave or comp time available that paid leave must be exhausted before unpaid leave is allowed as family leave.

6. Advance Notice

An employee shall provide advance notice of the need for family leave along with the requested dates for the leave. Taking leave, or reinstatement after leave, may be denied if these requirements are not met.

Notice must be provided at least 30 days in advance of the leave if the reason for the leave is birth, placement for adoption or foster care. If 30 days notice is not possible due to the employee taking physical custody of the child at an unanticipated time, notice must be given as soon as possible and at least within 5 working days of the placement. The employee shall adhere to the dates of leave requested unless the birth is premature, the mother is incapacitated by the birth and is unable to care for the child, the employee takes physical custody at an unanticipated time or the employee and Department Supervisor agree to alter the dates. If there is a premature birth, incapacity or unanticipated placement, the employee must give notice of revised dates as soon as possible and at least within 5 working days.

Notice must be provided at least 14 days in advance of the leave if the reason for the leave is a serious health condition and the leave is foreseeable. The

employee should make reasonable efforts to schedule the leave to not unduly disrupt the City's operations. If the leave is not foreseeable, the employee or the employee's representative shall provide notice within 1 or 2 working days, except in extraordinary circumstances.

7. Medical Certification

The City requires the provision of a medical certification to support a request for leave because of a qualifying event whenever the leave is expected to extend beyond three consecutive working days or will involve intermittent or part-time leave. The City may require second or third opinions, at its option and expense.

The City may require all employees on family leave due to the employee's serious health condition or due to the birth of a child to provide a medical certification of fitness for duty prior to return to work after a medical leave, dependent on the circumstance as it relates to the employees' duties.

8. Periodic Reporting

If an employee takes leave for more than two weeks, the City may require the employee to periodically report on his or her status and intent to return to work.

9. Health Insurance

During an FMLA of absence, while an employee is in an unpaid status and unable to pay their portion of contributions for health insurance, the City will pay the City's portion and the employee's portion of the cost as governed by FMLA regulations. Therefore, employees covered by the City's group health plan (medical, dental or vision) will continue to receive health insurance during family leave on the same basis as during regular employment. An employee will be required to pay back the employee portion of cost paid by the City through a repayment plan regardless of whether the employee returns to work or does not. Employees that do not return to work after the leave will be required to pay back both the employee and the City portion of the insurance premiums unless failure to return to work was beyond the employee's control as governed by FMLA regulations.

10. Other Insurance

For employees covered by other insurance plans through the City, those coverages will continue during paid leave on the same basis as during regular employment. For any period of unpaid leave, the employee wishing the insurance to continue must pay for the coverage on a monthly basis prior to the month of coverage. Check with the City Administrator for current information and costs for coverages.

11. Couples Employed by the City

If employees married to each other request leave for the birth, adoption or foster care placement of a child, the total family leave available to the couple is 12 weeks. The City may grant leave to only one parent at time. If the leave requested is due to a serious health condition (the employee's or that of the child, spouse or parent), each employee is independently entitled to 12 weeks.

12. Determining Leave Availability

Family leave is available for up to 12 weeks during a 12-month period. For purposes of calculating leave availability, the 12-month period is a rolling 12 months measured from the first date any family leave is used. The employee is required to notify the City if any leave qualifies as family leave. All leave qualifying for family leave shall be designated and tracked as family leave upon the request of the employee.

13. Special Rule for Leave Related to Pregnancy

Leave taken for the disability phase of pregnancy or childbirth when physically unable to work, is counted against the 12-week FMLA family leave allowance. In some cases, state law may entitle the disabled employee to leave beyond the standard 12-week period. The City Administrator can provide information concerning the state law and its applicability.

14. Return Rights after Family Leave

When an employee returns to work after family leave:

- the City shall place the employee in the same position the employee held when the leave began or in another City position with equivalent benefits and pay;
- the return is subject to bona fide changes in compensation or work duties; □ the employee does not have return rights if:
 - a. the City eliminates the employee's position by a bona fide restructuring or reduction-in-force; or
 - b. the employee takes another job; or
 - c. the employee fails to provide the required timely notice of family leave or fails to return on the established ending date of the leave.

I. Spousal Military Deployment Leave under Washington State Law

Applies to: All employees

An employee who works an average of twenty or more hours a week and who is a spouse of a military service member may take up to fifteen days of unpaid leave while the military service members is on leave from deployment, or before and up to deployment, during times of military conflict declared by the President or Congress. An employee must provide the City Administrator with notice of their intent to take leave within five business days of receiving official notice of leave from deployment or of an impending call to duty. Leave will run concurrently with FMLA leaves for deployment of a family member.

J. Medical Leave of Absence (non FMLA)

Applies to: Regular and limited term employees.

In addition to or in lieu of family leave, an unpaid leave of absence of up to six months may be granted in the case of an employee's disability when approved by the City Administrator and when the leave will not adversely impact City operations. The request must be supported by a physician's certificate of necessity and reasonable expectation of a timely return to duty. Prior to

application for a non FMLA medical leave of absence, an employee's accrued sick leave, vacation leave, compensatory time, management leave and personal days must be exhausted.

K. Paid Family Leave Act (PFML)

Purpose of Policy: The Washington State Paid Family and Medical Leave (PFML) law (Chapter 50A RCW) and supporting regulations establish a program administered by the Washington Employment Security Department (ESD) to provide paid leave benefits and job protection to eligible employees who need leave for certain family and medical reasons. PFML benefits will be available starting on January 1, 2020. This policy provides a summary of the PFML program. Employees may obtain additional information at www.paidleave.wa.gov. To the extent an issue is not addressed in this policy, the City of Long Beach will administer this benefit program consistent with applicable statutes and regulations.

- Payroll Deductions: The PFML program is funded through premiums collected by ESD via payroll deductions and City contributions. The premium rate is established by law; employees are currently responsible for two-thirds of the total premium amount. Should the State in the future modify the PFML premium rate or the percentage of premiums subject to collection through payroll deduction, the City will modify payroll practices to reflect those statutory changes.
- Eligibility: Under PFML, employees may be eligible for monetary benefits and job protection when taking leave for covered reasons. Eligibility requirements are as follows: Monetary Benefits: In order to be eligible for monetary benefits from ESD, an employee must have worked 820 hours in Washington (for any employer or combination of employers) during the year preceding the claim.
- Job Protection: In order to be eligible for job protection under PFML, an employee must meet FMLA eligibility requirements (must have worked for the City for at least 12 months and have worked 820 hours in the last year). An employee is ineligible for PFML benefits during any period of suspension from employment or during which the employee works for remuneration or profit (e.g., outside employment or contracting).
- Leave Entitlement: Eligible employees are entitled to take up to 12 weeks of medical or family leave, or a combined total of 16 weeks of family and medical leave per claim year; an additional two weeks of leave may be available in the event the employee's leave involves incapacity due to her pregnancy. The claim year begins when the employee files a claim for PFML benefits or upon the birth/placement of the employee's child.
PMFL leave may be taken for the following reasons:
- Medical Leave: Medical leave may be taken due to the employee's own serious health condition, which is an illness, injury, impairment or physical or mental condition that involves inpatient care or continuing treatment by a health care provider, as those terms are defined under the FMLA and RCW 50A.05.010. However, an employee is not eligible for PFML benefits if the employee is receiving time loss benefits under the workers compensation system.

- Family Leave: Family leave may be taken to care for a covered family member with a serious health condition; for bonding during the first 12 months following the birth of the employee's child or placement of a child under age 18 with the employee (through adoption or foster care); or for qualifying military exigencies as defined under the FMLA. For purposes of family leave, covered family members include the employee's child, grandchild, parent (including in-laws), grandparent (including in-laws), sibling, or spouse.
- —
- -PFML runs concurrently with FMLA where an absence is covered by both laws. PFML leave may be taken intermittently, provided that there is a minimum claim requirement of eight (8) consecutive hours of leave in a week for which benefits are sought.
- 4. PFML Application Process: An employee must apply to ESD in order to seek PFML benefits. For guidance on the application process, please refer to the ESD website (www.paidleave.wa.gov). Eligibility determinations will be made by ESD. If approved, the employee will need to file weekly benefit claims with ESD to continue receiving benefits. Notification Requirements. An employee must provide written notice to their supervisor and the City Administrator of the intent to take PFML leave. If the need for leave is foreseeable, notice must be given at least 30 days in advance of the leave. For unforeseeable leave, notice must be given as soon as practicable. The employee's written notice must include the type of leave taken (family or medical), as well as the anticipated timing and duration of the leave. If an employee fails to provide this required notice to their supervisor and the City Administrator, ESD will temporarily deny PFML benefits. After receiving the employee's notice of the need for leave, the City Administrator will advise the employee whether the employee is eligible for job protection under PFML or FMLA or both. If leave is being taken for the employee's or family member's planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt City operations. If taking leave intermittently, an employee must notify the City Administrator each time PFML leave is taken so that the City may properly track leave use.

- 5. PFML Monetary Benefits: If ESD approves a claim for PFML benefits, partial wage replacement benefit payments will be made by ESD directly to the employee. The amount of the benefit is based on a statutory formula, which generally results in a benefit in the range of 75-90 percent of an employee's average weekly wage, subject to a maximum of \$1,327 per week. ESD's website is expected to include a benefits calculator to assist employees in estimating their weekly benefit amount. With the exception of leave taken in connection with the birth or placement of a child, monetary PFML benefits are subject to a seven (7) day waiting period. The waiting period begins on the Sunday of the week in which PFML leave is first taken. The waiting period is counted for purposes of the overall duration of PFML leave, but no monetary benefits will be paid by ESD for that week. Employees may use available accrued leave to cover absences during the waiting period. Paid leave accruals (vacation, sick leave, floating holidays, compensatory time, or any other accrued leave) are not supplemental to PFML. An employee may elect to use the appropriate accrued leave during a PFML-covered absence, although the receipt of accrued leave must be reported to ESD as part of the PFML claims process and will result in a pro-rated weekly PFML benefit. Important note: failure to report the receipt of accrued leave may result in an overpayment by ESD, which ESD may recoup from the employee.
- -6-Coordination with Other Benefit Programs: When an employee is on leave and only receiving PFML benefits, the employee is deemed to be in unpaid status for purposes of City policies and benefit programs. Insurance coverage and other benefits will be handled in the same manner as other unpaid leaves of absence, pursuant to City policy and subject to any FMLA or other legal requirements requiring continuation of coverage.
- 7-Job Restoration; Return to Work Recertification: An employee who is eligible for job- protected leave will be restored to the same or equivalent position at the conclusion of PFML leave, unless unusual circumstances have arisen (e.g., the employee's position or shift was eliminated for reasons unrelated to the leave). The City may require a return-to-work certification from a health care provider before restoring the employee to work following PFML leave where the employee has taken leave for the employee's own serious health condition and/or the employee is employed in a safety-sensitive position. Under certain conditions, the City may deny job restoration to a salaried employee who is among the highest paid ten percent of City employees. If an employee taking PFML leave chooses not to return to work for any reason, the employee should notify the City as soon as possible.

LK. Leave of Absence Without Pay

Applies to: Regular and limited term employees

Leave without pay is a temporary nonpaid status and absence from duty that occurs when an employee doesn't have enough, or does not qualify to use, paid

time off for the absence. All paid leave banks must be exhausted prior to authorizing unpaid leave except when the reason for the leave does not qualify for paid sick leave or the leave is otherwise covered by Leave for Active Duty Military Service.

Leave without pay for an illness not covered by FMLA requires the Department Supervisor approval. If such an absence exceeds three consecutive work days, the absence requires notification and approval by the City Administrator.

The City Administrator may approve leave without pay for other personal reasons not covered by family leave, such as parenting or caring for an ill relative; other reasons in the best interest of the City and not solely for the employee's personal gain or profit. To request a leave of absence without pay for personal reasons, the employee shall submit a written request to the Department Supervisor that states the reason for and the proposed length of the leave. If the Department Supervisor approves of the leave, the Supervisor will forward the request to the City Administrator. If the leave is approved, the employee and City Administrator will enter into an agreement detailing the terms and conditions of the leave and a copy will be filed with payroll.

ML. Continuation of Benefits

Applies to: Regular and limited term employees.

Employees on any paid leave shall continue to receive all benefits including the accrual of vacation, sick leave, holiday pay, pension, and all insurance benefits.

Employees in unpaid status shall not be entitled to and shall not accrue any of the benefits of the City, except as provided under family leave, FMLA.

NM. Bereavement Leave

Applies to: Regular and limited term employees

Employees may be granted up to three days of paid leave per event to make arrangements for or to attend the funeral of, or memorial service for, a member of their immediate family. If more than three days leave is necessary, earned vacation, sick leave or compensatory time may also be used.

If while on approved vacation an employee has a death in his or her immediate family requiring the employee to engage in activities typically covered by bereavement leave, the employee may make a written request to the City Administrator to convert the bereavement leave connected time from vacation leave to bereavement leave. The City Administrator shall consider the facts involved and shall approve or deny the request.

Regular and limited term part time employees will receive bereavement leave prorated based on the ratio of their normally scheduled work week to a forty-hour week.

ON. Court and Jury Duty Leave

Applies to: Regular and limited term employees

Employees called to jury duty are strongly encouraged to fulfill their legal and civic responsibility. A regular or limited term employee will be granted leave at their regular rate of pay. Days during the period of summons when reporting to the court is not required are not covered by this leave.

During the regular work shift, an employee must report to work when not required to be in court. If the court pays the employee for the jury service, that payment must be turned in to the City. An employee is permitted to retain any mileage reimbursement received from the court.

An employee must inform their supervisor as soon as a summons is received, and on a daily basis as to court schedule.

Employees who have been subpoenaed for a ~~job-related~~job-related matter shall be compensated as for any other working time.

PQ. Military Leave

1. Military Training

Applies to: Regular and limited term employees

In Accordance with RCW 38.40.060, aAn employee may take up to ~~twenty~~onetwenty-one work days per year for active duty training if he/she is a member of the Washington National Guard, the Army, Navy, Air Force, Coast Guard or Marine Corps Reserves of the United States. This leave is in addition to regular vacation leave. For purposes of this section, "year" shall mean from October 1 to September 30.

An employee will continue to receive his or her normal pay during such active duty training, provided a written copy of the orders is submitted to the supervisor prior to leave and a written copy of the release is submitted upon return. If the active duty exceeds fifteen working days, the employee will be required to take the excess time first as compensatory time, vacation, and then leave without pay.

2. Active Duty Military Service

Applies to: Regular employees

Employees who are called to, or volunteer for active duty military service will be placed on an indefinite unpaid leave of absence for the entire time the employee is in an active duty status with any branch of the United States Armed Forces or state militia. The employee may, at his or her option, use any or all accrued vacation leave or comp time prior to moving to the unpaid status. Any unused leave accruals remaining at the time the unpaid leave begins will be held until return to active employment with the City. Vacation and sick leave will not accrue during the time of the unpaid leave. The employee may choose to continue dependent medical coverage under the City's health plans to the extent allowed under the underwriting rules of those plans. While the employee is in an unpaid status and unable to pay their portion of contributions for dependent health insurance, the City will pay the City's portion and the employee's portion of the cost. An employee will be required to pay back the employee portion of cost paid by the City through a repayment plan upon their return from active duty leave of

absence. An employee choosing to do so needs to contact the City Administrator to arrange the coverage and the payment plan prior to leaving for active duty.

Reinstatement following active duty will ~~be in compliance with~~follow state and federal laws at the time of the return to work.

VII. STANDARDS OF EMPLOYEE CONDUCT

The City expects all employees to strive for excellence, to exhibit the City Values in their work, to accomplish organizational and individual performance goals and to provide superior customer service.

A. Personal Appearance and Demeanor

Employees are expected to dress in attire appropriate to their job tasks and to behave in a professional, businesslike manner at all times.

Employees failing to adhere to City standards with respect to appearance and demeanor are subject to disciplinary action, up to and including termination.

B. Absenteeism and Tardiness

Employees are expected to report for work promptly and maintain good attendance. The supervisor must be advised of absence or late arrival prior to the beginning of the shift. Absenteeism or tardiness that is unexcused may be grounds for disciplinary action, up to and including termination. Employees may notify their supervisor by way of text or phone message if they are going to be absent or late for their shift.

C. Solicitations and Distribution of Literature

In the interest of maintaining a proper business environment and preventing interference with work and inconvenience to others, employees may not distribute literature or post materials, sell merchandise, solicit financial contributions or otherwise solicit for any cause during working hours. Employees who are not on working time (for example on lunchtime or break) may not solicit employees who are on working time. An employee (including any employee with management responsibility) shall not directly solicit any employee he or she supervises or otherwise exercises some element of control over. All employees shall recognize that any employee has the right to say "no" to any solicitation. E-mail shall not be used to solicit employees for any purpose.

Employees may utilize such things as an employee newsletter or the employee lunch room bulletin board if approved by the City Administrator's Office for personal messages of this nature. Violation of this policy may be grounds for disciplinary action, up to and including termination.

Non-employees are prohibited from distributing material or soliciting employees on City premises at any time.

D. Drug-Free Workplace

1. It is the policy of the City to maintain a drug-free workplace. Actions in violation of this policy are inconsistent with the behavior expected of employees, subject all employees and visitors to our facilities to unacceptable safety risks and undermine the City's ability to operate effectively and efficiently.
2. The unlawful manufacture, distribution, dispensation, possession, sale, or use of a controlled substance, alcohol or other intoxicant in the workplace or while engaged in City business on or off the premises or in a City vehicle is strictly prohibited. Such conduct is also prohibited to the extent that in the opinion of the City, it impairs an employee's ability to perform on the job or threatens the reputation or integrity of the City. Therefore:
 - a) When employees are on the job, they are expected to be physically free from any impairment or substance that could contribute to an injury, property damage, or interfere with productivity. An employee shall not consume any alcohol during lunch or any other break occurring prior to the end of that employee's work day. Workday in this context includes any evening meeting or other similar activity on behalf of the City. Employees are to be free of illegal drugs or potentially impairing levels of legal substances. In short, all City employees are expected to be "fit for work".
 - b) Use or possession of prescription or non-prescription medication is not prohibited when taken in accord with prescription or standard dosage recommendations. However, employees shall notify their supervisors when they are taking over-the-counter or prescription drugs that could prevent the employee from performing his or her job safely and effectively. The employee and supervisor shall work together to determine the employee's fitness for duty or to establish a light duty assignment if available and appropriate. If no agreement is reached, the fitness for duty determination shall be made by the Department Supervisor.
 - c) An employee convicted of a controlled substance-related violation must inform the City within five days of such conviction.
 - d) Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination. The City may require employees who violate this policy to successfully complete a drug abuse rehabilitation program as a condition of continued employment.
 - e) Employees may be required to submit to alcohol, drug or controlled substance testing when: an employee's work performance causes reasonable suspicion that the employee is impaired due to current intoxication, drug or controlled substance use; testing is required prior to appointment to a position; as a result of a job related accident when reasonable cause exists or if required by the

Department of Transportation; or in cases where employment has been conditioned, in a return to work agreement, upon remaining alcohol, drug or controlled substance free following treatment. Refusal to submit to testing when requested may result in immediate disciplinary action up to and including termination. Testing information shall be confidential unless used in an employer action with regard to the employee.

- f) Employees who voluntarily enter treatment programs for drug or alcohol addiction shall not be subject to discrimination or retaliation. Such occurrences will be regarded as medical conditions with regard to City provided benefits and rights. However, the City may condition continued employment on the employee's successful completion of treatment or counseling programs and future avoidance of alcohol, drugs or other controlled substances. The City has an employee assistance referral center to assist employees in dealing with personal problems. Details are available from the City Administrator.

- 3. In addition to previous sections. candidates applying for positions which require a valid Commercial Driver's License (CDL) will be subject to passing a pre-employment drug screening. All City employees in positions requiring a CDL must comply with the City's Drug and Alcohol Policy and Procedures Manual.

E. Safety

The City is committed to providing a safe and healthful working environment. The City makes every effort to comply with applicable federal and state occupational health and safety laws and to develop the best feasible operations, procedures, technologies and programs conducive to such an environment. Safety policy is contained in the Accident Prevention and Safety Manual.

F. Weapons

No employee is authorized to carry a weapon, concealed or not, on City premises, in City vehicles, or while representing the City. An employee carrying a weapon in violation of this policy is subject to disciplinary action, up to and including termination.

G. Workplace Violence

It is the policy of the City to have zero tolerance of any acts or threats of violence by any employee in or about City facilities or elsewhere at any time. The City will not condone any acts or threats of violence against employees, customers or visitors in or about City premises at any time or while they are engaged in business with or on behalf of the City off City premises.

To ensure City objectives are attained, the City is committed to the following:

- 1. To provide a safe and healthful work environment, in accordance with the City safety policy.

2. To take prompt remedial action up to and including immediate termination against any employee who engages in any threatening behavior or acts of violence or who uses any obscene, abusive or threatening language or gestures.
3. To take appropriate action when dealing with customers or other visitors to City facilities who engage in such behavior. Such action may include notifying the police or other law enforcement personnel and prosecuting violators of this policy to the maximum extent of the law.
4. To prohibit employees from bringing unauthorized firearms or other weapons onto City premises.

In furtherance of this policy, employees have a duty to warn their supervisor, Administrators of any suspicious workplace activity or situations or incidents that they observe or that they are aware of that involve themselves or other employees, customers or visitors and that appear problematic. This includes, for example, threats or acts of violence, aggressive behavior, offensive acts, threatening or offensive comments or remarks and the like. Employee reports made pursuant to this policy will be held in confidence to the maximum possible extent. The City will not condone any form of retaliation against any employee for making a report under this policy.

Violation of this policy may be grounds for disciplinary action, up to and including termination.

H. Tobacco and Vaping Free Workplace

In order to maintain a safe and comfortable working environment and to ensure compliance with applicable laws, use of all tobacco products, including smoking and smokeless tobacco, and vapor products is prohibited in City owned vehicles. Smoking and vaping is prohibited within 25 feet of all building entrances, windows that open and ventilation intakes. Violation of this policy may be grounds for disciplinary action, up to and including termination. Designated areas will be identified. Smoking, vaping or chewing is only permitted at designated areas before work, during breaks or lunches and after work at designated areas.

I. General Conduct

Employees are expected to conduct themselves in an appropriate, professional manner. Examples of behavior that are inappropriate include, but are not limited to:

1. Insubordination (as defined in Section 3);
2. Theft or other criminal activity;
3. General dishonesty including falsifying employment or other City records;
4. Failing to maintain confidentiality of City information;
5. Unwillingness or inability to maintain an acceptable level of work performance.

Violation of this policy may be grounds for disciplinary action, up to and including termination.

J. Personal Phones

Personal calls on city telephones and city-owned cellular phones are generally discouraged. Such calls should be brief and to the point. Personal long-distance calls shall not be allowed. An employee may use their personal cellular phone for personal business during breaks and lunches only.

K. Family members at work

Employees are expected to report to work without being accompanied by children or family members. Employees must take time off from work subject to City of Long Beach leave policies should they need to care for children or other family members if the estimated time will be longer than 1 hour. Any deviation from this requires written approval from the city administrator.

L. Searches of Property

Employees should be aware that all offices, desks, files, lockers and vehicles are the property of City and are issued for the use of employees only during their employment with the City. It may be necessary to conduct searches of employee personal property in City facilities or vehicles. In addition, the City reserves the right to search any employee's office, desk, files, locker or any other area or article on City premises. Searches may be conducted at any time without advance notice. Searches must be conducted by and authorized by the City Administrator. Where reasonable, the search will be conducted by more than one person.

Employees may not use a personal lock on City property or lockers, unless authorized and only if a copy of the key or combination is retained by the City.

Violation of this policy may be grounds for disciplinary action, up to and including termination.

M. Corrective Action Procedure

1. Progressive Discipline

In taking disciplinary action, Administrators and supervisors may use a variety of measures. Where appropriate, Administrators and supervisors will follow a program of progressive discipline designed to give the employee the opportunity to correct behavior before it becomes a serious problem. Supervisors and Administrators also have the responsibility to provide behaviorally-specific feedback, either orally or in writing as appropriate, to employees to enable them to make improvements in their performance or correct the behavior that was a problem.

Please note that any or all of the steps outlined below, or other appropriate measures may be utilized, depending upon individual circumstances and the nature of the offense. Serious discipline, including immediate termination may

occur even on the first offense, in some circumstances, depending on the severity of the situation.

The degree of corrective action depends on the severity of the situation. It is the responsibility of the supervisor to objectively evaluate the circumstances and facts involved and to consult with the City Administrator before beginning such action.

The City may use administrative leave with pay while conducting an investigation into an alleged wrongdoing. This leave may be used when it is necessary to remove the employee from the work place pending the outcome of the investigation.

The following are examples of a pattern of progressive discipline

a) Step One: Verbal Warning

This step is used for relatively minor offenses and problems. The supervisor verbally discusses the concerns with the employee and lets the employee know the nature of the problem. Written documentation of the verbal warning shall be placed in the employee's personnel file.

b) Step Two: Written Warning

This step is used for a repeated offense where the discipline in Step 1 has failed to correct the problem or behavior, or for more serious problems that initially require stronger action. Under this step, a written warning is given to the employee and put in the employee's personnel file documenting the problem.

c) Step Three: Suspension

This step is used for repeated offenses where Steps 1 and 2 have failed to correct the problem or behavior, or for more serious problems that initially require stronger corrective action than the above steps. An employee is sent home without pay for a specified period of time. For an exempt employee, unpaid suspensions shall be in increments of workweeks. An exempt employee may also be given a period of time off with pay to make a personal decision as to whether to change behavior and continue employment with the City. Prior to a decision to suspend an employee, a pre-disciplinary hearing must be held.

d) Step Four: Termination

This step is to be used for instances where an employee has failed to correct their behavior after previous discipline or if there is a serious violation of City standards of conduct where immediate termination is warranted.

Other examples of disciplinary methods that may be used include withholding a scheduled pay increase, pay reduction and demotion. Prior to a decision to terminate an employee, a pre-disciplinary hearing must be held.

2. Pre-Disciplinary Hearing.

This section does not apply to at will employees or to employees who have not completed their initial orientation period.

When considering discipline that would deprive an employee of pay, such as a step three suspension or step four termination, the City will conduct a pre-disciplinary hearing. The hearing serves as a check against a mistaken decision and as an opportunity for an employee to furnish reasons why he or she should not be disciplined before the decision is finalized.

a) Notice to the Employee

The employee shall be provided with a notice of the pre-disciplinary hearing.

The notice shall include an explanation of the charges on which the potential discipline is based, and the time and date for the hearing.

b) At the Hearing

The hearing will be presided over by the Department Supervisor or a designated representative. The hearings are intended to be informal. The employee will be given an opportunity to explain why the serious discipline should not be taken. The employee may bring one person to the hearing as a representative. If the employee fails or refuses to appear, the Department Supervisor shall determine the discipline without the employee's input.

c) After the Hearing

After the hearing, the Department Supervisor will consider the information provided and will consult with the City Administrator. As soon as possible, the director will issue the decision. A longer review period may be required in more complex situations, and the employee will be so informed.

N. Complaint Resolution Procedure

1. Resolving Conflict Informally

It is natural to have misunderstandings and conflict in organizations. The purpose of this procedure is to provide a method for the resolution of such matters in a positive and constructive manner and to give employees a means of airing complaints regarding their employment. Employees and supervisors are encouraged to resolve the causes of conflict or disputes between themselves informally whenever possible.

2. Resolving Conflict Formally

When informal resolution fails, an employee may file a complaint in a more formal manner following the procedure outlined below. No retaliation, disciplinary action or discrimination shall occur because of the filing of a bona fide complaint under this procedure. The procedure should not, however, be construed as preventing, limiting, or delaying the City from taking disciplinary action against any employee up to and including termination where disciplinary action is deemed appropriate.

An employee who has been involuntarily separated from employment with the City has the right to participate in this process pursuant to the terms outlined below. Any complaint by a terminated employee must begin with step 3.

a) Complaint Definition

A complaint is a written allegation by an employee or former employee who has been involuntarily terminated that he or she has not been treated according to the personnel policies, or other rules or regulations.

b) 30 Days to Initiate a Complaint

Complaints must be initiated within 30 days of the alleged act and a copy of the complaint provided to the City Administrator.

c) Step 1 Present Complaint to Supervisor

An employee should present the complaint to the supervisor and request time to meet and discuss the complaint. In consultation with the City Administrator, the supervisor shall consider the complaint and all relevant information and respond to the employee in a timely manner.

d) Step 2 if Needed

If the problem is not resolved at Step 1, the employee shall next request a meeting with the Department Supervisor. In consultation with the City Administrator, the Department Supervisor will conduct an investigation and review the matter with appropriate persons. The Department Supervisor shall respond to the employee within 10 working days, unless the response will take longer, in which case the Supervisor will keep the employee informed when the response will be available.

e) Step 3 Final Step if Needed

If the problem is not resolved at Step 2 and the employee wishes to pursue the complaint, he or she shall request a meeting with the City Administrator. The City Administrator shall meet with the employee. The City Administrator shall also conduct an investigation or otherwise consider information relevant to the complaint.

The City Administrator shall issue a decision within 15 working days unless more time is needed, in which case the City Administrator shall keep the employee informed of when the response will be available. The City Administrator's decision shall be final and binding on the parties.

VIII. SEPARATION FROM EMPLOYMENT

A. Resignation

The City expects a resigning employee to give written notice to their supervisor at least 14 days in advance of the final working day.

B. Unauthorized 3 Day Absence

Unauthorized absence from work for a period of three consecutive days will be considered as a voluntary resignation, unless the employee can provide a reasonable explanation to the Department Supervisor.

C. Separation Procedures

The City Administrator will verify an employee's separation date and notify payroll. A final paycheck will be issued to the employee on the next regular payday after

completion of the following: exit interview, return of City keys, car, ID card, credit cards, bus pass, tools and equipment, uniforms, printed materials, and any other property or resources which had been made available to the employee. In addition, the City Administrator will resolve the status of retirement plans, insurance conversions, and deferred compensation programs, and will conduct an exit interview.

D. Layoff (Reduction in Force)

The City may lay off employees where there are changes in duties, reorganization of work or positions, a position or service is abolished, there is a lack of work, shortage of funding or for other legitimate business reasons.

1. Notice

Whenever a layoff is anticipated, employees whose jobs may be affected will be notified of the situation, and options available, as soon as possible to allow time to make necessary arrangements.

2. Order of Layoff

Layoffs are determined by classification on an organization-wide-basis.

Extra help employees performing similar work will be laid off first.

Regular employees will be retained on the basis of their ability to perform work needed to meet program needs.

Where there is no demonstrable difference in ability to perform, employees with longer service shall be retained.

3. Options

Options such as part-time work schedules, job sharing and voluntary time and/or pay reductions, or furloughs may also be explored, at the discretion of the City Administrator.

4. Layoff Support

Regular full time and regular part time employees are eligible for Layoff Support. Once the employee has been notified of the future layoff, the employee shall be eligible for:

- a) Job search assistance, tailored to the particular circumstances and authorized by the City Administrator.
- b) Limited time off for interviewing, subject to the approval of the Department Supervisor.

5. Severance

Regular full time and regular part time employees are eligible for severance. After the layoff takes effect, the employee shall receive a severance package consisting of four (4) weeks' pay and 10% of the employee's sick leave balance. If the employee leaves employment at the City prior to the layoff date, the employee is not eligible for the severance package.

6. Rehire List

Any regular employee who is laid off shall be placed on a City rehire list for a period of one year from the date of layoff. An employee shall not be placed on the rehire list if the employee leaves employment at the City prior to the layoff date. The City will honor an employee's written request to not be placed on or to be removed from the list.

An employee on the Rehire List shall be deemed eligible for an open regular position when:

- The employee meets the minimum qualifications listed on the classification specification based on the information contained in the employee's personnel file; and
- The position is in a salary range equal to or lower than the salary range of the position the employee was in on the date of layoff.

When hiring for any vacancy, the Department Supervisor shall first consult the City Administrator to determine if any employee on the rehire list is eligible for the vacancy. If there is an eligible employee on the rehire list, the employee shall be offered the position. In the case of more than one eligible employee on the rehire list, the position shall first be offered to the employee with the longest term of service with the City.

The employee has seven calendar days from the time the offer is sent to accept the offer; failure to do so will be considered a refusal.

An employee accepting a demotion to a position in a lower salary range shall remain on the list for the remainder of the year (based on the original layoff date).

An employee shall be removed from the list upon rehire by the City, a third refusal of a City job offer or the expiration of one year, whichever comes first.

If a department has a need to hire extra help while the City has any employees on the Rehire List, the Department Supervisor shall first contact the City Administrator before taking any other steps to hire the extra help. The extra help opportunity shall first be offered to any employees on the rehire list meeting the minimum requirements (in order of service with the City – longest first). Only if all eligible employees on the Rehire List refuse the extra help opportunity may the department proceed to outside hire. Neither acceptance nor refusal of an extra help opportunity shall affect an employee's status on the Rehire List.

IX. CLOSING STATEMENT

Welcome to the City of Long Beach. If you have any questions about this handbook, please ask your supervisor or visit [speak with](#) the City Administrator.

X. APPENDIX A - CODE OF ETHICS

The purpose of the City of Long Beach Code of Ethics is to strengthen the quality of government through ethical principles which shall govern the conduct of the City's elected and appointed officials, and employees, who shall:

1. Be dedicated to the concepts of effective and democratic local government.

Guidelines:

Democratic Leadership: Officials and staff shall honor and respect the principles and spirit of representative democracy and set a positive example of good citizenship by scrupulously observing the letter and spirit of laws, rules and regulations.

2. Affirm the dignity and worth of the services rendered by government and maintain a deep sense of social responsibility as a trusted public servant.
3. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships.

Guidelines:

Public Confidence: Officials and staff shall conduct themselves so as to maintain public confidence in city government and in the performance of the public trust.

Impression of Influence: Officials and staff shall conduct their official and personal affairs in such a manner as to give the clear impression that they cannot be improperly influenced in the performance of their official duties.

4. Recognize that the chief function of local government at all times is to serve the best interests of all the people.

Guidelines

Public Interest: Officials and staff shall treat their office as a public trust, only using the power and resources of public office to advance public interests, and not to attain personal benefit or pursue any other private interest incompatible with the public good.

5. Keep the community informed on municipal affairs; encourage communication between the citizens and all municipal officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

Guidelines

Accountability: Officials and staff shall assure that government is conducted openly, efficiently, equitably and honorably in a manner that permits the citizenry to make informed judgments and hold city officials accountable.

Respectability: Officials and staff shall safeguard public confidence in the integrity of city government by being honest, fair, caring and respectful and by avoiding conduct creating the appearance of impropriety or which is otherwise unbecoming a public official.

6. Seek no favor; believe that personal benefit or profit secured by confidential information or by misuse of public time is dishonest.

Guidelines

Business Interests: Officials and staff shall have no beneficial interest in any contract which may be made by, through or under his or her supervision, or for the benefit of his or her office, or accept directly or indirectly, any compensation, gratuity or reward in connection with such contract unless allowed under State law.

Private Employment: Officials and staff shall not engage in, solicit, negotiate for, or promise to accept private employment or render services for private interests or conduct a private business when such employment, service or business creates a conflict with or impairs the proper discharge of their official duties.

Confidential Information: Officials and staff shall not disclose to others, or use to further their personal interest, confidential information acquired by them in the course of their official duties.

Gifts: Officials and employees shall not directly or indirectly solicit any gift or accept or receive any gift whether it be money, services, loan, travel, entertainment, hospitality, promise, or any other form - under the following circumstances: (a) it could be reasonably inferred or expected that the gift was intended to influence the performance of official duties; or (b) the gift was intended to serve as a reward for any official action on the official's or employee's part.

Investments in Conflict with Official Duties: Officials and employees shall not invest or hold any investment, directly or indirectly, in any financial business, commercial or other private transaction that creates a conflict with their official duties.

Personal Relationships: Personal relationships shall be disclosed in any instance where there could be the appearance of a conflict of interest.

Business Relationships: Officials and staff shall not use staff time, equipment, or facilities for marketing or soliciting for private business activities.

Reference Checking: Reference checking and responding to agency requests are a normal function of municipal business and is not prohibited if it does not adversely affect the operation of the City.

7. Conduct business of the city in a manner which is not only fair in fact, but also in appearance.

Guidelines

Personal Relationships: In quasi-judicial proceedings elected officials shall abide by the directives of RCW 42.36 which requires full disclosure of contacts by proponents and opponents of land use projects which are before the City Council. Boards and Commissions are also subject to these fairness rules when they conduct quasi-judicial hearings.

Not knowingly violate any Washington statutes, City ordinance or regulation in the course of performing their duties.

TAB — F



**CITY COUNCIL
AGENDA BILL**

AB 23-45

Meeting Date: September 5, 2023

AGENDA ITEM INFORMATION		
SUBJECT: Resolution 2023-11 Amending the Council Rules and Procedures	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	DG
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Finance Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
COST: NA	Water/Wastewater Supervisor	
	Other:	
SUMMARY STATEMENT: Council held a workshop at the prior meeting and made recommendations for amendments to the rules and procedures. Those recommendations are reflected in the proposed resolution.		
RECOMMENDED ACTION: Authorize the Mayor to sign Resolution 2023-11 amending the Council Rules and Procedures.		

RESOLUTION NO. 2023-11
A RESOLUTION AMENDING THE COUNCIL RULES, AND APPROVING THE
CITY'S GOVERNANCE POLICIES

WHEREAS, the City recognizes the value of well conducted meetings and guidelines of conduct; and

WHEREAS, the City now wishes to establish Council Rules to ensure such conduct;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Long Beach that:

Section 1 AUTHORITY

- 1.1 The city adopts the classification of non-charter code city operating under the mayor-council plan of government as set forth in Revised Code of Washington chapter 35A.12, endowed with all the applicable rights, powers, privileges, duties and obligations of non-charter code cities as set forth in Revised Code of Washington chapter 35A.12 as the same now exists; including, but not by way of limitation, those set forth in Revised Code of Washington chapter 35A.11; and further including any and all supplements, amendments or other modifications of Revised Code of Washington title 35A which may hereafter be enacted. (1988 Code § 1.08.010) The Council, by resolution, may adopt rules consistent with state law, to govern its meetings.
- 1.2 The rules adopted in this resolution shall be in effect upon their adoption by the council and until such time as they are amended, added to, deleted or replaced in the manner prescribed by these rules.
- 1.3 These rules apply equally to the Mayor and Councilors.
- 1.4 These rules are to be observed in addition to and may not be contradictory to the current City Ordinances.

Section 2 THE MAYOR AND COUNCIL

- 2.1 The Mayor and Council (hereafter, Council) are the policy making body of the City.
- 2.2 Councilors have no authority when acting as individuals to make decisions and/or create policy for the City. This Authority resides solely with the majority vote of the Council while in a regular or special City Council meeting. City Council decisions which are not unanimous are still the official policy of the City.

Section 3 COUNCIL MEETINGS

- 3.1 Regular meetings of the Council will be held the first and third Monday of each month at 7:00 p.m. and at such other additional dates and times as the Council shall determine. Unless otherwise provided, regular meetings shall be held at the Long Beach City Hall.
- 3.2 At the first regular City Council meeting in January following the election, the City Council shall select a Mayor Pro Tempore who will fill in for the Mayor when absent. This includes Council Meetings, ceremonial functions the Mayor would attend, other functions calling for the attendance of the Mayor and the signing of documents in the absence of the mayor. No other duties or responsibilities of the Mayor will be performed by the Mayor Pro Tempore.
- 3.3 Time and date of the regular Council meetings may be changed for special circumstances, to facilitate work sessions or in order to have a quorum of Councilors at the meeting. Regular meeting notice requirements must be followed.
- 3.4 Special meetings of the Council may be called at any time by the mayor or any three (3) members of the council by written notice delivered to each member of the council, the city clerk and the city administrator at least twenty four (24) hours before the time specified for the proposed meeting.
- 3.5 An emergency meeting of the Council is a Special Meeting which can be called when less than 24 ~~hours-notice~~hours' notice can be given. The minutes need to state the nature of the emergency. Emergency meetings may be held by consent of a majority of councilors. An attempt must be made to notify the public or the press of the need for this emergency meeting. Only the emergency matter(s) giving rise to the need for an emergency meeting may be considered.
- 3.6 Workshop or Training meetings of the Council may be held at the convenience of the Council at a time when as many as possible can attend. These meetings may be held for Council goal setting, new Councilor training, or longer workshops for planning programs or projects. The Council may decide if public input is allowed at a workshop, or it may be held without opportunity for public input.
- 3.7 Executive sessions may be held by the Council pursuant to Washington State laws. Staff members may be permitted to attend. The City Administrator is required to attend.
- 3.8 Open Meetings: All council meetings shall be open to the public except as permitted by Revised Code of Washington chapter 42.30. No ordinance or resolution shall be passed, or contract let or entered into, or bill for the payment of money allowed at any meeting not open to the public, nor at any public meeting the date of which is not fixed by ordinance, resolution, or rule, unless public notice of such meeting has been given by such notice to each local newspaper of general circulation, as

provided in Revised Code of Washington 42.30.080 as now or hereafter amended. (2007 Code)

- 3.9 Councilors should inform the Mayor, City Administrator, or City Administrative Staff if unable to attend any Council meeting. The Mayor will inform the Council Mayor Pro Tempore if unable to attend any Council meeting.
- 3.10 Only a majority of the Council shall determine an absence is unexcused. The absence of a member of the Council shall be recorded in the minutes as either excused or unexcused. [RCW 35A.12.060](#), which applies to mayor-council code cities which provides: "...a council position shall become vacant if the councilmember fails to attend three consecutive regular meetings of the council without being excused by the council."
- 3.11 Councilmembers may call or ~~skype~~ [video conference](#) in when not able to attend the regular meeting. Councilmembers intending to call or ~~skype~~ [video conference](#) in must give the City Administrator advanced notice of at least one business day so that accommodations can be made. This option can only be exercised up to three times in a calendar year for each Councilmember. Under a Declaration of Emergency this option can exceed three times per year.

Section 4 AGENDA AND ORDER OF BUSINESS

- 4.1 An agenda for each regular Council meeting shall be prepared by the City Administrator. The Mayor may direct that a specific item(s) be included on the agenda. The City Council at a regular City Council meeting may by majority vote, direct that a specific item(s) be place on the next regular council meeting agenda. The City Administrator should be given enough time to do necessary research or prepare necessary reports to address the agenda items. Agendas and informational material should be distributed to the Council at least three (3) calendar days prior to the meeting.

- 4.2 The normal order of business for a regular Council meeting shall be as follows:

Although the normal order of business for a regular Council meeting usually follows the format as presented below, the agenda may be modified in order to allow for a more efficient meeting and to allow the public to participate and be aware of the decision rendered without undue delay. For example, an Ordinance may be moved for action immediately after the public ~~hearing-comment~~ is held, rather than waiting for it to come up as an action item under administration.

- Open Regular Meeting with Call to Order, Pledge of Allegiance and Roll Call
- Public Comments
- Consent Calendar
- Business
- Oral Reports

- Correspondence and Written Reports
- Future City Council Meeting Schedule
- Adjournment
- Note – If required, an Executive Session can be placed on the City Council Agenda, but must be done prior to the meeting.

The Chair may consider agenda items out of order as he/she deems necessary to facilitate the efficient management of the agenda. A Council Member may request the Chair consider the same action for an agenda item.

Section 5 PROCEDURE FOR COUNCIL MEETINGS

- 5.1 The current edition of Robert's Rules of Order Revised shall be used as a general guide for conduct of Council meetings, except in those cases where specific provisions contrary to Robert's rules shall be necessary and approved by the Council.
- 5.2 The City Council agrees to be clear and simple in its procedures and considerations of decisions before it. The Council shall avoid invoking the finer points of parliamentary rules to obscure issues and arouse audience suspicion at public meetings.
- 5.3 Council Meetings shall be chaired by the Mayor, if present, if not; the Council Mayor Pro Tempore shall serve as Chair. If neither the Mayor nor the Council Mayor Pro Tempore is present, the City Administrator shall call the meeting to order and those Council members present shall elect a Chair pro tem for that meeting. At any meeting, the Chair may appoint another member of the Council to serve as Chair for part or all of the meeting.
- 5.4 Every Councilor desiring to speak should first address the Chair, and await recognition to obtain the floor. No persons other than members of the Council and the person having the floor shall enter into any discussion, either directly or through a member of the Council without the permission of the Chair.
- 5.5 No motion shall be debated, except by the maker, until it has been seconded and announced by the Presiding Officer.
- 5.6 Members of the public desiring to address the Mayor and Council shall first be recognized by the Chair and then state their name and address for the record. Each person shall have up to three (3) minutes to present their comments. Groups with like comments should choose a spokesperson who will present their joint remarks.
- 5.7 Councilors should refer people with questions or complaints to the City Administrator, explaining that if they are not satisfied with the results of that meeting, they should ask to be put on a council meeting agenda or present their issue during the public input portion at a future council meeting.

- 5.8 City Councilors, with the approval of the Chair, may respond to a public comment during the public open comment period. If necessary, response to public comment may be referred to the City Administrator for response at a subsequent time.
- ~~5.9 Remarks by members of the public shall be limited to the question then under discussion. All remarks and questions shall be addressed to the Council as a whole and not to any individual Councilor. A member of the public wishing to address an item not otherwise listed on the agenda may do so only during Public Comment. Any remarks and questions regarding personnel or administration of the City shall be referred to the City Administrator by the Chair. The Chair may redirect other questions to a City Councilor or the City Administrator, as appropriate.~~
- 5.10 Every Councilor may address questions directly to the City Administrator, who may either answer the inquiry or designate a staff member to do so. Councilors are encouraged to present their questions to the City Administrator prior to the meeting when possible.
- 5.11 Prior to a vote, the Chair shall restate the motion or have the maker of the motion restate it to assure clarity of the issue.
- 5.12 When a quorum is present, a majority of the Council present and voting shall decide a motion. A Councilor who is present but abstains from voting is still counted in the quorum. A Councilor must be present to vote.
- 5.13 The passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money shall require the affirmative vote of at least a majority of the whole membership of the council.
- 5.14 Duty to Vote: Unless confronted with an actual conflict of interest or excused by a majority of the council, every member present when a question is taken, shall vote. For the purposes of this section, an abstention is counted as a vote.
- 5.15 Any Councilmember present who fails to vote without a valid disqualification or without having otherwise received the Council's permission to abstain shall be declared to have voted in the affirmative on the question.
- 5.16 Conflicts of Interest: In every case in which a Councilor is faced with an actual conflict of interest, the nature of the conflict must be disclosed during the public meeting and recorded in the minutes. If an actual conflict of interest exists, the Council member, after disclosing the nature of the conflict, shall remove him or herself from the Council table and refrain from participation in both the discussion and the vote on the issue.
- A. An actual conflict of interest is defined as any action, decision, or recommendation which will have a private financial or other benefit on the

Councilor or allow the Councilor to avoid a private financial or other detriment. This standard also applies to relatives of the Councilor or any business with which the Councilor or Councilor's relative is associated. (Chapter 42.23 RCW).

- B. "Remote Interests" (Chapter 42.23.040 RCW) "A municipal officer is not interested in a contract, within the meaning of RCW [42.23.030](#), if the officer has only a remote interest in the contract and the extent of the interest is disclosed to the governing body of the municipality of which the officer is an officer and noted in the official minutes or similar records of the municipality prior to the formation of the contract, and thereafter the governing body authorizes, approves, or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting the vote or votes of the officer having the remote interest."

- | ~~5.155.17~~ The vote on every motion shall be taken by a show of hands or roll call and entered in the meeting minutes. Any other questions before Council shall not require a recorded vote unless requested by any Council member. A member's explanation of their vote shall not be in order during a roll call.
- | ~~5.165.18~~ A motion fails in the event of a tie vote. When the Mayor is present and presiding over the council meeting, if there is a tie in the votes of the council members with respect to issues other than the passage of any ordinance, grant, or revocation of a franchise or license, or any resolution for the payment of money, the Mayor may vote to break the tie.
- | ~~5.175.19~~ A Councilor who votes on the prevailing side of a motion may move for reconsideration of any vote. This motion must occur during the meeting or at the very next scheduled Council meeting.

Section 6 DECORUM AND ORDER

- 6.1 The Chair shall preserve decorum and decide all points of Order, subject to appeal to the Council.
- 6.2 The Councilors shall help the Chair preserve decorum during Council meetings and shall not, by conversation or other action, delay or interrupt the proceedings or refuse to follow the directions of the Chair or these Council Rules. Councilors shall, when addressing staff or members of the public, confine themselves to questions or issues then under discussion, shall not engage in personal attack, shall not impugn the motives of any speaker, and shall at all times, while in session or otherwise, conduct themselves in a manner appropriate to the dignity of their office.
- 6.3 Members of the administrative staff, employees of the City and other Persons attending Council meetings shall observe the same rules of procedure, decorum, and good conduct applicable to the members of the Council.

- 6.4 Any person who makes personal, impertinent, slanderous or unauthorized remarks or who becomes boisterous while addressing the Council or attending a Council meeting may be removed from the room, after fair warning, if the Chair so directs without a majority vote of the Council present. In case the Chair should fail to act, any member of the Council may obtain the floor and move to require enforcement of this rule; upon affirmative vote of the majority of the Council present, the person or persons shall be removed as if the Chair so directed. Stamping of the feet, whistles, yells and clapping are similarly not permitted. Such persons may be barred from further audience before the Council and, in aggravated cases; an appropriate complaint shall be issued by the Chair to prosecute this person or persons.
- 6.5 If a meeting is disrupted by members of the audience, the Chair may order that the Council Chamber be cleared and a recess called until order is restored.

~~6.6~~

Section 7 CODE OF ETHICS

- 7.1 Councilors shall comply with all applicable provisions of the State of Washington's Government Ethics Laws.
- 7.2 Councilors are encouraged to conduct themselves so as to bring credit upon the City as a whole, and to set an example of good ethical conduct for all citizens of the community. Councilors should constantly bear in mind these responsibilities to the entire electorate, and refrain from actions benefiting any individual or special interest group at the expense of the City as a whole. Councilors should likewise do everything in their power to insure impartial application of the law to all citizens, and equal treatment of each citizen before the law, without regard to race, national origin, sex, age, social station, or economic position.
- 7.3 If the Mayor or Councilor represents the City before another public body, governmental agency, community organization or with the media, the Mayor or Councilor should always present the majority position of the Council. Personal opinions and comments may be expressed only if it includes clarification that these statements do not represent the position of the City Council. Communication of personal opinions and comments should not be accompanied with a statement of the author's status as a member of the Council.

Section 8 COUNCIL RELATIONS WITH CITY STAFF

- 8.1 Orientation of New Members - It is important for the members of the City Council to gain an understanding of the full range of services and programs provided by the City. As new members join the City Council, the City Administrator and City Clerk will host an orientation program that provides an opportunity for members to tour municipal facilities and meet with key staff.

Another training opportunity for new members is the Association of Washington Cities-sponsored newly elected official orientation. At any time, if there are facilities or programs about which you would like more information, arrangements will be made to increase your awareness of these operations.

- 8.2 There will be mutual respect from both Councilors and staff of their respective roles and responsibilities when and if expressing criticism in a public meeting.
- 8.3 The Council sets city policies and goals. The staff implements and administers the policies and goals.
- 8.4 During a City Council meeting, all requests for information go directly to the Mayor, Chair or City Administrator. At other times, if the request for information would entail an effort that would require time to be spent in researching and/or preparing a response, the request goes directly to the Mayor or City Administrator. The Mayor will ask the City Administrator to direct them to other staff, the City Attorney or deal with them him/herself as appropriate. Questions or complaints regarding staff go directly to the Mayor or City Administrator.
- 8.5 The City Councilors may seek information from staff members regarding the operation of their department, but will not attempt to change or interfere with the operation or practice of any city department or personnel except by directing their concerns to the Mayor or City Administrator.

Section 9 COMMITTEES

- 9.1 The mayor with consent of the council may establish by resolution ad hoc or standing committees to perform specified investigatory or advisory functions. Any authority granted to such committees shall be clearly delegated in the resolution creating the committee.
- 9.2 A Citizens Committee may be appointed for the length of time necessary to accomplish their mission. The appropriate number of appointees may be determined at the time of appointment.
- 9.3 The Mayor may remove a member from any city committee or commission prior to the expiration of the term of office. Reasons for removal may include, but are not limited to: missing three consecutive regular meetings of the committee or commission, disruptive or inappropriate behavior prior to, during, or after committee or commission meetings which prohibit the advisory body from completing its business in a timely manner, or not acting in the best interest of the citizens or city.
- 9.4 Members of the Council shall not attempt to lobby or influence board, committee, task force or commission members on any items under their

consideration. It is important for City advisory bodies to make objective recommendations to the Council on items before them. Councilors that attempt to influence board, committee, citizen committee or commission members on an item may prejudice or hinder their role in reviewing the recommendation as a member of the Council.

- 9.5 Council Committee meetings, when directed by the Council, may be called by the Chairman, or by any two members. A majority of the members of a Committee shall constitute a quorum to do business.
- 9.6 All meetings of any City Boards, Commissions, Task Forces, or Council Committees shall be subject to and comply with the Washington Public Meetings Laws.

Section 10 CONFIDENTIALITY

- 10.1 Councilors must keep in complete confidence all written materials and verbal information provided to them in confidence or learned in executive session, to ensure that the City's position is not compromised. No mention of confidential information read or heard should be made to anyone other than other Councilors, the City Administrator, or City Attorney.
- 10.2 If the Council, in executive session, provides opinions or information to staff on proposed terms and conditions for any type of negotiation whether it be related to property acquisition or disposal, a proposed, pending or likely claim or litigation, and/or employee negotiations, all contact with the other parties shall be made by the designated staff representative handling the negotiations or litigation. A Councilor shall not have any contact or discussion with the other party, or the representatives involved with the issue, nor communicate any discussion conducted in executive session.
- 10.3 All public statements, information, or press releases on confidential matters will be handled by the Council Spokesperson or designated staff.

Section 11 SUSPENSION OR AMENDMENT OF COUNCIL RULES

- 11.1 Any provision of these rules not governed by State law or the City Charter may be temporarily suspended by a majority vote of the Council.
- 11.2 Amendments, deletions or additions to these Council Rules shall be by Resolution approved by the City Council.

Section 12 SEVERABILITY

The Councilors agree that if any term or provision of the rules is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining

terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the rules did not contain the particular term or provision held to be invalid.

Adopted this 5th Day of September 2023.

AYES

NAYS

ABSENT

Jerry Phillips, Mayor

ATTEST:

Jessie Hermens, City Clerk

TAB — G



**CITY COUNCIL
AGENDA BILL
AB 23-46**

Meeting Date: September 5, 2023

AGENDA ITEM INFORMATION		
SUBJECT: Ordinance 1022 – Amending the 2023 Pay Scale	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	DG
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Police Chief	
	Public Works Director	
COST: NA		
SUMMARY STATEMENT: The pay scale has been updated to include a 2.5% pay increase for the remaining portion of 2023. This was something that was negotiated during the Teamsters discussions.		
RECOMMENDED ACTION: Approve Ordinance 1022 amending the 2023 pay scale.		

CITY OF LONG BEACH

ORDINANCE NO. 1022

**AN ORDINANCE OF THE CITY OF LONG BEACH WASHINGTON, AMENDING THE
SALARY CLASSIFICATIONS & THE 2023 PAY TABLE.**

WHEREAS, the City of Long Beach is committed to a policy that places every employee on a pay scale; and

WHEREAS, the city must be financially responsible in implementing compensation plan changes; and

WHEREAS, the City Council has determined that it will have the final approval on all pay policy issues; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LONG BEACH,
WASHINGTON, DOES ORDAIN AS FOLLOWS:**

Section 1. The City Council of the City of Long Beach, Washington, adopts the City of Long Beach Position Grades and Brief Descriptions, attached hereto as Exhibit “A.”

Section 2. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 3. Referendum and Effective Date. This Ordinance, being an exercise of a power specifically delegated to the city legislative body, is not subject to referendum, and shall take effect and is in full force five (5) days after its passage, approval and publication of an approved summary of the title as provided by law.

PASSED this 5th day of September 2023

AYES

NAYS

ABSENT

Jerry Phillips, Mayor

Attest:

Jessie Hermens, City Clerk

Ordinance 1022

Page 1 of 8

Exhibit "A"
City of Long Beach
Position Grades and Brief Descriptions

Administrative Position	Grade	Level
Non-Exempt Positions		
Administrative Assistant 1	1	Administrative Assistant/Billing Clerk
Administrative Assistant 2	2	Senior Administrative Assistant/Billing Clerk
Administrative Assistant 3	3	Senior Administrative Assistant/Billing Clerk
City Clerk 4	4	Deputy City Clerk
City Clerk 5	5	Senior City Clerk
City Treasurer 4	4	Deputy City Treasurer
City Treasurer 5	5	Senior City Treasurer
Building Inspector/Code Enforcement 4	4	Building Inspector
Building Inspector/Code Enforcement 5	5	Building Inspector
Exempt Positions		
Deputy City Administrator 7	7	Deputy City Administrator
Deputy City Administrator 8	8	Deputy City Administrator
Deputy City Administrator 9	9	Deputy City Administrator

Administrative Assistant 1: Administrative assistant/billing clerk. Performs many tasks independently. Proficient with word processing and spreadsheets. Expected to handle routine city business on the telephone and with visitors. Performs most tasks independently without guidance or supervision. Proficient with word processing and spreadsheets. Is able to post utility billing payments, B&O payments, financials, and any other payment type.

Administrative Assistant 2: Senior Administrative assistant/billing clerk. Performs most tasks independently without guidance or supervision. Determines own priorities. Proficient with word processing and spreadsheets. Is able to post utility billing payments, B&O payments, financials, and any other payment type. Can create and manage the Business and Occupation Tax program and acts as the Human Resource support to the City Clerk.

Administrative Assistant 3: Senior Administrative assistant/billing clerk. Performs most tasks independently without guidance or supervision. Determines own priorities. Proficient with word processing and spreadsheets. Is able to post utility billing payments, B&O payments, financials, and any other payment type. Can create and manage the Business and Occupation Tax program and acts as the Human Resource support to the City Clerk. Can assist and act as back-up for accounts payable and payroll if necessary.

Deputy City Clerk 4: Deputy City clerk. Entry-level position. Performs some city clerk tasks independently, with minimum guidance or supervision, as assigned by the City Administrator. Performs or is capable of performing all duties equivalent to Administrative Assistant 3. Prepares the utility billing, leak adjustments and service orders. Supervises office staff as necessary, including setting priorities and work schedules.

Senior City Clerk 5: Senior City Clerk. City clerk. Performs most tasks independently, with minimum guidance or supervision, as assigned by the City Administrator. Performs or is capable of performing all duties equivalent to Deputy City Clerk. Prepares the utility billing, leak adjustments and service orders. Supervises office staff as necessary, including setting priorities and work schedules. This includes to manage the human resources and provide administrative support when needed. Drafts simple legislation that can be enacted into law without undue revision. Represents the city in outside meetings, as appropriate.

Deputy Treasurer 4: City treasurer. Entry-level position. Performs most treasurer tasks independently with guidance and supervision. Performs or is capable of performing all duties equivalent to Administrative Assistant 3. Trained in accounting and develops experience with accounting software and city transactions and budgeting.

Senior Treasurer 5: City treasurer. Performs treasurer tasks independently without guidance or supervision. Performs or is capable of performing all duties equivalent to Deputy City Treasurer. Has some advanced training in accounting and has experience with accounting software and city transactions and budgeting. Performs all the duties of the city clerk, if assigned.

Building Inspector 4: Building inspector. Performs most inspector tasks independently with or without guidance and supervision. Completes inspections and is familiar with the International Building Code and the Residential Building Code. Has some advanced training in building, code enforcement and has experience with permitting software. Does plan review, fire, and life safety review. Is also familiar with the design review, zoning ordinances and other planning aspects.

Building Inspector 5: City Inspector. Performs inspector tasks independently without guidance or supervision. Performs or is capable of performing all duties equivalent to Building Inspector 4. Has the Building Official credential or is actively working towards obtaining the credential. Acts as code enforcement officer, works with staff and city attorney to follow proper procedure to rectify code violations.

Deputy City Administrator 7: Deputy City Administrator. Performs all duties associated with community development, manages the building department, and responsible for Council correspondence. Must have a comprehension of municipal accounting, grant writing and loan administration. Assists in the preparation for the annual budget, prepares ordinances and resolution for adoption and attends relevant conferences.

Deputy City Administrator 8: Deputy City Administrator. Performs or is capable of performing all duties equivalent to Deputy City Administrator 7. Preparation of the annual budget prepares ordinances and resolution for adoption and attends relevant conferences.

Deputy City Administrator 9: Deputy City Administrator. Performs or is capable of performing all duties equivalent to Deputy City Administrator 8. Has at least 5 years of experience within local government.

Field Positions	Grade	
Non-Exempt Positions		
Janitorial Specialist	1	Permanent Grade for this position
Utility Crew 1	1	Entry level
Utility Crew 2	2	Established (gaining experience)
Utility Crew 3	3	Experienced (works independently)
Utility Crew Lead in Training	3	Entry level
Utility Crew Lead 4	4	Experienced
Utility Crew Lead 5	5	Experienced (works independently)
Field Supervisor in Training	4	Entry level
Field Supervisor	5	Senior lead
Field Supervisor	6	Senior (works independently)
Plant Operator 4	4	Entry level
Plant Operator 5	5	Established (gaining experience)
Plant Operator 6	6	Experienced
Mechanic 4	4	Entry level
Mechanic 5	5	Experienced
Mechanic 6	6	Senior
Exempt Positions		
Public Works Director	7	Entry level
Public Works Director	8	Experienced
Public Works Director	9	Senior
Deputy Chief 6	6	Experienced
Deputy Chief 7	7	Experienced
Police Chief 8	8	Experienced
Police Chief 9	9	Experienced

Janitorial Specialist 1: Responsible for cleaning, sanitizing, and stocking all city owned facilities. Ensure that the restrooms are properly cleaned and provided with the appropriate supplies. This position also fills in for utility crew members when needed and necessary for the functionality of the city.

Utility Crew 1: Entry-level utility worker. Receives direction and guidance from others. Acquiring training needed to complete basic functions of the job. Certificates and accomplishments include flagger certification, first aid & AED training, Asbestos awareness certification.

Utility Crew 2: Experienced utility worker. Performs or is capable of performing all duties equivalent to Utility Crew 1. Works with some supervision and guidance. Acquiring training needed to complete advanced functions of the job, which can include carpentry skills. Certificates and accomplishments include either Cross Connection Specialist or water distribution specialist certification. Trained on and able to operate equipment related to duties safely and efficiently.

Utility Crew 3: Experienced utility worker. Performs or is capable of performing all duties equivalent to Utility Crew 2. Works independently. Certificates and accomplishments include Cross Connection Specialist and water distribution manager certification.

Utility Crew Lead in Training: Entry level Lead utility worker/supervisor. This is a probationary position for training of new Crew Leads. Probationary period is one year. Works independently and gives guidance to others. Has responsibility for one utility area (e.g. sewer collection or water distribution or streets, parks and drainage). Certificates and accomplishments relate to the utility area they supervise.

Utility Crew Lead 4: Lead utility worker/supervisor. Works independently and gives guidance to others. Has responsibility for one utility area (e.g. sewer collections and water distribution, streets and sidewalks, equipment). Certificates and accomplishments relate to the utility area they supervise. Ensures crews operate to City, State and federal standards.

Utility Crew Lead 5: Lead utility worker/supervisor. Works independently and gives guidance to others. Has responsibility for one utility area (e.g. sewer collections and water distribution, streets and sidewalks, equipment). Certificates and accomplishments relate to multiple disciplines, such as water distribution manager and Pesticides Certification as an example. Ensures crews operate to City, State and federal standards.

Field Supervisor in Training: Entry Level Field Supervisor. This is a probationary position for training of new Field Supervisors. Receives some guidance and supervision from the Public Works Director. Participates in all aspects of operations. Sets work priorities and tasking. Ensures quality and efficiency of operations. Makes continual improvements for efficiency and quality of operations. Takes a lead role in configuration management. Certificates and accomplishments relate to the utility area they supervise. Ensures crews operate to City, State and federal standards.

Field Supervisor 4: Field Supervisor. Receives some guidance and supervision from Public Works Director. Participates in all aspects of operations. Sets work priorities and tasking. Ensures quality and efficiency of operations. Makes continual improvements for efficiency and quality of operations. Takes a lead role in configuration management. Certificates and

accomplishments relate to the utility area they supervise. Ensures crews operate to City, State and federal standards.

Field Supervisor 6: Senior Field supervisor. Works independently and supervises others. Ensures quality and efficiency of operations. Performs or is capable of performing all duties equivalent to Field Supervisor 5. Works closely with the Public Works Director in planning improvements to city infrastructure. Acts as city liaison for construction projects. Sets priorities and assigns tasks. Ensures effective configuration management. Prepares the department budgets with some guidance. When needed reports to the appropriate state agencies. Certificates and accomplishments relate to the utility area they are supervise. Ensures crews operate to City, State and federal standards.

Plant Operator 4: Entry-level plant operator. Receives direction and guidance from senior Plant Operators. Capable of some plant operations and minor repairs without assistance. Communicates plant status to others. May perform other Public Works duties. Certificate would be Operator in Training through Water or Wastewater Treatment Plant Operator 1.

Plant Operator 5: Performs or is capable of performing all duties equivalent to Plant Operator 4. Provides some supervision and guidance to others. Capable of plant operations requiring the exercise of judgment, including making process adjustments and moderate repairs without supervision. Certificate Level is Water or Wastewater Treatment Plant Operator 1 minimum. Understands

Plant Operator 6: Senior plant operator/plant supervisor with at least five years of full-time plant operation experience combined with demonstrated supervisory experience. Performs or is capable of performing all duties equivalent to Plant Operator 5. Capable of plant operations requiring the exercise of judgment, including making any and all process adjustments and complex repairs at the plant and throughout the entire distribution system without supervision. Sets priorities and assists in preparing/managing the budget. Certificate would be Water or Wastewater Treatment Plant Operator 2 or greater. Ensures Plant operates to City, State and Federal requirements.

Mechanic 4: Entry-level mechanic. Capable of performing a range of duties and responsibilities that can differ from day to day depending on the jobs that they are assigned. This can include anything from routine maintenance work to specialized repairs with some supervision and guidance. Orders and keeps inventory for regular maintenance.

Mechanic 5: Experienced mechanic. Capable of maintaining vehicles, equipment and city infrastructure equipment with minimum supervision and guidance. Performs or is capable of performing all duties equivalent to Mechanic 3. Sets own priorities. Supervises others, as necessary. Has some SAE Certifications.

Mechanic 6: Senior mechanic. Capable of maintaining vehicles, equipment, and city infrastructure equipment without supervision. Performs or is capable of performing all duties equivalent to Mechanic 4. Sets work schedules and priorities. Supervises others, as necessary. Has multiple SAE Certifications.

Public Works Director 7: Entry-level utility manager. Receives guidance and supervision from others. Participates in some aspects of utility operations and management. Sets work priorities and tasking. Ensures quality and efficiency of operations. Participates in configuration management. Assists in developing the department budget.

Public Works Director 8: Experienced utility manager. Receives some guidance and supervision from others. Participates in all aspects of utility operations and management. Sets work priorities and tasking. Ensures quality and efficiency of operations. Makes continual improvements for efficiency and quality of operations. Takes a lead role in configuration management. Prepares the department budgets with guidance.

Public Works Director 9: Experienced utility manager/director. Works independently. Performs or is capable of performing all duties equivalent to Utility Manager 8. Works closely with the city engineer in planning improvements to city infrastructure. Acts as city liaison for construction projects. Provides management information on status of the city infrastructure and does tradeoff analysis in problem solving and in proposing changes. Ensures effective configuration management. Prepares the department budgets with some guidance.

Deputy Chief 6: Deputy Chief reports directly to the Police Chief. While the Chief is not on duty supervises subordinate personnel. Supports the Chief in training of all personnel and enforces the standard operating procedures of the Department. Maintain and provide the operation and accountability of all evidence, property, and all other possessions of the Police Department. Prepare and maintain records of the Police Department or assist the Chief in doing so. Participate in certain personnel matters, such as labor negotiations, and personnel file retention. Makes recommendation to Police Chief on personnel actions.

Deputy Chief 7: Performs or is capable of performing all duties equivalent to Deputy Chief 6. Has been at least 10 years of law enforcement experience. Relieves the Chief of certain administrative duties to include reporting directly to the Mayor and Council when needed. Assists the Chief in the annual budget preparation.

Police Chief 8: Chief reports directly to City Administrator and is responsible for the entire Police Department. Manages, schedules, and supervises all police employees. Prepares and manages the annual police department budget. Develops policies and procedures within the department in regard to operations, personnel, and disciplinary actions. Coordinates with other local, state, and federal law enforcement agencies and ensures cooperation. Represents the City at various meetings, conferences, and trainings. Reports to the Mayor and City Council monthly.

Police Chief 9: Performs or is capable of performing all duties equivalent to Chief 8. Has been at least 10 years of law enforcement experience. Develops and enforces all department procedures, task force leadership and special case investigation. Builds relationships with other agencies.

CITY OF LONG BEACH

ORDINANCE NO. 1022 EXHIBIT B

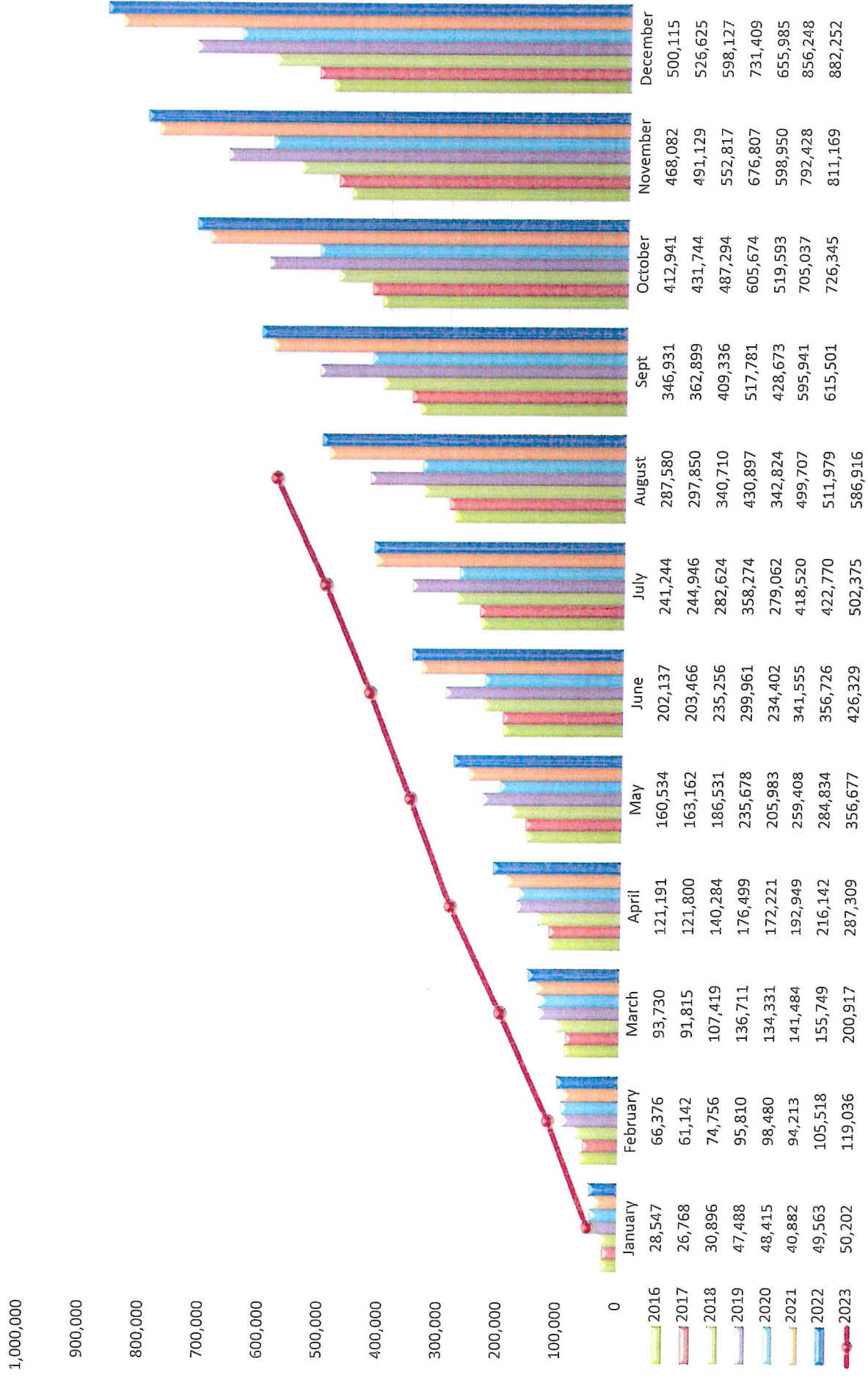
2023 PAY TABLE (Effective September 1, 2023)

Step	1		2		3		4		5		6	
Grade	Years to Step		1		1		1		2			
1				\$	43,452	\$	45,190	\$	46,997	\$	48,877	
2	\$	45,190	\$	46,997	\$	48,877	\$	50,832	\$	52,865	\$	54,980
3	\$	50,832	\$	52,865	\$	54,980	\$	57,179	\$	59,466	\$	61,845
4	\$	57,179	\$	59,466	\$	61,845	\$	64,319	\$	66,892	\$	69,567
5	\$	64,319	\$	66,892	\$	69,567	\$	72,350	\$	75,244	\$	78,254
6	\$	72,350	\$	75,244	\$	78,254	\$	81,384	\$	84,639	\$	88,025
7	\$	81,384	\$	84,639	\$	88,025	\$	91,546	\$	95,208	\$	99,016
8	\$	91,546	\$	95,208	\$	99,016	\$	102,977	\$	107,096	\$	111,380
9	\$	102,977	\$	107,096	\$	111,380	\$	115,835	\$	120,468	\$	125,287
10	\$	115,835	\$	120,468	\$	125,287	\$	130,298	\$	135,510	\$	140,931
11	\$	130,298	\$	135,510	\$	140,931	\$	146,568	\$	152,431	\$	158,528

2023		City of Long Beach											
		Hourly Employee Hourly Rate of Pay Scale											
Step		1		2		3		4		5		6	
Grade	Years to Step			1		1		1		2			
	1				\$	20.89	\$	21.73	\$	22.59	\$	23.50	
	2	\$	21.73	\$	22.59	\$	23.50	\$	24.44	\$	25.42	\$	26.43
	3	\$	24.44	\$	25.42	\$	26.43	\$	27.49	\$	28.59	\$	29.73
	4	\$	27.49	\$	28.59	\$	29.73	\$	30.92	\$	32.16	\$	33.45
	5	\$	30.92	\$	32.16	\$	33.45	\$	34.78	\$	36.18	\$	37.62
	6	\$	34.78	\$	36.18	\$	37.62	\$	39.13	\$	40.69	\$	42.32
	7	\$	39.13	\$	40.69	\$	42.32	\$	44.01	\$	45.77	\$	47.60
	8	\$	44.01	\$	45.77	\$	47.60	\$	49.51	\$	51.49	\$	53.55
	9	\$	49.51	\$	51.49	\$	53.55	\$	55.69	\$	57.92	\$	60.23
	10	\$	55.69	\$	57.92	\$	60.23	\$	62.64	\$	65.15	\$	67.76
	11	\$	62.64	\$	65.15	\$	67.76	\$	70.47	\$	73.28	\$	76.22

TAB — H

Sales Tax Collections



Lodging Tax Collections

1,400,000

1,200,000

1,000,000

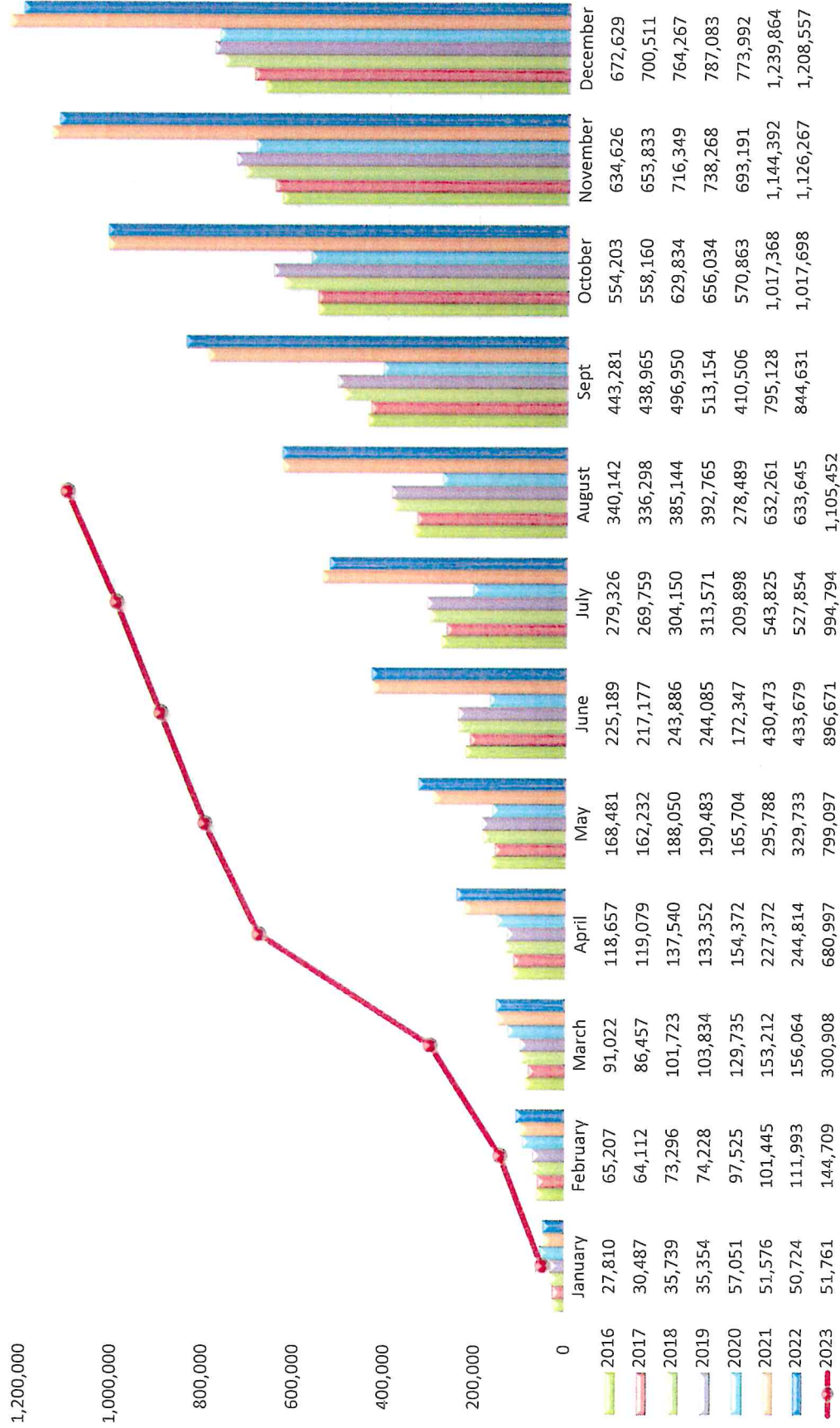
800,000

600,000

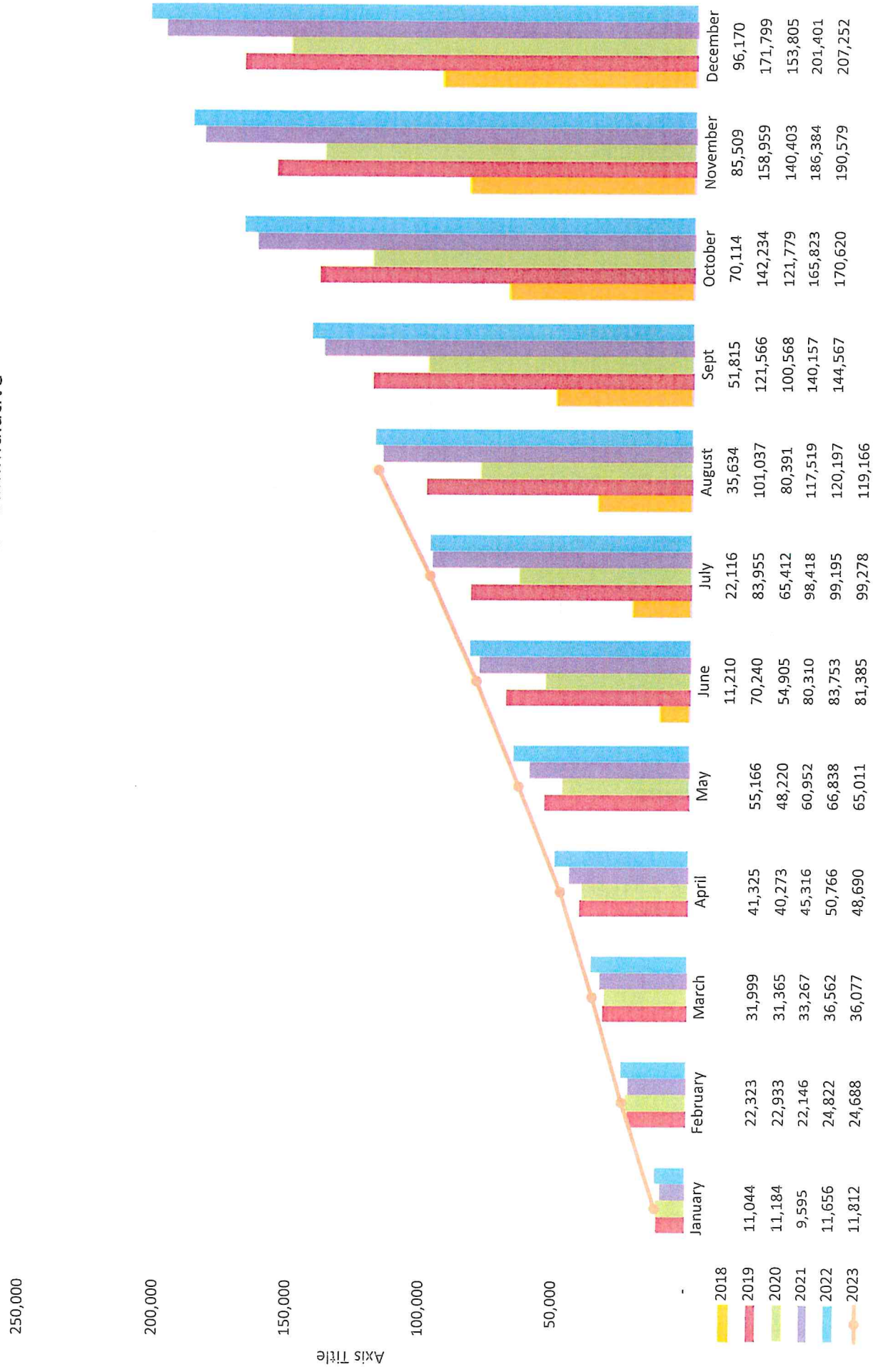
400,000

200,000

0



Transportation Benefit District Collections - Cumulative



Mayor and City Council
P O Box 310
Long Beach, WA 98631

Lone Fir Cemetery Association, Inc.
P O Box 674
Long Beach, WA 98631

Dear Mayor Phillips, City Council Members, and David Glasson, City
Administrator;

The Lone Fir Cemetery Trustees invites you to visit with them about the
future of Lone Fir Cemetery. Meeting will be at the cemetery, 85th Street,
Long Beach at 2:00 p.m. September 13, 2023.

At that time the trustees will review with you the history of the cemetery and
how we might work together to continue the cemetery service to the
community.

Thank you,
Melinda Crowley, Sec - Treas.

Trustees and officers

Ron Hylton, Trustee and President

Melinda Crowley, Trustee and Secretary-Treasurer

Lee Paul Crowley – Trustee

Ed Heckard – Trustee

Lance Wright – Trustee

City of Long Beach
Summary of Report of Decision

On August 30, 2022, the Hearings Examiner for the City of Long Beach, Washington did issue a report of decision for the following application:

Project: Application CAO V 2023-02, Craig Wong and Kathleen Kee of Vancouver, Washington applied for a Critical Areas Variance, Shoreline Master Program Conditional Use Permit and Shoreline Master Program Variance to allow approximately 76,704 square feet of indirect wetland impacts and 3,530 of direct wetland impacts in the S2- Shoreline Multi-Family zone known as APN 10112121089, 10112014236, 10112123058.

Decision: Approved per the findings and conditions in the Report of Decision.

The complete Report of Decision for the above-referenced project is available for review at Long Beach City Hall, 115 Bolstad Avenue West, Long Beach Washington.

Chinook Observer: Please publish September 6, 2023