

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Resolution No. 433 - Revising the Employee Handbook		
DEPARTMENT:	Human Resources		
PRESENTED BY:	John Norris, Assistant City Manager		
ACTION:	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution	<input type="checkbox"/> Motion
	<input type="checkbox"/> Discussion	<input type="checkbox"/> Public Hearing	

PROBLEM/ISSUE STATEMENT:

The Employee Handbook ("Handbook") contains the City's personnel policies and practices. The Handbook was last comprehensively updated in 2017. The updates outlined in proposed Resolution No. 433 (Attachment A) are in response to updating the "Standby and Call Back Policy," an administrative policy established in 2011 and recently approved for update by the City Manager in December 2018.

To ensure consistency with this updated Policy, staff conducted a review of the Handbook and identified the need for three (3) modifications:

- Defining "Fit for Duty,"
- Amending the Standby Procedures, and
- Increasing the minimum hours from two (2) to three (3) hours an employee is paid when called back to work from standby.

The City Council discussed proposed Resolution No. 433 on January 14, 2019 and directed staff to bring the proposed Resolution back to Council for adoption. Tonight, Council is scheduled to adopt proposed Resolution No. 433.

RESOURCE/FINANCIAL IMPACT:

The increase from the minimum of two to three hours an employee is paid when called back to work from standby is approximately \$3,000-\$6,000 per year. This estimate is based on assuming 80 callbacks per year being under three hours but more than the existing two-hour minimum for Code Enforcement/Customer Response Team, Ronald Wastewater, and Streets Crews. For reference, the Code Enforcement/Customer Response Team was called back to work for about 80 calls per year between 2008-2018.

RECOMMENDATION

Staff recommends that Council adopt Resolution No. 433 to update the Employee Handbook.

Approved By: City Manager **DT** City Attorney **MK**

BACKGROUND

The Employee Handbook (“Handbook”) contains the City’s personnel policies and practices. The Handbook was last comprehensively updated in 2017. The updates outlined in proposed Resolution No. 433 (Attachment A) are in response to updating the “Standby and Call Back Policy,” an administrative policy established in 2011 and recently approved for update by the City Manager in December 2018.

The Customer Response Team (CRT) reorganization to include all code enforcement under one team gave the City an opportunity to review how the City meets the policy of providing 24 hour/day, 7 day/week, first responders to emergency issues not requiring a fire, police, or medical (911) response. The result of this review was the update to the Standby and Callback Policy.

To ensure consistency with this updated Policy, staff conducted a review of the Employee Handbook and identified the need for three modifications:

- Defining “Fit for Duty,”
- Amending the Standby Procedures, and
- Increasing the minimum hours from two (2) to three (3) hours an employee is paid when called back to work from standby.

The City Council discussed proposed Resolution No. 433 on January 14, 2019. The staff report for this Council discussion can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2019/staffreport011419-9b.pdf>.

DISCUSSION

As was discussed with Council on January 14, the update of the Standby and Callback Policy necessitates the three modifications to the Employee Handbook noted above to maintain consistency between the Handbook and the updated Policy. These three amendments are shown in Exhibit A to Attachment A.

Council did not have any concerns with the proposed amendments to the Employee Handbook when proposed Resolution No. 433 was discussed with Council on January 14th. The only change directed by Council was to amend the Standby Section of the Handbook to make the language in that section gender-neutral/inclusive. This change has been included in the current proposed Handbook amendments (Exhibit A). Council also suggested that a more global review of the entire Handbook be conducted so that all gender-specific language and pronouns be removed. Staff stated that this could be conducted in the future. Following this discussion, Council directed staff to bring proposed Resolution No. 433 back to Council on the consent calendar tonight.

RESOURCE/FINANCIAL IMPACT

The increase from the minimum of two to three hours an employee is paid when called back to work from standby is approximately \$3,000-\$6,000 per year. This estimate is based on assuming 80 callbacks per year being under three hours but more than the existing two-hour minimum for Code Enforcement/Customer Response Team, Ronald Wastewater, and Streets Crews. For reference, the Code Enforcement/Customer Response Team was called back to work for about 80 calls per year between 2008-2018.

RECOMMENDATION

Staff recommends that Council adopt Resolution No. 433 to update the Employee Handbook.

ATTACHMENTS

Attachment A: Resolution No. 433

Attachment A, Exhibit A: Employee Handbook Revisions

RESOLUTION NO. 433

**A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON
ADOPTING REVISIONS TO PERSONNEL POLICIES SET FORTH IN
THE EMPLOYEE HANDBOOK RELATED TO THE STANDBY AND
CALLBACK POLICY.**

WHEREAS, the City Council has provided for benefits and working conditions in the Employee Handbook which sets forth the City's personal policies; and

WHEREAS, the Employee Handbook was last comprehensively updated in 2017 with the adoption of Resolution No. 402, with additional amendments adopted via Resolution No. 407; and

WHEREAS, in 2011, the City's Standby and Call-Out Services Policy, Policy No. 6651, was administratively adopted and this Policy has recently been revised and updated by the City Manager, and is now entitled "Standby and Callback Services Policy"; and

WHEREAS, these revisions and updates require amendments to certain portions of the Employee Handbook so as to be consistent with the newly updated Policy; and

WHEREAS, on January 14, 2019, the City Council discussed the proposed revisions to the Employee Handbook and have given full consideration to the proposed revisions;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Employee Handbook Revision. The Employee Handbook is revised as set forth in Exhibit A.

Section 2. Corrections by City Clerk. Upon approval of the City Attorney, the City Clerk is authorized to make necessary corrections to this resolution, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or resolution numbering and section/subsection numbering and references.

Section 3. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this resolution or its application to any person or situation be found unconstitutional or invalid for any reason by any court of competent, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any person or situation.

Section 4. Effective Date. This Resolution shall take effect and be in full force immediately upon passage by the City Council.

ADOPTED BY THE CITY COUNCIL ON JANUARY 28, 2019.

Will Hall, Mayor

ATTEST:

Jessica Simulcik Smith, City Clerk

**RESOLUTION NO. 433
EXHIBIT A**

SECTION II DEFINITIONS is amended as follows:

N. Flex-Time Fit for duty.

~~A work schedule that permits flexible starting and quitting times or other alternative work schedules within limits set by the respective Department Director.~~ Physically and mentally capable of safely performing the essential functions of the job.

N O. Flex-Time

A work schedule that permits flexible starting and quitting times or other alternative work schedules within limits set by the respective Department Director.

O P. Immediate Family

Unless defined otherwise in these policies, immediate family is:

- A spouse or domestic partner.
- A child, parent or sibling of the employee, employee's spouse or domestic partner.
 - o Child includes adopted, biological, foster, grand, step, child of a legal guardian or a person standing in loco parentis or a de facto parent; regardless of age or dependency status.
 - o Parent includes adoptive, biological, foster, grand, step and a person who was a legal guardian or stood in loco parentis or was a de facto parent.
 - o Sibling includes adopted, biological, foster, or step.

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 Human Resources why the employee believes that this individual should be considered a member of the immediate family. If Human Resources concurs, they shall forward a recommendation to the City Manager for approval. The City Manager 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.)

P Q. Insubordination

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

Q R. Intern

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

R S. In Loco Parentis

A person who acts in the place of a parent with legal responsibility to take on some of the functions and responsibilities of a parent.

S T. Non-Exempt Employee

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

T U. Normal Pay

Pay for scheduled hours of work at 1.0 (one) times the hourly rate of pay.

U V. 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.

V W. Separation from Service

Any case where employment ends through death, retirement, resignation, layoff or otherwise a termination of employment.

W X. 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.

X Y. Step Increase Date

The date that is used for the purpose of annual performance review and step increase. 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.

Y Z. Time in Paid Status

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

Z AA. Transfer

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

AA BB. Work Location

Work locations are the places employees work. The locations include city owned buildings, adjacent structures and parking lots, and grounds.

City Hall: 17500 Midvale Avenue North

Hamlin Park Maintenance Yard: 16006 15th Avenue N.E.

North Maintenance Facility, 19547 25th Ave NE

Richmond Highlands Recreation Center: 16544 Fremont Avenue N

Shoreline Pool: 19030 1st Avenue N.E.

Spartan Recreation Center: 202 NE 185th Street

BB CC. 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 workweek is required, the City Manager will define an appropriate workweek and communicate that to the employees.

CC DD. Y-Rating

The continuation of a regular employee's salary above the highest step of a new salary range as a result of the salary range for the position being lowered due to a market survey or other factors.

**Section V General Working Conditions and Personnel Administration,
Subsection D Standby is amended as follows:**

D. 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~~ cellular phone so that they may be reached to conduct official business. 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~~ must make every attempt to report to work within 60 minutes, but no later than within 90 minutes of notification. If an employee on standby status fails to respond to a call to return to work, ~~he or she~~ the employee may be subject to disciplinary action.

**Section V General Working Conditions and Personnel Administration,
Subsection E Callback is amended as follows:**

E. Callback

This section applies to non-exempt employees. Employees called back to work shall be paid a minimum of ~~two~~ three hours at a rate of time and one-half. Hours worked on callback beyond the ~~2~~ three hour minimum shall be paid at the overtime rate of pay, unless such time is part of the employee's regularly scheduled work shift.