

Joint Transportation Committee

Personnel

Policies & Procedures

Manual

Adopted January 5, 2010

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INTRODUCTION

Introduction

The Joint Transportation Committee (JTC) was created in 2005 pursuant to RCW 44.04.030, to review and research transportation programs and issues, in order to educate and promote the dissemination of transportation research to state and local government policymakers, legislators and associated staff. The JTC is governed by an executive committee comprised of the chairs and ranking members of the House and Senate transportation committees. The chairs of the House and Senate transportation committees serve as co-chairs of the joint committee.

The JTC is committed to maintaining a work environment where all people are treated, and expect to treat others, with dignity and respect. Communicating policies and expectations by means of this Personnel Manual is one of the ways we work toward that goal.

This Personnel Manual is intended to be a source of information on current policies and procedures of the Joint Transportation Committee.

Amendments

It is the responsibility of the JTC Executive Committee to adopt and, when necessary, modify this Personnel Manual.

Reports of Violations

Employees should report violations of any policy contained in this Manual to the Committee Coordinator. No retaliation shall be permitted against any legislative employee for reporting in good faith the violation of any policy or law.

Exempt From Civil Service

All JTC employees are exempt from Washington State Civil Service and the merit system rules. Therefore, employees are not subject to the usual employment tenure regulations and there is no guarantee of permanent status providing job security from summary dismissal, reassignment of responsibilities, change in working condition or hours of work. No one has the authority to modify the at-will nature of JTC employment except by a written policy change approved by the JTC Executive Committee.

Neither these policies nor this document constitute an employment contract. JTC employees serve at the pleasure of the JTC Executive Committee.

EMPLOYMENT PRACTICES

Authority Over Employment Practices

The JTC Executive Committee has the authority to select and employ JTC personnel and to fix their salaries. Only JTC Executive Committee members may sign personnel action forms.

The Committee Coordinator's responsibilities include making recommendations to the JTC Executive Committee on a number of employment-related issues, which include but are not limited to the following:

- Establishing, revising, and maintaining administrative and employment practices, policies, and procedures;
- Hiring and terminating employees;
- Establishing and revising a classification plan for positions;
- Modifying or recommending modification of the compensation plan;
- Authorizing personnel actions;
- Authorizing new positions or implementing reductions in staff; and
- Evaluating or causing staff to be evaluated.

Equal Employment Opportunity

JTC provides equal employment opportunity and equal access to its programs and services for all persons without regard to race, color, sex, religion, creed, age, marital status, national origin, sexual preference, disabled and Vietnam-era veteran's status, or the presence of any physical, sensory, or mental disability.

In addition, JTC will act in a fair and impartial manner with respect to recruitment, hiring, employee development, training, promotion, reclassification, corrective or disciplinary actions, termination, and other employment actions. This equal opportunity policy shall apply to any contractual agreements entered into by JTC.

Non-Partisan Staff

JTC positions are nonpartisan. It is imperative that staff be independent of partisan political activities both in actuality and appearance.

Reversion Rights

State employees who resign a state classified position to accept an exempt position have reversion rights in accordance with [RCW 41.06.070](#).

Staff Reductions and Reorganizations

Budget reductions or workload changes may result in staff reductions or reorganizations. The JTC Executive Committee may terminate or demote an employee due to a budget reduction or workload change.

DEFINITIONS

Employee Types

Full-Time Regular Employee

A full-time regular employee is an employee who has been hired by the JTC to work full-time in a work week of 40 hours or more on a regular basis for an indefinite period.

Part-Time Regular Employee

A part-time regular employee is an employee who has been hired by the JTC to work less than 40 hours in a work week on a regular basis for an indefinite period. Permanent part-time employment may be authorized by the Committee Coordinator, in consultation with the JTC Executive Committee, based upon the needs of the agency or upon written request of the employee for a work schedule change.

Permanent part-time employees who are working at least 20 hours a week on a regular basis receive the same benefits as full-time employees but on a proportional basis. Permanent part-time employees working less than 20 hours a week on a regular basis receive the same leave benefits as full-time employees, but on a proportional basis.

Temporary Employee

Temporary employment exists when an employee is employed for a specified length of time or not to exceed a specified length of time. JTC may utilize temporary employees during periods of high workload or to work on specific projects. The conditions of employment and the benefits to be received by the temporary employee will be made in writing.

Intermittent Employee

An intermittent employee is an employee who works for JTC periodically, based on the needs of the agency, as determined by the Committee Coordinator. Intermittent employees receive the same benefits as full-time employees but on a proportional basis.

ATTENDANCE, WORK HOURS AND THE WORK ENVIRONMENT

Work Hours/Schedule

Normal work hours for full-time employees are 8 a.m. to 5 p.m., Monday through Friday unless an alternate work schedule has been approved. However, employees may be required to work longer hours, weekends, or holidays to meet the requirements of their position or to accommodate the needs of the agency.

Normal work hours for part-time employees may vary depending on the demands of the employee's work assignment, and agency expectations. Part-time employees typically will work the same number of hours each week. The work schedule will be jointly agreed to by the Committee Coordinator and the employee.

Attendance

JTC employees are expected to report to work regularly and on time. If an employee is unable to report to work or will be late, the employee should call the office as soon as the employee knows he or she will be absent or late.

Decorum and Work Dress

JTC employees shall act and dress in a manner that is appropriate to their positions and which reflects the professionalism and dignity of the Committee. Employees shall dress in accordance with the scheduled work. At regular JTC Committee meetings and when on the Capitol campus during legislative session, men shall wear a jacket and tie and women shall dress at an equally appropriate level.

Overtime

As exempt employees, JTC staff are expected to devote the time necessary to deliver the highest quality work and services. As a normal and reasonable expectation of their position, this may include working evenings, weekends, or holidays. Legislative session, projects, and committee meeting workloads may require extra hours of work. When the agency does recognize significant hours of extra work, it will do so in a fair and consistent manner.

The following conditions constitute overtime for JTC employees:

- Work significantly in excess of 40 hours in one work week; or
- For less than full-time employees, work significantly in excess of the percentage of time normally worked; or
- Work on a holiday or a scheduled day off.

If an employee finds himself or herself voluntarily working substantial extra hours to meet the requirements of their position, he or she should bring that information to the attention of the Committee Coordinator.

JTC employees are compensated for authorized overtime hours in the form of exchange time.

Exchange Time

Exchange time may be granted for extraordinary time worked due to special projects or peak work periods based on work and job requirements. Approval of exchange time is

discretionary; the Committee Coordinator has the responsibility to determine whether the hours worked constitute extraordinary time. When exchange time is granted for extraordinary time worked, the rate will not exceed one hour earned for one hour worked.

Employees are encouraged to exhaust their exchange time before using other forms of leave unless this would result in the loss of accumulated leave.

Exchange time has no cash value and may not be accrued in excess of 100 hours.

The Committee Assistant/Accountant will keep track of authorized exchange time and each month will advise employees of their accrued exchange time. Use of exchange time shall be recorded on an employee's time sheet.

Telecommuting or telework

Telework is an alternative work arrangement available to JTC employees through a mutual agreement between the employee and the Committee Coordinator. Teleworking is intended to enhance employee job performance and satisfaction and reduce the number of commute trips taken by employees without impairing productivity or service to members, co-workers and the public.

It is the employee's responsibility to have equipment and services necessary to fulfill job responsibilities. Equipment must include access to a high speed line, and a computer.

The JTC assumes no liability for loss, damage, or wear of any employee-owned equipment or services used while teleworking. Computer support provided by the Legislative Service Center is not available for servicing personal computers or personal software conflicts, even if caused by installation or operation of legislative software. LSC shall not make on-site visits to alternate work sites.

PAY AND PAYROLL

Pay Periods

JTC employees are paid twice monthly on the 10th and 25th. As a general rule, if the 10th or 25th falls on a Saturday, payday is the preceding Friday; if it falls on a Sunday, payday is the following Monday. ([See RCW 42.16.010 for additional details.](#))

Direct Deposit

Employees may have their paycheck and non-payroll payments such as travel reimbursements deposited directly to their checking and/or savings account at most financial institutions. Direct deposit forms are available from the Committee Assistant/Accountant.

Mandatory Payroll Deductions

The following payroll deductions are generally made from employee paychecks:

- Federal income tax withholding;
- OASI (Social Security and Medicare);
- Health insurance premiums;
- Retirement system contributions; and/or
- Industrial insurance.

Optional or Voluntary Payroll Deductions

Employees may request payroll deductions to:

- Purchase U.S. Savings Bonds;
- Participate in the Deferred Compensation or Dependent Care plans;
- Make deposits to a credit union or other financial institution;
- Contribute to the Combined Fund Drive (charitable organizations); or
- Purchase additional life or long-term disability insurance.

Payroll-related questions should be addressed to the Committee Assistant/Accountant.

COMPENSATION

It is the policy of JTC to maintain a plan that provides fair, consistent, and equitable salary administration. In administering the plan, differences in skills, experience, performance, education, contribution toward JTC goals, self-improvement efforts, seniority, and market value may be recognized.

Quality job performance is consistently expected, supported, and recognized. Staff will be appointed, promoted, and retained on the basis of work performance.

Periodic surveys and comparisons may be made of other legislative bodies, governmental agencies, and the private sector to determine appropriate salary ranges for JTC positions.

JTC utilizes the legislative salary schedule. Employees may be hired at any step on the salary schedule, depending on education and experience.

Salary Adjustments

The following are examples of salary adjustments:

Periodic Cost-of-Living Adjustments (COLAs)

COLAs are salary adjustments that are granted by the Legislature for all state employees.

Salary Survey Adjustments

The JTC Executive Committee, in response to salary surveys or comparison data, may authorize salary adjustments.

Annual Step Increments

Annual step increments may be granted to JTC employees who are not at the top of their salary range. Generally such adjustments are a minimum of 2.5 percent and are effective on January 1. Step increments are not automatic and may be authorized on an individual basis at the discretion of the JTC Executive Committee.

Progression or Merit Adjustments

Progression or merit adjustments are to a higher step of a position's assigned salary range. Adjustments may be made to reward specific achievements or development objectives or to recognize exceptional performance. The reason for the adjustment should be so extraordinary as to warrant a salary adjustment above that of other employees in the same job classification who are regularly, reliably, and satisfactorily performing their jobs. Progression or merit adjustments may be authorized at the discretion of the JTC Executive Committee.

Promotion

Promotion is a movement from one job classification to a higher level classification having a higher salary range. Promotion is not automatic upon an individual's attainment of the minimum eligibility criteria for a higher level classification. It must be based upon the needs of JTC for expertise and responsibility at a higher level and should also take into consideration the goals and performance of the individual.

The salary adjustment upon promotion will normally be to the step in the new salary range that provides a five percent increase. Exceptional or unusual circumstances may warrant a different salary adjustment.

Reclassification

A position may be reclassified to a different job classification and salary range due to a position audit or to a change in assignment and responsibility.

When a position occupied by an employee is reclassified upward, the employee shall receive a salary adjustment in accordance with the procedures for promotions.

When a position occupied by an employee is reclassified downward, the employee's salary shall be adjusted step for step to the lower range. An employee who accepts a demotion will receive credit for all continuous employment in the higher range in determining the step he or she will move to in the lower range. If exceptional or unusual circumstances are present, a higher salary step within the lower range may be authorized.

LEAVE

JTC employees generally receive the same leave benefits as civil service employees. See [Department of Personnel – Leave & Holidays](#) or [WAC 357-31](#) for additional information

Leave requests are to be calculated against an 8-hour workday for full-time employees or the relative percentage for part-time employees. Leave requests are subject to the approval of the Committee Coordinator.

JTC employees shall record leave on the employee's time sheet.

Holidays

As state employees, JTC staff are eligible for the following state holidays. However, workload requirements may require a JTC employee to work an authorized holiday. If this occurs, the employee will be granted exchange time, to be taken at the employee's option with the approval of the Committee Coordinator. See *Attendance, Work Hours, and the Work Environment* for related information. See [RCW 1.16.050](#) for details.

State holidays include:

| | |
|------------------------------------|--|
| New Year's Day | January 1 |
| Martin Luther King, Jr.'s Birthday | 3rd Monday in January |
| Presidents' Day | 3rd Monday in February |
| Memorial Day | Last Monday in May |
| Independence Day | July 4 |
| Labor Day | 1st Monday in September |
| Veterans' Day | November 11 |
| Thanksgiving Day | 4th Thursday in November |
| Additional Day | Friday after Thanksgiving |
| Christmas Day | December 25 |
| Personal Day | Selected by employee (approval required) |

When a legal holiday falls on a Sunday, the following Monday is taken in lieu of the holiday, and when a legal holiday falls on a Saturday, the preceding Friday is taken in lieu of the holiday.

Annual or Vacation Leave

Permanent full-time employees will receive varying rates of vacation leave depending upon their years of service according to the following schedule for each month they work 15 calendar days or more. Vacation leave for permanent employees working less than full time is accrued proportionate to hours worked. For example, an employee working three-quarter time will accrue annual leave at 75 percent. Intermittent employees are eligible to accrue annual leave. Temporary employees are not eligible to accrue annual leave.

The leave accrual schedule is based on current, continuous state employment through an employee's seventh year of employment and on total years of state service from the eighth year on.

Accrual Rate Per Year

| <u>Years of Employment</u> | <u>Hours</u> | <u>Days</u> |
|--|--------------|-------------|
| 1 st | 96 | 12 |
| 2 nd | 104 | 13 |
| 3 rd and 4 th | 112 | 14 |
| 5 th , 6 th , and 7 th | 120 | 15 |
| 8 th , 9 th , and 10 th | 128 | 16 |
| 11 th | 136 | 17 |
| 12 th | 144 | 18 |
| 13 th | 152 | 19 |
| 14 th | 160 | 20 |
| 15 th | 168 | 21 |
| 16 th and after | 176 | 22 |

Excess Annual Leave

Except as authorized by state law, annual leave may only be accumulated to a maximum of 30 days or 240 hours on the employee's anniversary date. It is the employee's responsibility to manage his or her leave so that excess annual leave is not a common occurrence.

Exchange Time

JTC employees may be granted exchange time for authorized overtime. See *Attendance, Work Hours, and the Work Environment* for information about the accrual and use of exchange time.

Sick Leave

Permanent full-time employees earn eight hours of sick leave each month in which they are employed for 15 calendar days or more. Part-time and intermittent employees accrue sick leave proportionate to hours worked. The use of sick leave is defined in [WAC 357-31-130](#).

The following definitions relate to the use of sick leave:

- A child is the son or daughter, under 18, of the employee or the employee's spouse.
- Household members are those persons who reside in the same home and provide support for one another.

- A relative means a spouse, son, or daughter 18 years old or older, grandchild, foster child, parent, or grandparent.

Accumulated sick leave may be taken for:

- An illness, disability, or injury that has incapacitated the employee from performing required duties.
- Exposure of the employee to a contagious disease when the employee's presence at work would jeopardize the health of others.
- To care for a minor/dependent child with a health condition requiring treatment or supervision.
- To care for a spouse, parent, parent-in-law, or grandparent of the employee who has a serious health condition or emergency health condition.
- For family care emergencies per [WAC 357-31-290](#), [357-31-295](#), [357-31-300](#), and [357-31-305](#).
- For personal health care appointments.
- For family members' health care appointments when the presence of the employee is required if arranged in advance with the employing official or designee.
- When an employee is required to be absent from work to care for members of the employee's household or relatives of the employee/employee's spouse who experience an illness or injury.

Employees should report sick leave immediately to the Committee Coordinator or to the Committee Assistant/Accountant.

An employee may be required to provide a medical certificate if sick leave use exceeds 10 continuous workdays or upon request of the Committee Coordinator.

Newborn, Adoptive, or Foster Child Care

An employee is eligible to take leave without pay for childcare if he or she has worked for the state for 12 months for at least 1,250 hours and is the parent of a newborn, adopted, or foster child. The employee must make the request for leave without pay for childcare in writing to the Committee Coordinator and indicate the duration of the leave. Whenever possible, the employee is requested to provide at least 30 days notice. Such leave cannot be for more than 6 months and must be utilized within the first 12 months of birth, adoption, or foster child care. Employees shall be allowed to use accrued vacation leave in conjunction with leave without pay for such childcare. JTC may deny requests for leave beyond 12 weeks.

If both parents are state employees and both have requested leave, the employing agencies may limit the employees to a total absence of 12 workweeks for child care.

A total of 12 workweeks of paid leave, leave without pay, or a combination of paid and unpaid leave in a 12-month period may be designated under the Family and Medical Leave Act for newborn, adoptive, or foster child care or a serious health condition.

Bereavement Leave

Employees whose family member or household member dies are entitled to three (3) days of paid bereavement leave.

Leave Due to Unforeseen Family Care Requirements

An employee's absence due to his or her inability to report to work or to continue in a work day because of unforeseen family care requirements may be charged to the following types of leave at the employee's choice:

- Exchange time
- Annual leave
- Sick leave
- Leave without pay

For this type of leave, family is defined as the employee, the employee's spouse, or his or her spouse's son, daughter, stepchild, grandchild, foster child; child in the custody of and residing in the home of the employee, parent, or grandparent; brother or sister, niece or nephew, aunt or uncle, first cousin, or persons who reside in the same home and provide support for one another.

Family and Medical Leave

The [Family and Medical Leave Act](#) (FMLA) provides 12 weeks of unpaid leave during a 12-month period for an eligible state employee for one or more of the following reasons:

- A serious health condition that makes the employee unable to perform the functions of his or her position;
- To care for an employee's spouse, child, or parent who has a serious health condition; and/or
- To provide care for an employee's newborn, adopted, or foster child.

To be eligible, an employee must have worked for the state for at least 12 months and for at least 1,250 hours during the previous 12-month period.

If possible, employees are requested to give JTC at least 30 days written notice of their intent to take FMLA. Paid leave such as annual or sick leave plus leave without pay may be used as part of the 12-week FMLA entitlement in accordance with the rules for each type of leave.

An employee who is granted FMLA is entitled, upon his or her return from leave, to be restored to the position he or she held or to be reassigned to an equivalent position. JTC will maintain the existing health coverage of the employee during his or her FMLA. However, the agency may recover the premium paid for coverage of the employee if he or she fails to return to work for a reason other than circumstances beyond his or her control.

Leave Without Pay

An employee may take leave without pay provided such leave has the approval of the Committee Coordinator. Employees are encouraged to speak with the Committee Assistant/Accountant prior to taking unpaid leave to ensure that benefits are not lost. Leave without pay for more than 15 consecutive calendar days may affect the employee's anniversary date.

Miscellaneous or Civil Duty Leave

Employees may take leave with pay for services such as jury duty, appearing as a witness in a court case, or other civil duties such as serving as a volunteer fire person or Red Cross volunteer. An employee may also be allowed leave with pay to take an examination for a state position or to meet with representatives of the Employee Advisory Services. This type of leave shall be noted on the employee's time sheet. The employee is not charged annual leave for these activities. Employees may retain any compensation paid them for civil leave services.

Members of the armed forces and reserve are entitled to 15 days of leave during each calendar year for the purpose of reporting to active duty or taking part in active training duty. This leave is in addition to any vacation or sick leave to which an employee is entitled. The employee shall note this type of leave on the employee's time sheet prior to the use of military leave, and attach a copy of the active duty orders .

Inclement Weather Leave

Absence due to the inability of an employee to report for work because of severe inclement weather or conditions caused by severe inclement weather shall be charged against leave in the following order:

1. Exchange time;
2. Accrued annual leave;
3. Accrued sick leave up to a maximum of 3 days in any calendar year; or
4. Leave without pay.

Tardiness due to the inability of an employee to report for work because of severe inclement weather or conditions caused by severe inclement weather is permitted up to one hour per day.

Shared Leave

The purpose of the state's shared leave program is to permit state employees to donate annual or vacation leave, sick leave, or a personal holiday to a state employee who is suffering from, or has a relative or household member suffering from, an extraordinary or severe illness, injury, impairment, or physical or mental condition which has or may cause the state employee to take leave without pay or terminate his or her employment. (See [RCW 41.04.650](#), [RCW 41.04.655](#), [RCW 41.04.660](#), [RCW 41.04.665](#), and [RCW 41.04.670](#).)

An employee may be eligible to receive shared leave from fellow employees or employees of other agencies.

When shared leave is either granted by or received by an employee, the rules and regulations of the Office of Financial Management (OFM) will be followed. See [OFM Payroll Policy 25.40.10](#) for details.

Employees may not donate excess annual leave that the donor would not be able to take due to an approaching anniversary date. The donation of leave cannot put the employee's sick leave balance below 480 hours or below 80 hours of annual leave. A maximum of 48 hours may be donated in a calendar year.

The Committee Coordinator, in consultation with the JTC Executive Committee, shall determine the amount of donated leave an employee may receive and may only authorize him or her to use up to a maximum of 261 days of shared leave during total state employment.

Sick Leave Incentive Program

State law authorizes JTC employees to receive monetary compensation for accrued sick leave. Yearly, in January, an employee whose sick leave balance at the end of the previous December exceeds 480 hours may elect to be cashed out for unused sick leave hours earned in the previous calendar year. The employee choosing this option is paid for one-fourth of the unused leave greater than 480 hours. Although the employee is paid for one quarter of the leave, the total eligible unused hours are extinguished. For example, if an employee has 48 hours of sick leave that may be cashed out, he or she will be paid for 12 hours but all 48 hours will be deducted from their sick leave balance. See [OFM Payroll Policy 25.40.30](#) for details.

BENEFITS

The state of Washington provides a comprehensive benefits package for its employees. Legislative employees are generally eligible for and receive the same benefits package that is available to civil service employees. See the Committee Assistant/Accountant for specific information on the various plans and programs, eligibility, optional coverage, and payroll deductions.

Medical and Dental

Employees are eligible for the state's medical and dental insurance plans and will be notified of open enrollment periods and changes in the plans offered.

Life and Long Term Disability Insurance

Employees are covered under the employer-paid group life and long-term disability insurance plans.

Industrial Insurance

As state employees, JTC staff are insured under the Workers' Compensation Act for injuries or illnesses that occur in the course of employment. Employee premiums are paid automatically by payroll deduction.

Report any on-the job injury to the Committee Assistant/Accountant. The employee is responsible for submittal of an accident form to the Department of Labor and Industries. See *Job-Related Accidents/Illnesses and Required Reports* in the Employee Health Section for related information.

Social Security and Medicare

Employees are covered by the federal Old Age Survivor's Insurance System (OASI). Contributions are paid automatically by payroll deduction.

State Retirement System

All eligible employees are required to participate in the Washington Public Employees' Retirement System. Contributions are made by both the employer and the employee. Employee contributions are paid automatically by payroll deduction.

Unemployment Compensation

Permanent employees are covered by the Washington State unemployment compensation program.

Deferred Compensation

Employees may elect to deposit a portion of their pre-tax earnings in a deferred compensation plan. Contact the [Deferred Compensation Program](#) at the Department of Retirement Systems at 360-664-7111 for information and forms.

Dependent Care Assistance

Employees may set aside a portion of pre-tax earnings to pay for dependent care expenses. Contact the [Dependent Care Assistance Program](#) at the Department of Retirement Systems for eligibility and procedures for enrolling in this program.

Flexible Spending Account

Employees may set aside a portion of pre-tax earnings to pay for qualified health-care expenses. Visit the Public Employees Benefits Board website for eligibility and procedures for enrolling. <http://www.pebb.hca.wa.gov/>

Americans with Disabilities Act/Reasonable Accommodation

JTC will comply with the federal [Americans with Disabilities Act](#) (ADA) and [RCW 49.60.030](#) to ensure reasonable accommodation for persons with disabilities.

This policy provides information to assist employees, consultants, and the public in making a reasonable accommodation request.

Under the law, persons with disabilities include all individuals who:

- Suffer from physical or mental impairment that substantially limits one or more of the individual's major life activities;
- Have a record of such an impairment; or
- Who are regarded as having such impairment, whether or not the individual actually suffers from a disabling condition.

Major life activities are defined as functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. The definition of disability includes cosmetic disfigurement, psychological disorders, learning disabilities, infectious or communicable diseases, and persons recovering from serious illnesses such as cancer or heart disease.

Requests from Employees

A reasonable accommodation for a JTC employee may include, but is not limited to:

- Making facilities accessible and usable;
- Restructuring jobs;
- Providing part-time or modified work schedules;
- Reassigning an employee to a vacant position;
- Acquiring or modifying equipment or devices; or
- Providing qualified readers or interpreters.

An employee may make a request for a reasonable accommodation in writing to the Committee Coordinator. The request should describe the accommodation desired and may, at the employee's discretion, include a written statement from a physician or a qualified expert about the general nature of the disability.

The decision of whether an accommodation can be made will be presented to the employee in writing. In making that decision, the rights of employee must be balanced with the duty of JTC to maintain the integrity of its responsibilities and work effort.

Requests from the Public

JTC will make reasonable efforts to ensure that members of the public with disabilities are not excluded from participating in agency programs, services, or activities.

The agency will provide auxiliary aids or services to facilitate public participation, including providing documents in alternative formats, readers, sign language interpreters, and adaptive equipment. Persons with disabilities who need such aids or services are invited to request them. Such a request should be made in a timely manner to provide JTC with opportunity to make appropriate arrangements at reasonable cost and without undue hardship. Generally, JTC will not provide auxiliary aids or services to persons where their employers have the legal duty to do so.

A request for an accommodation may be made to the JTC Committee Assistant/Accountant and must include a description of the desired accommodation. A written statement from a physician or a qualified expert about the general nature of the disability may also be included in the request.

A decision of whether the accommodation can be made will be made to the requesting individual.

Denial of a Request

JTC has no obligation to provide an accommodation that would impose an undue hardship nor will it make modifications that would fundamentally alter the nature of its program, services, or activities. Generally, an accommodation would constitute an undue hardship if it would result in significant difficulty or expense. An accommodation may be refused only if such action cannot reasonably be undertaken.

If a person with a disability believes that his or her request has not been handled or decided properly or expeditiously, he or she may file a formal, written complaint with the Committee Coordinator. Such a complaint must include the following information:

1. A description of the request;
2. A statement explaining why the individual believes the request is reasonable;
3. A statement showing why granting the request is required by law;
4. A statement showing why the process has not been adequate; and
5. Verification that the disability constitutes a disability within the meaning of the law.

The Committee Coordinator's decision is final and will be submitted to the individual making the request.

Employees, clients, and the public have the right to seek resolution of any dispute through the [Washington Human Rights Commission](#) or the [U. S. Department of Justice](#), or by filing a private cause of action.

Voluntary Employees' Beneficiary Association Medical Expense Plan

The JTC has adopted the Voluntary Employees' Beneficiary Association Medical Expense Plan (VEBA-MEP). VEBA-MEP is a voluntary employees' beneficiary association authorized by Internal Revenue Code Section 501(c)(9). VEBA-MEPs are a special type of tax-exempt trust vehicle that provide employee benefits.

The VEBA program offers a health reimbursement arrangement and provides retirees with a tax-free source of funds to pay or reimburse qualified out-of-pocket health care expenses and premiums.

In order to reduce risk associated with small agencies participating in a VEBA-MEP, JTC has decided to participate in a small agency voting pool. OFM manages the voting pool and reviews employee eligibility as defined by agency policy. VEBA-MEP eligible employees are eligible to vote to determine whether they and other members of the pool will participate in VEBA-MEP for the plan year covered by the vote. OFM notifies eligible employees when a vote is required.

OFM receives the ballots of eligible employees and notifies all of the result. If the voting members approve of the VEBA-MEP for the given year, all employees who retire during that period must participate.

The VEBA MEP Trust Committee Coordinator administers VEBA. When an employee retires, an amount equal to (and in lieu of) his/her sick leave cash out shall be deposited by JTC directly with the Plan Committee Coordinator. The Plan Committee Coordinator thereafter is responsible for payment of the retiree's documented medical insurance premiums and qualified medical, dental, and vision care expenses not covered by insurance (including co-payments and deductibles).

Changes in state law affecting sick leave cash out at retirement, retirement eligibility, or changes in Internal Revenue Service tax code shall cause the VEBA MEP to be reevaluated.

For additional information, see the [Washington State VEBA MEP website](#).

References

- [RCW 41.04.340](#)
- [WAC 357-31-375](#).

ETHICS

The State Ethics Act (RCW 42.52) establishes a single code of ethical conduct for employees in all branches of state government. The Act follows the guiding principle that a state employee may not use his or her position for personal gain or private advantage. JTC employees are required to comply with the State Ethics Act and other standards of conduct prescribed by law.

The Legislative Ethics Manual (<http://walishome/senate/Manuals/EthicsManual08.pdf>) provides a summary of the ethical laws and principles that provide that foundation. This document is included by reference as part of the JTC Personnel Policies and Procedures Manual.

The enforcement mechanism for the State Ethics Act for legislative employees -- including employees of the JTC -- is the Legislative Ethics Board. The Board is made up of 2 senators, 2 representatives, and 5 citizen members. The Board is responsible for:

- Development of educational and training materials for legislators and legislative employees;
- Issuance of advisory opinions;
- Adoption of rules or policies;
- Investigation of complaints;
- Imposition of sanctions including reprimands and monetary penalties;
- Recommendation of suspension or removal to the appropriate legislative entity or prosecution to the appropriate authority; and
- Establishment of criteria for civil penalties for violation of the Ethics Act.

The guiding principles of the State Ethics Act are described in its general provisions which are summarized below.

A state employee may not:

1. Have a financial or other interest, or engage in any business or professional activity that is in conflict with his or her official duties.
2. Use his or her official position to secure special privileges for himself or herself or any other person;
3. Receive any compensation or gift from a source, except the state, for performing or deferring the performance of any official duty;
4. Receive a gift or favor if it could reasonably be expected to influence the performance or non-performance of the employee's official duties;
5. Accept a gift from any person with a value in excess of \$50. Gift is defined as anything of economic value for which no consideration is given. It does not include items from family members or friends when the gift was not made to gain or maintain influence in the employee's agency.
6. Use any person, money, property, or facilities of the state for private gain or for campaign purposes.

JTC employees are encouraged to read and become familiar with the Act and with the rules and opinions promulgated by the Legislative Ethics Board. The complete text of the State Ethics Act can be found in the *Appendices*. All Legislative Ethics Board opinions and rules are available on its Internet home page @ <http://www.leg.wa.gov/common/ethics>

If employees have questions or would like additional information or clarification about the State Ethics Act, please contact the Legislative Ethics Board at 360-786-7540.

USE OF STATE RESOURCES

The underlying principle of the State Ethics Act is that public office, whether elected or appointed, may not be used for personal gain or private advantage. The Act establishes very strict rules governing the use of state-owned resources. Employees are expected to use state resources such as computers, electronic messaging, the Internet, telephones, equipment, and supplies appropriately.

State-owned resources and services may only be used for official business and in a manner consistent with rules of the Legislative Ethics Board. These policies govern the use of all state-owned resources, whether located in the JTC office or in an employee's home.

For further guidance and clarification about the use of state resources, visit the Legislative Ethics Board's website at <http://wsl.leg.wa.gov/common/ethics/ethicsrule.htm#RULE3>. The State Ethics Act is included in the *Appendices* for reference.

Employees are cautioned that documents created on state-owned computers, e-mail messages sent and received, and records of Internet sites visited may be subject to public disclosure.

Employees using state resources appropriately shall not be personally liable for damage or loss arising from normal and customary use.

Computers

Employees are expected to use JTC's computers and systems appropriately, keeping in mind the following criteria:

- No hardware or software may be purchased without proper authorization.
- No software or any peripherals may be placed on any JTC computer equipment without proper authorization.
- No software purchased by JTC may be placed on equipment owned by an employee without proper authorization; and
- All software placed on JTC computer equipment must be appropriately licensed. Placement of software purchased by JTC on agency-owned equipment or equipment belonging to an employee will be authorized only if such placement is in conformance with all requirements of the software license.

Equipment and Supplies

Every employee has the responsibility to use state-owned supplies, equipment, and facilities appropriately.

Internet

Each employee is responsible for the content of any communication sent via, placed on, or downloaded from the Internet. The JTC is not liable in any way for the content of any such communication and there is no guarantee of privacy or confidentiality in any message or file received or sent via the Internet. To ensure compliance with copyright laws and to maintain the security of the network, staff may not download and/or install software without proper authorization.

The Joint Legislative Systems Committee has the authority and ability to monitor employees' Internet use and may report suspected abuse or misuse to the JTC Committee Coordinator and/or other authorities.

Home Office

Employees may utilize JTC portable laptop computers for telecommuting or while traveling on official business.

Telephones, SCAN System, Printers, and FAX Machines

Office Phones and Fax Machines – Employees are cautioned to use discretion with respect to the use of office phones for personal calls. Personal long distance calls are to be made with an employee's personal telephone credit card, charged to his or her home number, placed collect, or billed to a third-party number. Agency fax machines are intended for business use.

State Controlled Area Network (SCAN) System – SCAN is the network that provides long distance service for the state of Washington. SCAN use is to be limited to business-related long distance calls. Each employee is accountable for the long distance calls made with his or her SCAN authorization number. For personal long distance calls, see Office Phones above.

Phone calls during travel – When an employee is in travel status, the office calling card may be used for long distance business-related calls. While in travel status, an employee may use the card to make brief calls to his or her family.

RECORDS AND REPORTING

Public Records Disclosure

In accord with [RCW 42.17](#), all public records in the custody of JTC are available for public inspection and copying from 8 a.m. to 5 p.m. Monday through Friday, except on legal holidays. A request from the public to inspect or copy a JTC public record may be made orally or in writing to the Committee Coordinator.

The Committee Coordinator will respond within five business days of the receipt of a public records request by:

- Providing the record or records; or
- Acknowledging receipt of the request and providing a reasonable estimate of the time required to respond to the request; or
- Denying the request and stating the reason for the denial.

As provided by law, the Committee Coordinator will determine if a requested public record is exempt from disclosure and may delete identifying details as appropriate.

No fee shall be charged for the inspection of a public record.

A fee of 15 cents per page may be charged for copying records. A fee of \$10 per CD may be charged for each recording of a JTC committee meeting. The JTC will provide the CD. Fees are payable at the time the copy is furnished.

Additional fees may be charged for the actual cost of preparing a public record for inspection and copying, and restoring the public record, if a nonstandard public record is requested.

The State Ethics Law prohibits employees from disclosing confidential legislative information. The Act also prohibits employees from concealing legislative records that are considered public records and that are legally required to be disclosed. (See The State Ethics Act section or [RCW 42.52](#) for additional information.)

Employee Personnel Files

The JTC maintains a personnel file for each employee. Records maintained in the employee's file include his or her name, position, salary, and changes of employment status. In addition, records are maintained on attendance and leave, performance evaluations, training, and such other information as may be required. Employee personnel records are confidential to the extent permitted by law.

Personnel records may be inspected only by authorized personnel. An employee who wishes to inspect his or her personnel file may contact the Committee Coordinator or Committee Assistant/Accountant to do so. The employee or his or her designated representative may examine his or her personnel records; however, nothing may be removed from the file. If an employee believes that material in the file is erroneous or prejudicial, the employee or his or her designated representative may submit a rebuttal and/or refuting documentation for insertion into the file.

Employees are encouraged to provide changes in personal information such as name, address, zip code, or phone number as well as information relative to professional accomplishments or passing professional examinations, completion of additional education or certification, and training and development courses taken.

Employee Records Disclosure

Personal information about JTC employees will not be released without the express authorization of the employee or as required by law.

Employee Emergency Notification

JTC employees must maintain current emergency notification information in their personnel files.

Public Disclosure Commission (PDC) Reports

JTC employees are subject to the reporting requirements of the PDC and shall report as required for their position.

Outside Employment – Conflict of Interest

The State Ethics Law prohibits state employees from having obligations or interests that are in conflict with their official duties. An employee who is employed outside of his or her position with JTC must report such employment to the Committee Coordinator. An employee who has a conflict of interest must immediately eliminate or resolve the conflict.

The following factors are relevant in determining whether a conflict exists:

- Does the outside employment involve the same or similar type of work as the employee's position with JTC?
- Could the outside employment suggest an appearance that it or the outside employer may be influencing the judgment of the JTC employee?
- Is there an appearance that the employee is using state resources (time, facilities, or equipment) in the performance of his or her work for an outside employer?
- Does the outside employer have interests that could be significantly affected by the performance or non-performance of the JTC employee's duties?
- Are there other issues related to the outside employment that could conflict or interfere with the individual's employment with JTC?

See the State Ethics Act section or [RCW 42.52](#), State Ethics Act for additional information.

TRAINING AND DEVELOPMENT

The JTC is committed to fostering and developing performance excellence. JTC encourages and supports employee participation in training and education programs to enhance the skills and knowledge needed to increase performance and to further career potential and job satisfaction.

Training is defined as an activity that provides a learning situation to enhance an employee's professional effectiveness. Training and development activities may include classroom and on-the job training, college and self-study courses, on-line electronic resources, and professional conferences and seminars.

Training During Work and Non-Work Hours

Employees may attend training during and/or outside working hours. Training must be approved in advance by the Committee Coordinator.

- Attendance at required or JTC-paid training either during or outside of work hours is considered time worked and is compensated accordingly.
- Voluntary attendance at training either on approved leave from or outside of working hours is not considered time worked unless otherwise approved by the Committee Coordinator prior to the training or educational activity.

Tuition Reimbursement

The JTC may approve full or partial tuition reimbursement for an employee who is enrolled in a qualified course conducted by an educational institution, vocational school, or a professional training organization. To qualify, the course must have an objective of furthering an employee's career development plan and/or changing or enhancing the employee's skills, knowledge, attitude, or behavior. The course must be directly related to the subject matter of the employee's position.

Tuition reimbursement is subject to the following conditions:

- Tuition reimbursement decisions will be made in advance by the Committee Coordinator, in consultation with the JTC executive committee, and will be contingent on the availability of funds. Reimbursement will be made only after the employee has satisfactorily completed a course which previously has been approved for tuition reimbursement.
- Tuition reimbursement is limited to tuition or registration fees; it does not include textbooks, supplies, parking, transportation, or other school-related expenses.
- Tuition reimbursement is limited to no more than 6 hours per quarter.
- Tuition is capped at Washington public college rates.
- An employee may not receive reimbursement in excess of the total tuition for any course.
- Professional development that is directly related to the job of a staff person is considered a work activity. Education funded by tuition reimbursement is a benefit designed to facilitate career advancement is not considered a work activity and must be done on the staff person's own time.

Tuition Reimbursement Request

To receive tuition reimbursement, the employee must submit a written request to the Committee Coordinator, who will consult with the JTC Executive Committee for approval. The request should include:

- Name of the educational institution
- Name of the educational institution
- Statement of the employee's intent to enter into an educational program to obtain a degree (if applicable)
- Name and description of the program (if applicable)
- Name and description of the course(s)
- Credit or semester hours of the program or course(s)
- The tuition/registration fee amount to be reimbursed for each course
- A statement describing the program or course objective. For example, the course will further the employee's career development plan or will change or enhance his or her skills, knowledge, attitude, or behavior.

Approval/Disapproval

The following criteria will be used to approve or disapprove tuition reimbursement:

- The specific needs of the agency in the area(s) of technical or specialized experience;
- Identified goals and objectives of the employee as outlined during the performance review process;
- The effect the education will have on the career prospects and productivity of the employee;
- Availability of funds;
- Workload compatibility;
- Other issues specific to the individual or the agency.

Upon completion of the educational activity or program, the employee must:

- Provide written evidence of satisfactory completion of the course or program; and
- Submit a receipt of expenditures for reimbursement to the Legislative Assistant/Accountant.

Employee Training Records

Records of each employee's completed training activities will be maintained as part of his or her personnel file. Upon completion of each training activity or course, the employee should send a copy of a certificate of completion (if received) or other record notification of training to the Committee Assistant/Accountant for inclusion in the employee's personnel record.

EMPLOYEE PROTECTIONS

Although exempt from civil service, JTC employees have many of the same protections as civil service employees. These include the Whistleblower Act, which provides an avenue for all state employees to confidentially report improper governmental action, and internal JTC processes to resolve grievances and to report and resolve issues of discrimination or harassment.

Whistleblower Act

[RCW 42.40](#) encourages state employees to report improper governmental actions to the Office of the State Auditor. Improper governmental action means any action by an employee in the performance of his or her duties that violates state law, abuses authority, wastes public funds, or endangers public health or safety. Improper governmental action does not include personnel actions such as employee grievances, complaints, appointments, promotions, assignments, performance evaluations, reprimands, reduction of pay, dismissal, suspension, or demotion.

Whistleblower as defined in statute means an employee, who in good faith, reports alleged improper governmental action to the State Auditor who then initiates an investigation. Whistleblower also means an employee who, in good faith, provides information to the State Auditor in connection with an investigation. The identity of the whistleblower must be kept confidential unless the State Auditor determines that the information has been provided in other than good faith.

State law protects employees who make or are involved in a Whistleblower report from retaliation.

Additional information about the Whistleblower program can be found on the State Auditor's website at www.sao.wa.gov.

The Grievance Process

A grievance, as used in this policy, is an assertion by an employee that the terms and conditions of his or her employment have been adversely affected in a material way by a violation, misinterpretation, misapplication, or non-application of a written JTC rule or policy. It is not a process for an employee to circumvent or change JTC rules, policies, or procedures.

In the event a dispute arises in the employee-employer relationship, JTC will provide for an orderly and timely adjudication of grievances and/or misunderstandings.

This process is not intended to substitute for open communication between employees and management. Formal action to resolve a grievance should occur only after every good faith effort has been made to resolve the dispute.

An employee who alleges grounds for grievance must continue to follow directions and orders, allowing the grievance process to resolve the issue or dispute. Failure by an employee to comply with management directions may constitute insubordination.

Grievance Procedure

Step 1: An employee who believes he or she has a grievance should present the grievance to the Committee Coordinator in writing within 15 calendar days of its occurrence. The grievance must contain the following information:

1. Description of the grievance;
2. Date it occurred;
3. The rule, law, or JTC policy that allegedly has been misapplied or broken; and
4. The identity of any persons who have knowledge of the occurrence.

The Committee Coordinator will meet with the aggrieved employee and any individuals who may have knowledge of the occurrence to facilitate resolution of the issue. If the employee and the Committee Coordinator are unable to come to a satisfactory resolution of the issue within 10 working days of the grievance being submitted, the employee may refer the grievance to the presiding co-chair of the JTC Executive Committee.

Step 2: The presiding co-chair of the JTC Executive Committee may:

1. Review the documents generated under step 1 and may meet with the aggrieved employee and any individuals who may have knowledge of the occurrence to resolve the issue. The decision is final and must be made within 10 working days.

OR

Involve the services of outside expertise such as the Attorney General's Mediation Unit or the Dispute Resolution Center of Thurston County to work with the parties involved to facilitate resolution of the issue. The process utilized by the organization selected will be followed to resolve the grievance. That organization will provide a written report to the presiding co-chair of the JTC Executive Committee.

Timelines

An extension or waiver of the time limits specified in this policy may be made by mutual consent of the parties involved. If an employee fails to comply with the prescribed time limits without mutual consent, the grievance is considered dropped. If the Committee Coordinator or presiding co-chair of the JTC Executive Committee fails to comply with the prescribed time limits without mutual consent, the employee has the right to proceed to the next step of the process.

Appeal

An employee who is dissatisfied with the decision of the Committee Coordinator or presiding co-chair of the JTC Executive Committee may request that the grievance be resolved by outside mediation services.

Discrimination and Harassment

JTC will provide and maintain a respectful workplace that is free of discrimination and harassment. Employees have a right to work in an environment free from unsolicited, inappropriate, and unwelcome comments or conduct. Employees and management together are responsible for creating a positive, respectful work environment. All JTC

employees and visitors are expected to conduct themselves in a manner in which harassment or discrimination does not occur.

No employee or legislator will attempt to influence, control, or otherwise affect the career, salary, job, or performance of another employee through harassment.

As an employer, JTC will not engage in any discriminatory activity based on race, color, gender, religion, creed, age, marital status, national origin, sexual preference, or disability.

Discrimination occurs when an action or decision with respect to hiring, firing, compensation, benefits, promotion, reclassification, disciplinary action, or other working condition is made on the basis of protected group status.

Discrimination toward anyone is not acceptable and will not be tolerated. Groups specifically protected under the law include persons age 40 and above, people with disabilities, Vietnam Era veterans, disabled veterans, women, Asians and Pacific Islanders, Blacks, Hispanics, Native Americans, and Alaska Natives.

Harassment includes, but is not limited to, comments, slurs, jokes, innuendo, cartoons, pranks, requests for favors or other verbal or physical conduct of a sexual, racial, or other nature related to a protected status when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis of employment decisions affecting the individual; or
- Such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment is not a difference of opinion or disagreement between individuals nor is it constructive criticism or work instructions from a superior.

The courts have defined two types of sexual harassment:

- Quid Pro Quo cases in which an employer or supervisor demands submission to sexual advances as an explicit or implicit term or condition of employment; and
- Hostile Environment cases in which the employer or a supervisor either creates or condones unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature.

Complaint/Investigation Options and Procedures for Claims of Harassment or Discrimination

If an employee feels he or she is the subject of behavior that is uncomfortable or unacceptable, several options are available for help. These options are not exclusionary, one or more may be appropriate for a particular situation.

All complaints of discrimination or harassment will be handled discretely, promptly, thoroughly, and respectfully.

Retaliation against a person who complains of or reports harassment or discrimination will not be tolerated.

The Employee May Take Informal Action

Many people who believe they have experienced discrimination or harassment simply want the problem to end. They may not want to go through a protracted formal or legal process. Some individuals may be unaware that certain words or conduct are offensive to others in the work environment.

The employee may be comfortable talking with the individual and may simply request that he or she stop or refrain from the offensive conduct. Another option is for the employee to write a letter or note to the offender requesting that the behavior stop. Often these actions will stop the offensive conduct.

Informal Complaint Procedure

This procedure provides an avenue for informal resolution of the issue if, for any reason, the employee does not want to try to resolve it or has tried to stop the behavior but has been unsuccessful. At this point, the employee wants the offensive conduct to stop but does not want to file a formal, written complaint that would result in an investigation.

1. If an employee is uncomfortable trying to resolve the situation, he or she may speak to the Committee Coordinator about the problem.
2. The Committee Coordinator has an obligation to take immediate corrective action to resolve the situation.
3. The Committee Coordinator will review the conduct in question. He or she will limit inquiries to a need-to-know basis and may utilize the services of outside resources for assistance in resolving the problem.
4. If it is determined that conduct violating JTC policy has occurred, the Committee Coordinator shall impose appropriate disciplinary action, subject to consultation with the JTC Executive Committee.
5. The complainant shall be informed of any action taken by the Committee Coordinator.
6. If the Committee Coordinator is the accused, the employee may speak to the Committee Assistant/Accountant, who will notify the Committee Coordinator of the complaint to provide an opportunity for discussion between the parties involved to facilitate resolution of the issue. The employee may also speak to the presiding co-chair of the JTC Executive Committee. These are the only recourses available under the Informal Complaint Procedure when a complaint is against the Committee Coordinator.

Formal Complaint Procedure

The filing of a formal, written complaint will result in an investigation of the matter. JTC may choose to conduct the investigation internally or to seek the services of outside expertise to conduct the investigation or to assist in the investigative process.

The procedure to initiate a formal investigation of alleged discrimination or harassment is:

1. The employee must file a written complaint with the Committee Coordinator. The complaint must include the following components:
 - a. A clear description of the problem or occurrence;
 - b. The date(s) of the incident(s) or occurrence(s);
 - c. Identification of the party or parties involved and the identity of any persons who may have knowledge of the problem; and
 - d. Steps taken to date by the employee to resolve the problem.
2. Upon receipt of the complaint, the Committee Coordinator will initiate an investigation either internally or utilizing outside resources if appropriate.
3. The respondent (the person who is the subject of the complaint) will receive notice of the nature of the complaint and the identity of the complainant.
4. Parties involved in the complaint will be interviewed, and if necessary, observers of the discrimination or harassment, or others who may be similarly situated with the complainant.
5. All efforts will be made to handle the complaint and the investigation in a confidential manner. However, it should be noted that confidentiality may not be possible.
6. Findings, recommendations, and supporting documentation will be presented to the Committee Coordinator for appropriate action.
7. In the event the respondent is the Committee Coordinator, the JTC Executive Committee will be responsible for appropriate action.
8. At the conclusion of the investigation, all persons who were substantially involved in the matter will be notified of the findings and recommendations.
9. If the investigation finds that the facts may constitute a criminal violation, the appropriate law enforcement agency will be notified.
10. A copy of the final report and supporting documentation will be placed in a confidential file in the JTC administrative files.
11. Information that does not disclose identifying details may be requested and provided through the Request for Public Records process.

External Options for Employees

JTC employees have the right to seek information or assistance or to file a complaint with the state [Human Rights Commission](#) or the federal [Equal Employment Opportunity Commission](#) at any time during a harassment or discrimination procedure or investigation.

1. Employees may contact the Washington State Human Rights Commission or the federal Equal Employment Opportunity Commission for information or assistance. Such a contact does not constitute a formal complaint filing.

2. At any time throughout the process, but within six (6) months from the date of the alleged discrimination or harassment, the employee may file a formal complaint with the Human Rights Commission or the Equal Employment Opportunity Commission.
3. The employee may retain legal counsel and file a private action.

Resource Information

- [Washington State Human Rights Commission](#) – 360-753-6770
- [Federal Equal Employment Opportunity Commission](#) – 1-800-669-4000

CORRECTIVE AND DISCIPLINARY ACTIONS

JTC employees are expected to act in a professional, productive, cooperative, and law-abiding manner. Good performance is often dependent on people working, cooperating, and behaving in a self-disciplined and orderly way.

Corrective Action

Corrective action may be taken to assist an employee in improving his or her performance by helping the employee understand the problem and to identify performance expectations. Corrective action is intended to help the employee improve his or her performance.

The most common forms of corrective action are:

- An oral reprimand;
- A corrective interview; and
- A letter of reprimand.

Disciplinary Action

Formal disciplinary action is generally taken only after a serious infraction of the rules, excessive repetitions of lesser infractions, or when informal corrective actions have failed to achieve the desired performance improvement. If disciplinary action becomes necessary, it should be commensurate with the problem or situation being addressed.

Disciplinary action may include:

- Suspension without pay;
- Reduction in salary;
- Demotion to a lower job classification;
- Suspension followed by dismissal; or
- Dismissal.

The causes for disciplinary action may include:

- Neglect of duty;
- Inefficiency;
- Incompetence;
- Insubordination;
- Indolence;
- Conviction of a crime involving moral turpitude;
- Malfeasance;
- Gross misconduct; or
- Willful violation of rules or regulations.

Dismissal/Termination

Employment with JTC is terminable at the discretion of the JTC Executive Committee. An employee may be terminated at any time without liability, without notice, and without cause.

A disciplinary action may result in the termination of an employee. The reason or reasons for such termination will be stated in writing by the JTC Executive Committee.

EMPLOYEE HEALTH

JTC is committed to ensuring the personal safety of employees and visitors and to providing a safe, healthy, and productive work environment. The responsibility for employee safety and a positive work environment is shared by employer and employee.

Job Related Accidents/Illnesses and Required Reports

Job-related accidents and illnesses must be reported promptly to the Committee Coordinator.

The state Department of Labor and Industries (L&I) Accident Report form is available from the Committee Assistant/Accountant and should be submitted by the employee as required by L&I regulations.

An employee who consults a physician for what he or she reasonably believes is an on-the-job injury or illness should inform his or her doctor that the injury is believed to be job-related and that an industrial insurance claim should be sent to the Department of Labor and Industries. An employee who files a workers' compensation claim must coordinate the use of sick leave and other time loss issues with the Committee Assistant/Accountant.

See *Industrial Insurance* in the Benefits Section for related information.

Alcohol and Drug Dependency

Alcoholism and drug dependency are defined as illnesses that interfere with an employee's ability to satisfactorily perform his or her work or that adversely affect job behavior.

JTC regards the misuse of alcohol or drugs as undesirable conduct that may result in unacceptable work performance. If an employee develops job performance problems as a result of a drug or alcohol problem, JTC may refer the employee to a treatment program. Employees are encouraged to voluntarily seek assistance for alcoholism, drug dependency, or any other job-impairing personal problem.

See *Employee Assistance Program*.

Domestic Violence and Violent Behavior in the Workplace

JTC will not tolerate domestic violence or any type of violent behavior, including the harassment of any employee or client while in state offices, facilities, work sites, vehicles, or while conducting state business. This includes the display of violent or threatening behavior (verbal or physical) that may result in physical or emotional injury or otherwise places an individual's safety or productivity at risk. JTC is committed to working with employees who are victims of domestic violence or violent behavior to prevent abuse and harassment from occurring in the workplace. No employee will be penalized or disciplined for being a victim of harassment in the workplace.

Domestic Violence

Domestic violence is abusive behavior that is physical, sexual, and/or psychological and is intended to establish and maintain control over a partner. It is a serious problem that affects people from all walks of life. It can adversely affect the well-being and productivity of employees who are victims as well as their co-workers. Other effects of domestic violence in the workplace include increased absenteeism, turnover, health care costs, and reduced productivity.

Address Confidentiality Program

The Secretary of State's Office maintains an [address confidentiality program](#) for victims of domestic violence. The program allows victims to use a substitute address for public and private records, mail forwarding, and service of process purposes. Anyone who is threatened by domestic violence and wishes to use this service is urged to contact the Secretary of State's Office at 800-822-1065.

Domestic Violence Resources

A number of resources are available to employees, their families and friends including:

- 24-Hour Washington State Domestic Violence Hotline – 1-800-562-6025
- [Safeplace](#) 24-Hour Counseling Line – 360-754-6300
- Local police – 911
- [Washington State Coalition Against Domestic Violence](#) – 360-586-1022
- The National Domestic Violence Hotline – 1-800-799-7233
- [Employee Assistance Program](#) – 360-753-3260

Employee Assistance Program

The state's [Employee Assistance Program](#) (EAP) offers free, professional counseling to state employees who are having problems that may or do affect their work. Counseling is available for problems, including:

- Alcohol or drug misuse
- Financial problems
- Emotional/interpersonal
- Marriage or family

All contacts are voluntary and confidential and will not be reported to JTC. However, if an employee is formally referred to EAP, JTC will be contacted to confirm the employee's appointment.

The responsibility for correcting unsatisfactory job performance or behavior resulting from personal problems rests with the employee.

Employees may contact EAP by phone at 360-753-3260 or by fax at 360-664-0498.