PERSONNEL POLICY MANUAL

Issued March 2004

Disclaimer and Acknowledgment of Receipt
Of Updated Personnel Policy Manual

Disclaimer

The language which appears in this personnel policy does not create, nor is it intended to be construed as a contract between Community Transit and its employees.

It is impossible for this personnel policy manual to anticipate every circumstance, situation or question regarding the policies of Community Transit. As Community Transit continues to grow, the need may arise to change policies described in the personnel manual. Community Transit, therefore, reserves the right to revise, supplement, or rescind any policies or portion of the manual at anytime with or without notice.

No policy is a guarantee of continuity of benefits or rights. No permanent employment or employment for any term is intended or can be implied by or inferred from statements in this manual.

Any verbal statements or representations made by supervisors which are inconsistent with the personnel manual are not promises and are not enforceable.

You should contact the Manager of Human Resources if you have any questions regarding the contents of the personnel policy.

Receipt

I have read and understand the statements written above and acknowledge receipt of the updated Personnel Policy Manual. I will read these pages and retain them for future reference, as they may affect my employment by Community Transit.

_____	_____
Employee Signature	**Date**
_____	_____
Employee Printed Name	**Employee #**

(Return one signed copy to Human Resources. Thank you.)

CORPORATE VISION

"Through unity and creativity we provide a variety of public transportation services. Our goal is to design and implement reliable and convenient services using innovative methods to meet the needs of our diverse customers. We will provide safe services in a secure environment. We are an organization that promotes teamwork and values the contributions and diversity of our employees."

CORE VALUES

In order to better serve the community and our customers, we, the Community Transit Team, will achieve our vision through:

- Establishing clear priorities, setting realistic goals and maintaining consistent policies which enable us to measure our success.
- Enhancing personal security and property protection for all, as well as maintaining operationally safe equipment and facilities.
- Providing the necessary tools, resources and training to ensure quality service for our customers.
- Enhancing our participatory planning and operating processes that stress community involvement.
- Managing innovation and risk taking in a manner that responds to the needs of the community and organization.
- A commitment to the principles of team work by cultivating:
    1) Positive working relations;
    2) Consensus in decision making; and,
    3) Mutual ownership of work results.
- Promoting interdepartmental communication and education to enhance respect and appreciation for everyone's contribution.
- Fostering individual responsibility, leadership and initiative throughout the corporation.
- Providing the structure to allow effective problem solving leading to action and resolution.
- Treating one another with mutual respect, courtesy and with sensitivity to diversity.

These values are important and the team's commitment and dedication to them is equally important and valued.

Table of Contents

Section 1.0 General Provisions ***Revised: 05/18/2006***

1.1 Purpose....1 – 1
1.2 Scope....1 – 1
1.3 Employee Representation....1 – 1
1.4 Departmental Rules & Regulations....1 – 1
1.5 Equal Employment Opportunity....1 – 1
1.6 Administration of Policies....1 – 2
1.7 Definitions....1 – 2

Section 2.0 Employment

2.1 Purpose....2 – 1
2.2 Responsibility of Human Resources....2 – 1
2.3 Approval of Executive Director....2 – 1
2.4 Employment Requisitions....2 – 1
2.5 Notice of Job Opportunities to Employees....2 – 1
2.6 Application Procedures....2 – 1
2.7 Applicant Testing and Interviews....2 – 2
2.8 Required Documents....2 – 2
2.9 Appointment....2 – 2
2.10 Department Head Vacancies and Appointments....2 – 3
2.11 Contracted Temporary Help....2 – 3
2.12 Internship Program....2 – 3
2.13 Promotion....2 – 3
2.14 Transfer....2 – 3
2.15 Acting Appointment....2 – 3
2.16 Demotion....2 – 4
2.17 Directors....2 – 4
2.18 Employee Orientation....2 – 4
2.19 Probationary Period....2 – 4
2.20 Employment of Relatives....2 – 5
2.21 Personnel Records....2 – 5
2.22 Personnel Employment Verifications and References....2 – 6

Section 3.0 Hours and Attendance

3.1 Hours of Work....3 – 1
3.2 Overtime....3 – 1
3.3 Flex-Time Options....3 – 1
3.4 Breaks....3 – 2
3.5 Attendance....3 – 2
3.6 Attendance Review Policy....3 – 2

Section 4.0 Classification Plan and Job Evaluation Plan

4.1 Definitions....4 – 1
4.2 Scope....4 – 1
4.3 Procedure for Development of Classification Specifications....4 – 1
4.4 Classification Evaluation....4 – 1

Table of Contents

Section 5.0 Pay Plan & Compensation

5.1 Total Compensation ..... 5 – 1
5.2 Compensation Plan ..... 5 – 1
5.3 Salary Ranges ..... 5 – 1
5.4 Salary Determination at Time of Hire ..... 5 – 1
5.5 Wage and Salary Adjustments ..... 5 – 2
5.6 Approval of Salary Adjustments ..... 5 – 3
5.7 Bonus Pay Program ..... 5 – 3

Section 6.0 Performance Review, Training and Development

6.1 Purpose ..... 6 – 1
6.2 Frequency ..... 6 – 1
6.3 Required Training ..... 6 – 2
6.4 Professional Development ..... 6 – 2
6.5 Reimbursement for Employee Training ..... 6 – 2

Section 7.0 Benefits

7.1 Insurance Benefits ..... 7 – 1
7.2 Cafeteria Benefit Plan ..... 7 – 1
7.3 Retirement Benefits ..... 7 – 1
7.4 Disability Benefits ..... 7 – 1
7.5 Unemployment Benefits ..... 7 – 2
7.6 Benefits Eligibility ..... 7 – 2
7.7 Wellness Program ..... 7 – 3
7.8 Health Club Membership Benefit ..... 7 – 3
7.9 Fitness Center ..... 7 – 3
7.10 Employee Assistance Program (EAP) ..... 7 – 3
7.11 Awards and Recognition ..... 7 – 3
7.12 Transportation Incentive Program ..... 7 – 4

Section 8.0 Leaves of Absence and Time Off

8.1 Benefits for Administrative Employees ..... 8 – 1
8.1.1 Company Holidays ..... 8 – 1
8.1.2 Paid Time off Program For Administrative Employees ..... 8 – 2
8.2 Paid Leave Applicable to Non-administrative Employees ..... 8 – 5
8.3 Notice and Authorization Required to Take Time Off ..... 8 – 5
8.3.1 Notice Required ..... 8 – 5
8.3.2 Scheduling Personal Appointments ..... 8 – 6
8.3.3 Supporting Documentation Required ..... 8 – 6
8.3.4 Who Authorizes Time Off ..... 8 - 7
8.4 Leaves and Time Off May be Revoked, Delayed or Denied ..... 8 – 7
8.5 Obtaining leave Falsely ..... 8 – 8
8.6 Leaves and Time-Off Benefits That Apply Generally ..... 8 – 8
8.6.1 Leave for Jury Duty or Work-Related Court Appearances ..... 8 – 8
8.6.2 Leave to Vote in Public Elections ..... 8 – 9
8.6.3 Military Leave of Absence ..... 8 – 9
8.6.4 FMLA Leave ..... 8 - 12

Table of Contents

8.7 Working While on Leave....8 – 23
8.8 Administrative Leave....8 – 23
8.9 Bereavement Leave....8 – 16
8.10 Jury/Court Duty....8 – 17
8.11 Voting....8 – 17
8.12 Military Leave....8 – 17
8.13 Administrative Leave....8 – 18

Section 9.0 Work Standards and Employee Conduct

9.1 General Policy....9 – 1
9.2 Dress Code....9 – 1
9.3 Safety....9 – 1
9.4 Drug Free Workplace....9 – 1
9.5 Smoke Free Workplace....9 – 1
9.6 Workplace Harassment....9 – 2
9.7 Outside Employment....9 – 2
9.8 Conflicts of Interest....9 – 3
9.9 Receipt and Disbursement of Gifts....9 – 3
9.10 Political Activity....9 – 3
9.11 Selling and Peddling Among Employees....9 – 3
9.12 Use of Community Transit Vehicles....9 – 4
9.13 Company Equipment....9 – 4
9.14 Media Contact....9 – 4
9.15 Travel Expense Reimbursement....9 – 4
9.16 Internet Policy....9 – 5

Section 10.0 Community Transit Drug and Alcohol Abuse Policy

10.1 Community Transit Prohibits Illegal Use of Drugs and Use of Alcohol....10 – 2
10.2 Employees Must Comply With Testing....10 – 5
10.3 Drug-Free Workplace Act of 1988....10 – 13
10.4 Employee Assistance Program (EAP)....10 – 14
10.5 Discipline – Consequences of Policy Violations....10 – 14
10.6 Education and Training Supports All Employees....10 – 15
Appendix A — Safety Sensitive Positions
Appendix B — Contacts for Program Information
Appendix C — Community Hotline and Resource Information

Section 11.0 Code of Ethics

11.1 Purpose....11 – 1
11.2 Definitions....11 – 1
11.3 Conflicts of Interest....11 – 1
11.4 Resolution of Conflicts of Interest....11 – 3
11.5 Enforcement....11 – 3

Table of Contents

Section 12.0 Concerns, Suggestions, Complaints

12.1 Purpose....12 – 1
12.2 Communication....12 – 1
12.3 Suggestion Program....12 – 1
12.4 Complaints....12 – 4
12.5 Procedural Rights....12 – 5

Section 13.0 Whistleblower Retaliation Prevention Program

13.1 Purpose....13 – 1
13.2 Scope....13 – 1
13.3 Definitions....13 – 1
13.4 Initial Notice Requirements....13 – 1
13.5 Review of Governing Body....13 – 2
13.6 Request for Hearing....13 – 2
13.7 Hearing Procedure....13 – 2
13.8 Decision from Hearing....13 – 2
13.9 Remedies....13 – 2
13.10 Judicial Review....13 – 3
13.11 Enforcement Agencies....13 – 3

Section 14.0 Discipline

14.1 Disciplinary Procedure....14 – 1
14.2 Causes for Disciplinary Action....14 – 2
14.3 Program Administration....14 – 5
14.4 Authority of Executive Director....14 – 5

Section 15.0 Separation

15.1 Resignation....15 – 1
15.2 Retirement....15 – 1
15.3 Termination....15 – 1
15.4 Death....15 – 1
15.5 Layoff....15 – 1
15.6 Rehire....15 – 2
15.7 Employee & Corporate Responsibilities Upon Separation of Employment....15 – 2
15.8 Benefits Upon Separation....15 – 2
15.9 Unemployment Compensation....15 – 2

Section 16.0 Severability

16.1 Severability....16 – 1

Index....17 – 1

Accident Policy

STATEMENT of POLICY/PROCEDURE

Section 1.0 – General Provisions

1.1 Purpose

The objectives of these personnel policies are to facilitate efficient service to the public and to provide guidelines to aid managers and company officers in making decisions.

1.2 Scope

In cases where these policies conflict with collective bargaining contracts and agreements agreed upon between authorized employee organizations or unions and Community Transit, the provisions of the labor contract shall govern. Any requests for exceptions to this policy must be submitted in writing to the Executive Director or designee. Such requests, if approved, will only be granted by the Executive Director or designee.

1.3 Employee Representation

Labor contracts entered into pursuant to negotiations shall be approved by the Community Transit Board and shall be in conformance with State Statutes and Regulations. Those agreements, when entered into by and between Community Transit and recognized bargaining units of Community Transit employees are hereby adopted by reference as part of this policy. Provisions of said agreements supersede conflicting provisions of this policy.

1.4 Departmental Rules & Regulations

Departments of Community Transit may establish departmental rules, regulations, and procedures with written approval by the Director of Administration and the Executive Director. In the case of direct conflict between those rules and regulations and the provision of these personnel policies, the personnel policies shall apply. Where departmental rules and regulations conflict with the provisions of a labor agreement between authorized employee representatives and the Organization, the provisions of the labor agreement shall govern for represented employees.

1.5 Equal Employment Opportunity

1.5.1 General

It is the policy of Community Transit to select, develop, and promote employees based on individual ability and job performance. It has been, and shall continue to be, Community Transit's policy to provide equal employment opportunities to all people without discrimination because of race, color, sex, sexual orientation, religion, age, national origin, marital status, physical, mental, or sensory disability, veteran's status, or any status protected under applicable local, state, or federal law. Community Transit strives to apply this policy in all areas of employment, including recruitment, hiring, training and development, promotion, compensation, benefits, transfers, layoffs, and terminations. Violations of this policy will result in discipline, which may include immediate termination of employment.

1.5.2 Reporting Discrimination Based on Protected Status

Any employee who believes he or she is a victim of discrimination based on protected status should immediately report circumstances to his or her direct supervisor, manager, director, or any other manager with whom the employee feels comfortable up to the Executive Director. The Executive Director and the EEO officer will be notified of all complaints.

1.5.3 No Retaliation
Community Transit prohibits any form of retaliation against an employee who makes a good faith complaint regarding discrimination.

1.6 Administration of Policies
The Director of Administration is responsible for the interpretation and administration of these policies and procedures.

1.7 Definitions

1.7.1 Acting Appointment
An appointment for a limited period of time. Compensation will be determined as per Section 2.15, Acting Appointments.

1.7.2 Administrative Employee
A person employed in a position other than a union position governed by collective bargaining agreement.

1.7.3 Anniversary Date
The anniversary of the date of hire as a full-time regular employee.

1.7.4 Applicant
A person who has made formal application for a position.

1.7.5 Appointing Authority
The individual or group of individuals responsible for appointment, discipline, and termination of an employee or employees.

1.7.6 Appointment
The assignment of a qualified applicant or employee to a position by the appointing authority.

1.7.7 Cause
Any action or inaction which is appropriate justification for disciplinary action.

1.7.8 Classification
A group of positions sufficiently similar in duties, responsibilities, authority, and minimum qualifications to permit combining them under a single title and to permit the application of common standards for selection and compensation.

1.7.9 Community Transit
Snohomish County Public Transportation Benefit Area Corporation, the Organization.

1.7.10 Complaint
A “complaint” means a written claim or dispute by an employee that the conditions of his/her employment have been violated, or that a dispute exists concerning proper application or interpretation of the Organization’s personnel policies and/or procedures.

1.7.11 Continuous Service
Employment without interruption except for brief leaves of authorized absence.

1.7.12 Demotion
The movement of an employee from one job to another having a lower maximum rate of pay.

1.7.13 Designee
One who has been delegated decision-making authority on another's behalf. This delegation of authority must be communicated in writing to establish said authority.

1.7.14 Disciplinary Action
Imposition of a certain personnel action (e.g. reprimand, warning, suspension, termination, demotion).

1.7.15 Examination
Any device or procedure used in the selection process to measure an applicant's suitability for a position.

1.7.16 Exempt Position
A position which involves work in a bona fide executive, administrative or professional capacity as established in the Fair Labor Standards Act.

1.7.17 Full-Time Regular Position
A position in which the employee regularly works forty (40) hours per week.

1.7.18 Immediate Family
The spouse, son, daughter, father, mother, brother, sister, step-parents, step-children, step/half-siblings, grandchildren and grandparents of the employee or the employee's spouse.

1.7.19 Job/Position
A specific set of duties, responsibilities and tasks to be staffed by an individual employee. The Board of Directors approves positions through the approval or amendment of the annual budget.

1.7.20 Layoff
The termination of an employee for reasons due to insufficient workload and/or funds.

1.7.21 Non-Exempt Position
A position which does not involve work in a bona-fide executive, administrative or professional capacity, as established in the Fair Labor Standards Act. Such positions are paid for hours worked in excess of forty (40) hours per work week.

1.7.22 Organization
The Snohomish County Public Transportation Benefit Area Corporation (SCPTBAC), doing business as Community Transit.

1.7.23 Overtime
Time worked in excess of the regularly scheduled forty (40) hour work week or as per the labor agreement.

1.7.24 Part-Time Non-Regular Position
A position in which the employee works less than seventy (70) hours per month or a position filled on a seasonal basis.

1.7.25 Part-Time Regular Position
A position in which the employee regularly works less than forty (40) hours per week.

1.7.26 Personal Leave
See Section 8.3.

1.7.27 Personnel Action
Any action taken with reference to appointment, compensation, promotion, transfer, lay-off, separation or other action affecting the status of employment.

1.7.28 Probation
A working test period of 180 calendar days during which an employee is required to demonstrate his/her ability and capacity to perform the duties of the position to which he/she has been appointed.

1.7.29 Promotion
The movement of an employee from one classification to another classification imposing increased duties and responsibilities and a higher maximum salary.

1.7.30 Reclassification
A change of classification of a job by raising it to a higher classification, reducing it to a lower classification or changing it to another classification at the same level on the pay plan.

1.7.31 Recognized Employee Organization
Any organization or union which includes employees of the Organization and which has as one of its primary purposes representing such employees in their employment relations with the Organization and has become recognized by the Organization under the procedures as outlined in the State Collective Bargaining Law, Ch.41.46 RCW.

1.7.32 Regular Appointment
The appointment of a person to a regular position established by the legislative body of the Organization upon successful completion of a probation period indicating satisfactory performance in a regular position to which the employee is assigned.

1.7.33 Reinstatement
The return of an employee to his/her former position in the service of the Organization.

1.7.34 Resignation
The personnel action initiated by an employee to separate from Community Transit's service.

1.7.35 Salary Range
The range of salary rates for a classification established by the legislative body of the Organization.

1.7.36 Salary Review Date
Salary Review Date shall be twelve (12) months from the date of the employee's placement into their current job and every twelve (12) months thereafter.

1.7.37 Separation
The cessation of employment with Community Transit.

1.7.38 Suspension
A temporary removal from duty with or without pay of an employee for disciplinary purposes or for the purpose of investigation of accusations brought against an employee.

1.7.39 Termination
A personnel action initiated by Community Transit to separate an employee from Community Transit's service.

1.7.40 Transfer
The movement of an employee from one job/position to another.

Section 2.0 – Employment

2.1 Purpose

To establish procedures to ensure adherence to the Organization's objectives that: a) all positions within the Organization be staffed by qualified and competent employees; b) current employees be given opportunity for transfer or promotion; and c) employment procedures comply with Organization Resolution No. 10-85 adopting an Equal Employment Opportunity Program and any amendments to such resolution.

2.2 Responsibility of Human Resources

Human Resources administers the policies and procedures applicable to filling vacant positions.

2.3 Approval of Executive Director

Approval of the Executive Director is required on all employment requisitions and appointments to positions.

2.4 Employment Requisitions

Action to fill a vacant position will be initiated by Human Resources upon receipt of a properly completed employment requisition form initiated by the supervisor, approved by the appropriate higher-level management personnel, and containing the following information: job title, date needed, temporary or regular job, department, shift, starting salary, salary range, posting announcement, and special requirements, if any.

2.5 Notice of Job Opportunities to Employees

Whenever a position is vacant and is to be filled, notice is given to employees by posting a Notice of Job Opportunity. The notice is posted in designated places (as determined by the Director of Administration) which affords employees to learn of the job opportunity. The Notice of Job Opportunity shall be posted for a minimum of fourteen (14) calendar days and may also be advertised externally concurrent with the in-house posting. The notice states the following information:

- Job title
- Classification designation
- Starting salary, salary range, and hiring range
- Exempt or non-exempt status
- Department
- Shift
- Supervisor's title
- Description of principal duties
- Required qualifications
- Where application can be obtained
- Deadline for application submittal
- Whether position is regular or temporary
- Brief description of selection process
- Office where applications are to be submitted

2.6 Application Procedures

Applications are made in a manner prescribed by the Executive Director or designee. Application forms require information on specific job experience and training, and contain questions designed to obtain job-related information. All applications must be fully completed, signed and dated by the applicant. All statements submitted on the employment application or attached resume may be subject to investigation and verification prior to appointment. Verification of statements on the employment application and obtaining personal references for applicants are performed by Human Resources. Any applicant supplying false or misleading information is subject to immediate termination, if hired.

Any applicant selected and offered an open position, including current employees applying for such position, will be required to take and successfully pass a physical exam to include substance abuse testing.

2.7 Applicant Testing and Interviews

The department Director or designee, and a Human Resources Representative determine whether a test shall be administered to employees/applicants for a vacant position. Human Resources coordinates the preparation, administration and scoring of the test with the advice and assistance of the department Director or designee.

Interviews are conducted by one or more persons designated by the department Director and includes the immediate supervisor of the vacant position. The Director of Administration or designee participates in the interviews of applicants for a supervisory position.

All tests and interviews are conducted in facilities accessible to persons with disabilities. Upon request of any applicant within a reasonable period of time, reasonable accommodations will be made to allow persons with disabilities to complete the tests or interviews.

In the selection of an employee to fill a vacant position, in addition to experience, training and education, the following factors will be considered:

- Behavior, skill, ability and past performance
- Efficiency
- Disciplinary record
- Attendance record
- Length of service

2.8 Required Documents

On or prior to their first day of work, all applicants selected for a position shall provide copies of their current driver's license or appropriate identification, social security card and documents verifying eligibility to work in the United States and other documents which may be required from time to time.

2.9 Appointment

If any employee/applicant demonstrates that he/she has the qualifications necessary to perform the position at a level of competence determined to be necessary to adequately fulfill the mission of the Organization in its public service, then the employee/applicant who is determined to best meet such qualifications and requirements is appointed to the vacant position. If the internal and external recruiting procedures are conducted concurrently, the testing and/or interviews are conducted concurrently. Where employment factors are considered relatively equal between an employee and a non-employee, the Community Transit employee is given first consideration for the appointment. The Executive Director

makes the final decision regarding appointments to vacancies. Such decisions are final. All employment offers are extended by the Director of Administration or designee upon receiving notification of management approval. Offers made for exempt positions are confirmed in a letter mailed to the selected applicant.

The Board of Directors has the authority to appoint the Executive Director and Legal Counsel. All other employee appointments and issues are under the jurisdiction of the Executive Director and not subject to the Board of Directors' review or involvement.

2.10 Department Head Vacancies and Appointments

The recruiting and appointment of department heads are excluded from this procedure provided, however, that a Notice of Job Opportunity shall be posted for applicable department head vacancies. Employees who believe they are qualified for such positions may submit applications.

2.11 Contracted Temporary Help

Human Resources is responsible for obtaining temporary help from an outside agency upon receipt of a Request for Temporary Help Form from the hiring supervisor. This request must be approved by the Director of Administration or the Executive Director.

The hiring supervisor is responsible for orienting the temporary contracted person to the organization, facilities, dress code and policies on the first day of work.

2.12 Internship Program

The purpose of Community Transit's internship program is to provide students and employee interns with an opportunity to gain practical hands-on experience, strengthen research and presentational skills, learn alongside professionals in chosen career area, and learn big-picture organizational and political decision processes. Human Resources assists departments with general recruitment for interns. See administration procedures for complete program description.

2.13 Promotion

The Organization encourages current employees to apply for vacant positions for which they are qualified. Promotions are based on qualifications for job requirements, performance evaluations, supervisor recommendations, work force requirements, and other related organization requirements. A new probationary period is established for any employee who is promoted.

2.14 Transfer

Upon recommendation of the Executive Director, or designee, or to meet the needs of the Organization, a transfer may be made. No person may transfer to a position for which he/she does not possess minimum qualifications. A new probationary period is established for any employee who receives a transfer.

2.15 Acting Appointment

Appointments to positions on other than a regular basis are considered temporary. Such acting appointments are allowed only at the discretion of the Executive Director. Acting appointments normally are for a period no longer than 90 days provided, however, that such period may be extended by the Executive Director.

In the event a regular employee is appointed to a position on a temporary basis, the initial thirty (30) day period of that appointment is on an "acting" basis. Such employee's are compensated at the rate of pay of his/her regular appointment. After thirty (30) days and for the remaining duration of the acting

appointment, the employee is paid at the minimum rate of pay for the position of acting appointment or 10% above their current rate of pay, whichever is greater.

2.15.1 Out-of-Position Assignment

When management assigns an employee to perform some of the duties normally performed at a higher classified level, the department head may authorize out-of-position pay for a two-week period. Assignments of such duties for longer periods require prior approval of the CEO, and no such assignment may exceed six months in any two-year period.

Employees given out-of-position assignments shall receive up to 10 percent out-of-position pay for the duration of the special assignment. The department head or designee will prove the start and end dates for the special assignment to Human Resources when requesting the personnel action form (PAF) to implement the assignment pay. [*Adopted 12-13-02*]

2.16 Demotion

At the discretion of the Executive Director the Organization may demote a regular employee to a position at a lower salary range for re-organization, disciplinary action or unsatisfactory performance in lieu of termination. In such cases, the employee is notified in writing of the action and reason for such action. Whenever possible, such notification is provided at least two (2) weeks prior to demotion. A new probationary period is established for any employee who is demoted.

2.17 Directors

An employee who is a Director serves “at will” subject to appointment and removal by the Executive Director. Directors may be dismissed with or without just cause and with or without notice. Directors are excluded from protection of the discipline and salary review sections of these policies. Each employee listed within this category are governed by an employment contract individually negotiated with the Executive Director. The terms and conditions of this agreement include annual salary and other benefits as deemed appropriate.

2.18 Employee Orientation

All new employees report to Human Resources as soon as possible after their first day of work to receive company orientation information. The hiring supervisor is responsible for conducting an orientation to the job, department, work rules and facilities on the first day in the department. New employees are scheduled by Human Resources to attend a comprehensive company orientation.

2.19 Probationary Period

All newly hired employees, former employees who have been rehired, or employees transferred to another job enter a probation period which is considered an integral part of the selection process. During the probation period an employee is required to demonstrate suitability for the position through actual work performance. The probation period is 180 calendar days from the employee's date of hire, rehire, promotion, lateral move or demotion. At the discretion of the supervisor and in consultation with Human Resources, this probationary period may be extended no more than ninety (90) days to allow the employee to address performance deficiencies. All probationary extensions are subject to approval by the department Director.

Upon completion of the probationary period, the employee is considered to have satisfactorily demonstrated qualifications for the position, gains regular status, is so informed through his/her

supervisor and a copy of said notification is retained in the employee's personnel file. Employees rejected during the probation period are notified of such action in writing by the Executive Director or designee at any time during the probationary period and a copy of said notification is retained in the employee's personnel file.

Newly hired or rehired full-time represented employees accrue vacation and sick leave during the probationary period but are not eligible to use vacation until after the probationary period is completed. (See Section 8.0 for leave information.)

2.20 Employment of Relatives

Community Transit's policy regarding employment of members of the same family (spouse, children, step-children, parents, step-parents, grandparents, siblings, half/step siblings, mother-in-law, father-in-law, daughter-in-law, son-in-law, or persons who share the same living quarters) shall be that such employment will not be allowed in circumstances where: 1) discipline the other, 2) one relative would be responsible for auditing or reviewing the work of another, 3) other circumstances exist which would place relatives in a situation of actual or reasonably foreseeable conflict between Community Transit's interest and their own, 4) in order to avoid the reality or appearance of improper influence or favor or to protect Community Transit's confidentiality, Community Transit must limit employment of close relatives of policy level officers of customer, competitors, regulatory agencies or others with whom Community Transit deals. The determination that one of the foregoing situations exists, will be made by the Executive Director or his/her designee.

If two employees marry, become related, or begin sharing living quarters with one another and one of the situations described above exists, only one of the employees will be permitted to remain in his or her position. The other employee will be considered for vacant positions within Community Transit for which the employee is qualified. If no such position exists or if the employee is not selected for a position, his or her employment will be terminated. The decision as to which family member, as defined above, will remain in his or her position must be made by the two employees within thirty (30) calendar days of the date they marry, become related, or begin sharing living quarters with each other. If no decision has been made during this time, Community Transit will make the decision.

2.21 Personnel Records

2.21.1 Maintenance

The official personnel record of each employee is maintained by and is in the custody of the Director of Administration or designee. The personnel files are the property of Community Transit and are retained in accordance with local, state, and federal law. If an employee disagrees with the accuracy or content of the information contained in his/her personnel file, the employee may file a statement explaining their position regarding the disputed information and request that the statement be included in his/her personnel file.

All employees are required to keep Community Transit informed of their most current mailing address and telephone number.

2.21.2 Access

Access to an employee's record is limited to the employee, the employee's immediate supervisor, the Director of Administration, Human Resources staff, the employee's Director, Executive Director or designee, and such other people as the employee may request. The Director of

Administration, or designee, has procedures for access to and review of the personnel records. Request for file review appointments are made with Human Resources.

2.21.3 Medical/Benefit File

Information regarding an employee's medical condition or history is maintained in separate confidential medical files.

2.22 Personnel Employment Verifications and References

A written waiver signed by a current or former Community Transit employee must be on file in Human Resources before an employment reference is given by Community Transit staff. If the former employee elects not to sign the waiver, reference responses are limited to confirmation of dates of employment, job titles held and salary history, which are released only by Human Resources.

Responses to outside agencies requesting information (such as credit agencies, subpoenas, court discovery requests) or contact with employees are coordinated through Human Resources.

Section 3.0 – Hours and Attendance

3.1 Hours of Work

3.1.1 Business Office Hours
The business office shall be open to the public between 8:00 a.m. and 5:00 p.m. each weekday except legal holidays and except as may otherwise be determined by the Executive Director.

3.1.2 Normal Work Day
The normal workday for all regular full-time administrative employees shall be eight (8) hours each workday with one (1) hour unpaid lunch break. The normal work week for regular full-time administrative employees shall be forty (40) hours per week, excluding lunch breaks, falling between any Sunday through Saturday period.

3.1.3 Departmental Operating Schedules
Some departments and divisions may require different operating schedules due to the nature of their work. The hours of work constituting full-time regular employment for employees of such departments will be determined by the department head subject to the approval of the Executive Director.

The employer retains the right to establish and alter work schedules in accordance with the public transportation needs, demands and employer policies. The employer's determination in such matters shall be conclusive.

3.2 Overtime

Overtime pay is authorized in accordance with Federal and State laws within the following provisions:

3.2.1 Nonexempt
Employees working in a position classified as non-exempt are paid for hours worked in excess of forty (40) hours per work week at a rate of one and one-half times the employee's regular rate of pay. All overtime assignments must be approved by the employee's immediate supervisor prior to working.

A non-exempt position is one which is classified as such under the criteria established in the Fair Labor Standards Act.

3.2.2 Exempt
Employees working in a position classified as exempt under the criteria established by the Fair Labor Standards Act will not be compensated for hours worked in excess of forty (40) hours per work week.

3.3 Flex-Time Options

At the discretion of the department Director, flex-time work schedules, including telecommuting from another location, may be granted to administrative employees so long as the operation of a particular department or the Organization is not jeopardized or interrupted by such a schedule. While flex-time work schedules may be arranged to suit particular employees' needs and interests, not all employees occupy positions that are conducive to the flex-time alternative. At least one-half hour unpaid lunch break must be observed. Once approved by the Director, a flex-time work schedule must remain fixed for a reasonable period so as to offer a schedule of predictability and consistency. All flex-time work must receive final written authorization from the department Director.

3.4 Breaks

Administrative employees are authorized one meal period and two fifteen (15) minute break periods during the work day. The scheduling and duration of meal periods will be at the supervisor's discretion. Meal periods are non-compensable.

3.5 Attendance

Employees shall report to duty in accordance with the rules regarding hours of work, holidays and leaves of absence.

3.5.1 Notification to Supervisor Required

An employee shall not be absent from work for any reason other than those specified in these rules and regulations without making prior arrangements with his/her supervisor. Unless such arrangements are made, an employee who, for any reason, fails to report to work, is expected to immediately notify his/her supervisor of the reason for the absence. If the absence continues beyond the first day, the employee notifies the supervisor on a daily basis unless other arrangements have been made with the supervisor. If absence continues over three (3) consecutive days, a medical certificate must be furnished by the employee when reporting for work.

An unauthorized absence from duty is deemed an absence without pay and will be cause for discipline. After three days of unauthorized absence, the employee's actions is considered as job abandonment and the employee shall be terminated**.**

3.5.2 Attendance During Inclement Weather

When inclement weather conditions occur, it is the organization's policy that:

3.5.2.1 All employees are expected to report to work as usual.

3.5.2.2 Employees choosing to stay home due to weather or road conditions may charge their time as: a) vacation, b) floating holiday, or c) leave without pay.

3.5.2.3 No sick leave usage is granted to employees who do not report to work unless the employee is on sick leave the day before the period of inclement weather or provides a doctor's certification of illness the day(s) of the absence.

3.5.2.4 The Executive Director or designee has the authority to temporarily alter or cancel the work hours as deemed necessary.

3.6 Attendance Review Policy

Community Transit will implement the following policy on a rolling twelve (12) months basis covering all administrative employees. A review of each employee's attendance will be completed on a monthly basis at which time a 90-day period of attendance will be considered.

3.6.1 Definitions

3.6.1.1 One incident of absence means a day on which the employee worked less than 4 hours and had to be relieved from the job; OR one continuous absence of any number of days.

3.6.1.2 One-half incident of absence shall mean a day on which the employee worked at least four hours but less than 6 hours.

3.6.2 Disciplinary Procedure

Disciplinary action, which will include counseling, will be taken on any employee who exhibits unsatisfactory attendance within a rolling twelve (12) month period**.**

3.6.2.1 **Verbal Counseling.** The employee shall be counseled and given a copy of this attendance policy when the employee's average rate of absence exceeds one (1) incident of absence per month.

3.6.2.2 **First Step.** Written caution shall occur as soon as the employee has taken his/her fifth (5th) incident of absence within a three-month (90 day) period.

After having received a written caution, subsequent disciplinary steps (second, third and fourth) are taken when an employee averages four (4) or more incidents of absence within a three-month (90 day) period.

3.6.2.3 **Second Step.** The employee shall be counseled and given a written reprimand.

3.6.2.4 **Third Step.** The employee shall be counseled and given one (1) day suspension without pay for a first time at Third Step. Thereafter, the employee shall be counseled and given a three (3) day suspension without pay. An employee reaching the Third Step more than two times in a twelve (12) month period is subject to termination.

3.6.2.5 **Fourth Step.** Subject to termination.

Section 4.0 – Classification Plan and Job Evaluation Plan

4.1 Definitions

4.1 Classification System
A classification system groups positions with similar job duties and levels of decision making and assigns that group a single classification title.

4.2.2 Job Evaluation System
A job evaluation plan defines the relational value of classifications based on established internal criteria, external market pricing, or a combination.

4.2 Scope

The Organization's job evaluation system combines market pricing with an internal alignment system.

4.3 Procedure for Development of Classification Specifications

The hiring supervisor completes a position description questionnaire (PDQ). The PDQ is signed by the incumbent(s), if any, and must be signed by the supervisor of the position, the department Director and the Director of Administration. The Executive Director gives final approval. Human Resources, in consultation with the hiring supervisor, develops a classification specification from the PDQ information.

The classification specification includes a summary of the following information, if applicable: essential functions with emphasis on level and type of decision making; amount and type of education and/or training required; amount and type of prior experience required; level of certification or license required; level of supervisory responsibility and type of employee supervised; physical requirements essential to the position; and exempt/non-exempt status.

4.4 Classification Evaluation

4.4.1 How Classifications are Assigned to a Salary Range
For each classification a job evaluation is completed and assigned to a Salary Range. Each job evaluation completed by Human Resources staff is reviewed by the Compensation Committee which makes a recommendation to the Executive Director for final approval. The Executive Director is authorized to approve the assignment of each classification to a Salary Range in which both the position and the salary range have been previously approved and budgeted by the Board of Directors.

4.4.2 Exemption Status
Each classification is also evaluated and assigned an exempt or non-exempt status per Fair Labor Standards Act.

4.4.3 Classification Audit
When a need arises, managers or supervisors may request a classification audit of a position by submitting to Human Resources the appropriate forms through their Director who will obtain Executive Director approval before submitting the request to Human Resources. Reasons for

classification audit requests are: increase or decrease in job responsibility lasting more than six months, changes in market or changes in internal relationships.

Section 5.0 – Pay Plan & Compensation

5.1 Total Compensation

The salary established for a position represents the total remuneration for an employee except for fringe benefits, official travel, and other approved expenses. No employee shall receive pay from the Organization in addition to the salary and fringe benefits authorized in these rules and the current adopted budget. Except upon approval by the Executive Director, a Community Transit employee may not serve in two organizational positions simultaneously.

5.2 Compensation Plan

The compensation plan for administrative employees as adopted by the Board of Directors includes a table of approved salary ranges for each classification with minimums, midpoints, and maximums as well as merit pay guidelines.

The rates in the compensation plan are fixed on the basis of full-time service in full-time positions. For any position which is seasonal, temporary or requires less than full-time service, hourly rates consistent with, or compatible to, full-time salary rates are paid as approved by the Board of Directors.

Salary payments are made biweekly.

5.3 Salary Ranges

The salary structure consists of pay ranges with a minimum, midpoint and maximum.

5.3.1 Range Minimum

This rate reflects the minimum rate of pay required to hire an entry level person meeting the minimum qualifications for the position.

5.3.2 Range Midpoint

The mid-point is defined as the level of salary appropriate for a seasoned position incumbent fully meeting the requirements of the job in all respects.

5.3.3 Range Maximum

The maximum of a Salary Range defines the upper limit an employee in that classification may be paid.

5.4 Wage or Salary Determination at Time of Hire

5.4.1 New employees will be paid at least the minimum of the appropriate Salary Range.

5.4.2 The Director, with the concurrence of the Executive Director may authorize a starting salary above the minimum of the range as follows**:**

5.4.2.1 New employees in positions assigned to bands A, B, C, or D may be hired up to 10 percent over the minimum for the assigned range for one of the reasons listed in Section

5.4.3 Authorization of a starting salary above the minimum of the range may be granted for the following reasons:

5.4.3.1 The applicant possesses extensive experience, education or demonstrated ability above that normally required to fill the position at the entry level.

5.4.3.2 Marketplace recruitment factors necessitate paying the salary level to attract a qualified candidate.

5.4.3.3 The salary level is required to attract a superior candidate.

5.4.4 Approval by the Executive Director of a policy exception is required to hire an applicant at a salary in excess of the amounts authorized in Section 5.4.2.

5.4.5 Authorization of a starting salary in excess of the amounts authorized in Section 5.4.2 may be approved by the Executive Director for the following reason: The candidate possesses a combination of multidimensional qualities in three importation areas: analytical talent for technical work, the human qualities for relationship work, and the entrepreneurial qualities for organization-building work.

5.5 Wage and Salary Adjustments

Individual salary adjustments can be made for the following reasons:

5.5.1 Promotion

A promotional increase is granted in recognition of a change in assignment to a position in a higher Salary Range.

5.5.1.1 **Timing.** A promotional increase should coincide with the first day of employment in the new assignment.

5.5.1.2 **Amount.** Increases granted in recognition of promotion will normally be the greater of an amount sufficient to place the employee at the minimum of the Salary Range of the position, or a 5 percent increase.

5.5.1.3 The Executive Director is authorized to approve a salary adjustment upon a promotion in excess of that authorized in Section 5.5.1.2 for the following reasons: the employee possesses a combination of multidimensional qualities in three important areas: analytical talent for technical work, the human qualities for relationship work, and the entrepreneurial qualities for organization-building work.

5.5.2 Lateral Move

Transfer to a position in the same Salary Range may not warrant an increase in salary. However, a pro-rata performance-based adjustment may be made for employees performing at “Fully Proficient” or above. Such a salary adjustment is intended to offset the loss of the employee’s up-coming performance review and possible merit-based salary increase.

5.5.3 Classification Audit

5.5.3.1 **Classification Audit Upgrade.** A classification audit upgrade is justified when a significant growth in job duties and responsibilities occurs over an extended period of time, which thereby results in an audit and possible move of the position to a higher

Salary Range. Such an audit does not necessarily constitute a basis for a salary adjustment.
If the incumbent's present salary is below the minimum for the newly assigned Salary Range, the employee's rate of pay shall be increased to the minimum for the new range on the effective date of the new range assignment. If the incumbent's present salary is within the newly assigned range, no salary action will be taken until the next Performance Review Date or Board approved market adjustment, whichever occurs first. If the employee's current rate of pay is above the maximum of the newly assigned Salary Range, the employee's rate of pay will remain unchanged until such time as the maximum of pay for the Salary Range exceeds the employee's rate of pay at which time the conditions of Section 5, Pay Plan and Compensation will be in effect.

5.5.3.2 Classification Audit Downgrade. A classification audit downgrade shall occur when job duties and responsibilities decrease, which will then result in an audit of the position to a lower Salary Range.

Employees experiencing a downgrade of a position to a lower Salary Range will maintain their current rate of pay for three months. At the end of three-months the employee will be placed at a rate in the new classification's salary range that approximates their Performance Review and Development Plan (PRDP) rating equivalents and does not exceed their current pay.

5.5.4 Performance Review and Possible Merit Award

5.5.4.1 Performance Review Date
Probationary reviews occur at the end of the six-month probationary period with no salary adjustment, (See Section 6.2). The next Performance Review date is twelve months from the date on which an employee is appointed to a position and every twelve-months thereafter.

5.5.4.2 Timing and Amount of Merit Award
Review of an employee's performance is conducted annually on or before the Performance Review date. Incremental merit increases are applied to the employee's current salary in accordance with guidelines determined by the Board of Directors and become effective on the Performance Review Date. Merit-based salary increases are not granted on an automatic basis, but only as a result of demonstrated performance, documented by completion of the job-related Performance Review and Development Plan (PRDP) form.

5.6 Approval of Salary Adjustments

5.6.1 Documentation
Proposed changes in employees' salaries are initiated on a Personnel Action Form (PAF). Information on this form must include the reason for the proposed adjustment. In addition, all requests for salary adjustments, except those resulting from promotion, re-classification of a position, labor agreement, or action by the Board of Directors**,** are accompanied by a completed Performance Review and Development Plan (PRDP) form.

5.6.2 Approval

The Personnel Action Form, together with the completed PRDP, is submitted by the supervisor to the next level of management and/or the department Director and the Director of Administration or designee.

5.6.3 Employee Communications Re: Salary Adjustments

Proposed merit-based salary adjustments may not be finalized or discussed with the employee until after final approval by reviewing authorities. Final approval of all salary adjustments are authorized by the Executive Director or designee.

5.7 Bonus Pay Program

As an element of the annual budget process, the Executive Director establishes with approval of the Board of Directors, a bonus pay fund. The intent of the bonus pay fund is to make available funds for the purpose of rewarding certain administrative employees who, at the determination of the Executive Director, demonstrate exemplary and extraordinary performance in their position and dedication to the Organization. Awards of bonuses from the bonus pay fund are made at the discretion of the Executive Director.

SECTION 6.0 – Performance Review, Training, and Development

6.1 Purpose

The Organization's Performance Review and Development Plan (PRDP) system seeks to accomplish the following objectives:

- Provide a procedure with which to plan individual work and to focus employees' activities toward clear overall organizational and work unit goals.
- Clarify and document expectations of employees.
- Encourage higher employee performance through continuous ongoing feedback.
- Promote employee skill development through supervisor's support of and help with planning of training and development activities.
- Coach employee performance regularly and correct performance which falls short of requirements.
- Provide a consistent basis for determining merit increases.

6.2 Frequency

Informal feedback and discussions are encouraged on a continual basis. Informal reviews are strongly encouraged quarterly and formal reviews are held annually with each administrative employee participating in the Performance Review and Development Plan (PRDP).

6.2.1 Performance Planning

The initial performance planning session is to be held prior to or in the beginning of the appraisal period. The supervisor and employee jointly identify four to six major goals and skill areas to be evaluated during the review period as well as a plan for training and/or development. These goals are documented on the PRDP form.

6.2.2 Quarterly Updates and Semi-Annual Reviews

The supervisor and employee are strongly encouraged to meet quarterly to monitor performance, adjust the performance plan as necessary, and provide feedback and coaching. A summary of the quarterly and semiannual update is prepared in memo form. A more in-depth review is held semiannually for regular employees and after three months for probationary employees. More frequent discussions and reviews are highly recommended for employees rated as marginal or progressing to reinforce expectations and provide feedback.

6.2.3 Formal Performance Review

At the end of the employee's six-month probationary and/or annual appraisal period, a formal performance review is held to discuss progress against goals. The PRDP is completed and signed.

6.2.4 Management Review

At each step, the supervisor and employee collaborate in providing input to the PRDP. All completed PRDP forms and quarterly update memos are reviewed by the next level of management. At the end of the review period, the PRDP is reviewed by the next level of management prior to communication with the employee. The signed PRDP form is forwarded to Human Resources. The PRDP form becomes part of the employee's personnel record and may

be a factor in determining whether the employee achieves regular employment status, receives a merit increase, or is promoted, transferred, demoted, laid off or terminated.

6.2.5 PRDP Ratings of Marginal
Two successive PRDP Ratings of Marginal may result in disciplinary action up to and including termination.

6.3 Required Training
All employees are to complete legally mandated courses and other training as required. Such company provided mandatory training includes, but not be limited to, Defensive Driving, Drug and Alcohol Awareness, Workplace Harassment Policy, Hazardous Materials Communications, Safety Orientation, Blood Borne Pathogens, Americans with Disabilities Act, Security, Vision, Personnel Policy and Benefits.

6.4 Professional Development
Budgeted funds may be used to provide training or pay for attendance at approved professional development conferences, workshops, and seminars, as approved by Executive Director or designee.

6.5 Reimbursement for Employee Requested Training
The intent of this policy is to reimburse eligible employees for tuition expenses incurred by themselves in an approved educational program (subject to the limitations and conditions in this plan). Community Transit wishes to encourage greater job effectiveness and efficiency, and to that end, Community Transit has established an education expense reimbursement program. Through reimbursement, an employee may have a portion of their tuition costs for job-related courses reimbursed following successful completion of the course work. Participation in this program is voluntary. Expenditures for training expenses shall not exceed the amount of funds budgeted for this purpose. The following guidelines shall be adhered to:

6.5.1 A request for education expense reimbursement must be initiated by the employee and submitted on an Authorization to Attend form to his/her supervisor before the employee enrolls in the course. The manager's recommendation is required, with subsequent approval by the department Director. The Manager of Training will review requests; to ensure that all requests comply with stated guidelines and are on the employees approved PRDP training plan.

A request for education expense reimbursement must include a prospectus, which will as a minimum: outline scope of purpose; show proof of qualification for acceptance to the program; provide proposed schedule of class; indicate program expense budget and funding sources; demonstrate the anticipated benefit or value from the training program; include any other information deemed to be pertinent.

6.5.2 Only full-time employees who have successfully completed probation shall participate in the program. Performance is expected to be at an appropriate level to support participation.

6.5.3 The course for which reimbursement is requested must be directly related to a position at Community Transit, either the employee's current position or one that could be reasonably available through promotion. This policy is designed for college or professional development level courses; however, high school completion and/or equivalency will also be accepted.

6.5.4 The course must be taken on the employee's own time.

6.5.5 Correspondence courses must be from accredited universities, professional associations, or schools accredited by the National Home Study Council. Each course must have the manager's certification as to its value to the Company.

6.5.6 Tuition assistance will reimburse the employee in an amount not to exceed $1,200 annually. This program does not cover room and board, special fees and parking.

6.5.7 The employee must pay all fees in advance. Reimbursement will be made after he or she presents proof of satisfactory completion and a passing grade. A passing grade is defined as "P" pass, "S" satisfactory, a letter grade of "C" (or above with at least a 70% or better in formal course work).

Section 7.0 – Benefits

7.1 Insurance Benefits

The Organization contributes to the cost of insurance premiums in amounts authorized by the Community Transit Board of Directors for regular full-time employees and their dependents. Regular part-time employees receive prorated medical benefits. (See Benefits Eligibility Section 7.6)

7.2 Cafeteria Benefit Plan

The Organization offers an IRS (Section 105 and 129) Cafeteria Plan. The IRS Salary Reduction Plan permits employees to pay for their share of insurance premiums, non-covered medical and dental expenses, and dependent care costs with pre-tax dollars.

The Medical Reimbursement Account permits employees to be reimbursed for medical or dental expenses not reimbursed through insurance or any other arrangement. The Dependent Care Assistance Account is designed to reimburse employees for dependent care expenses incurred while employees are working.

7.3 Retirement Benefits

7.3.1 Social Security Benefits

The Organization makes mandatory contributions on behalf of all eligible employees to the Social Security system (FICA) in addition to those mandatory contributions made by the employee through FICA payroll deductions.

7.3.2 Public Employees Retirement System (PERS)

Eligible employees are covered under the State of Washington Public Employees Retirement System (PERS). Benefit levels and contribution rates are set by the State of Washington. Participation is mandatory for all eligible employees, as defined by the Department of Retirement Systems.

Employees who intend to retire should give written notification of their intent to retire to their supervisor and Human Resources at least three (3) months prior to their date of retirement.

7.3.3 Deferred Compensation

The Organization has established an IRS Section 457 Deferred Compensation Retirement Plan for all regular full-time and part-time employees. This plan allows employees to save voluntarily a certain percent of their total salary up to a maximum annual limit set by the IRS and, thereby defer taxes on the savings and interest until they are withdrawn in accordance with Section 457 provisions. The plan offers a range of investment options. The Deferred Compensation Retirement Plan is administered by a third-party administrator.

7.4 Disability Benefits

7.4.1 All regular full-time employees are covered under Long-Term Disability (LTD) Insurance. Administrative employees are covered under Short Term Disability Insurance (STDI).

7.4.2 All employees are covered under the Washington State industrial insurance laws or Workers' Compensation. This insurance provides related medical insurance and time-loss coverage in case of on-the-job injuries or job-related illnesses. All job-related injuries or illness

are to be reported immediately to the supervisor and the required forms completed. When an employee is absent for more than three days due to an on-the-job injury, he/she is required to file a claim for workers' compensation in order to receive benefits. (See Section 8.6, Leave Due to Job-Related Injury or Illness).

7.4.3 Employees participating in Washington State Public Employees Retirement System **(**PERS) may be eligible for disability benefits from the state's retirement plan.

7.5 Unemployment Benefits

Community Transit employees may qualify for Washington State Unemployment Compensation after separation, depending on the reason for separation and if certain qualifications are met.

7.5 Benefits Eligibility

7.6.1 Regular and probationary full-time employees are eligible for health care, retirement contributions and other benefits granted in these personnel policies.

7.6.2 For regular part-time employees, the employer shall pay 50% of the medical premium for single coverage (employee only). Those employees that have averaged 20+ hours of work per week during the 180 day evaluation period shall be eligible for coverage. Those employees that averaged less than 20 hours of work per week shall be re-evaluated at the end of each month for the preceding 180 day period to determine eligibility. Employees that meet the initial eligibility criteria (average 20+ work hours during a 180-day period) shall retain the coverage for as long as they continue to meet the requirements of the insurance policy (payment of premium, etc.)

Part-time and temporary employees are not eligible for company-paid benefits unless specifically granted in these personnel policies or labor agreements.

7.6.3 Benefits During Leaves

7.6.3.1 Medical Leave - Non Job Related Injury or Illness. See Section 8.6.3

7.6.3.2 Job Related Injury or Illness. See Section 8.6.4

7.6.3.3 Personal Leave. See Section 8.3

7.6.4 Separation

Upon separation employer-paid benefits cease the last day of the month for which premiums have been paid.

7.6.5 COBRA Coverage

In compliance with the Consolidated Omnibus Budget Reconciliation Act or COBRA, Community Transit offers the employee the opportunity to self-pay premiums for continued health care coverage for themselves and their dependents following termination for reasons other than gross misconduct or for a reduction in hours below the benefit-required threshold. Continuation of coverage through COBRA is identical to the coverage offered to full-time employees. In the event of the employee's termination or reduction in hours which would precludes employer-paid benefits, the coverage may last up to 18 months or until coverage under another employer-sponsored group health plan is obtained, whichever occurs first.

If Social Security has determined that the employee was disabled at the time of termination, this period may be extended to 21 months. In the event the employee dies, divorces, becomes legally separated, becomes eligible for Medicare, or in the event a dependent loses eligibility, the former spouse and/or dependent may continue their own coverage for up to 36 months by paying the monthly premium. In order to continue coverage for a spouse or dependent after a divorce, legal separation, Medicare eligibility of the employee, or when a child is no longer a dependent child under the terms of the plan, the employee must immediately notify Human Resources.

7.7 Wellness Program

The Organization may offer a Wellness Program to all employees consisting of educational, preventative and screening programs and other events which promote the health and fitness of Community Transit employees.

7.8 Health Club Membership Benefit

All regular employees, whether full-time or part-time, may be eligible for a benefit applied to health club membership fees in an amount approved by the Executive Director. In order to be eligible for such a benefit, the employee must enroll at a health club facility approved by the Executive Director and complete registration forms for the program. The health club benefit is paid monthly in the payroll check. Policies and procedures regarding this benefit shall be developed by the Executive Director or designee.

7.9 Fitness Center

7.9.1 General Guidelines/Eligibility

All full or part time employees of Community Transit are eligible to use the Fitness Center. Employees of contractors and dependents of Community Transit employees are not eligible to use the facility. Employees are reminded that use of the Fitness Center is a privilege and at their own risk. Carelessness, whether resulting in an injury or not, may result in adverse action taken by Community Transit.

7.9.2 Enrollment

Enrollment is mandatory prior to using the Fitness Center and is coordinated through Human Resources. Enrollment includes completing a confidential Health Monitor Questionnaire, Assumption of Risk, Release, and Indemnification Agreement, and thirty-minute orientation (in-person or video). During the orientation employees will complete all necessary forms, receive equipment use instructions and a key to the facility. Fitness Center guidelines are posted outlining the policy, procedure and rules of operation.

7.10 Employee Assistance Program (EAP)

The Organization offers as an employer-paid benefit a voluntary Employee Assistance Program to assist all regular employees, full-time and part-time, who may have personal or job performance problems. The EAP provides free, confidential, professional assistance to help the employee and his/her dependents resolve personal problems with no threat to the individual's job security, or promotional opportunities.

7.11 Awards and Recognition

The Executive Director is authorized by the Board of Directors, in his or her discretion, to provide special employee incentive and/or recognition and/or award functions for all employees or selected group of employees for the purpose of enhancing employee morale and of working toward a more cordial working environment. Such functions shall be deemed an additional fringe benefit, but shall not be considered a contractual commitment.

7.12 Transportation Incentive Program

7.12.1 Purpose

The Board of Directors has approved a commuter management program within Community Transit and retains the option of continuing the program. The program provides incentives to employees to decrease the use of, and parking requirements for, single-occupant vehicles by utilizing "ridesharing." "Ridesharing" includes transit, ferries (walk-on or carpool onto), carpools, vanpools, bicycles, walking or being dropped off at Community Transit work sites.

7.12.2 Scope

All Community Transit employees, including part-time, probationary and temporary employees, are eligible to participate in the voluntary Transportation Incentive Program (TIP).

7.12.3 Benefit

The Transportation Incentive Program (TIP) provides a monthly stipend, paid quarterly, to all registered Community Transit employees who rideshare at least 60 percent of their work shifts per month. All enrolled employees working 70 or fewer hours per month who rideshare 60% of their work shifts per month receive a smaller monthly stipend, paid quarterly. The amount of the monthly stipend is determined by the Board of Directors.

Partial or full subsidy of transit passes other than Community Transit, Metro, or ferry passes are available for registered participants who wish to forego cash stipends. Employees are responsible for the difference between the value of the subsidy and the cost of the pass/fare. Employees who use their employee pass on Community Transit or Metro for 60% of their work shifts per month are eligible for the monthly TIP stipend.

7.12.4 Guaranteed Ride Home

A Guaranteed Ride Home program is available to all registered TIP participants to provide participants with transportation in case of emergencies. Community Transit will provide taxi service free of charge to employees who qualify for the guaranteed ride home. No reimbursement is needed. All TIP participants are provided with a voucher to receive this free service. The taxi company bills Community Transit using this voucher. TIP participants are allowed a maximum of six trips per year. Taxis will take TIP participants up to 65 miles from their pick up point. They will not take them across the ferry, but will drop them at a ferry terminal within the 65 mile radius.

7.12.5 Administration

The TIP is administered by Human Resources.

Cancels/Supersedes: **Resolution No. 99-XX** **See Also:** **Approved By: Board of Directors**	***Policy*** *167-POL-008*	community transit smile & ride

8. LEAVES OF ABSENCE AND TIME-OFF BENEFITS .....- 4 -

8.1 BENEFITS FOR ADMINISTRATIVE EMPLOYEES ..... - 4 -

8.1.1 Company Holidays ..... - 4 -

8.1.2 Paid Time Off Program For Administrative Employees ..... - 5 -

8.1.2.1 Paid Time Off ..... - 5 -

8.1.2.2 Major Sick Leave ..... - 6 -

8.1.2.3 Short-Term Disability Insurance ..... - 7 -

8.1.2.4 Bereavement Leave Benefits ..... - 8 -

8.2 PAID LEAVE APPLICABLE TO NONADMINISTRATIVE EMPLOYEES ..... - 8 -

8.3 NOTICE AND AUTHORIZATION REQUIRED TO TAKE TIME OFF ..... - 8 -

8.3.1 Notice Required ..... - 8 -

8.3.2 Scheduling Personal Appointments ..... - 9 -

8.3.3 Supporting Documentation Required ..... - 9 -

8.3.4 Who Authorizes Time Off ..... - 10 -

8.4 LEAVES AND TIME OFF MAY BE REVOKED, DELAYED, OR DENIED ..... - 10 -

8.5 OBTAINING LEAVE FALSELY ..... - 11 -

8.6 LEAVES AND TIME-OFF BENEFITS THAT APPLY GENERALLY ..... - 11 -

8.6.1 Leave For Jury Duty Or Work-Related Court Appearance ..... - 11 -

8.6.2 Leave To Vote In Public Elections ..... - 12 -

8.6.3 Military Leave Of Absence ..... - 12 -

8.6.3.1 Normal Length of Military Leave of Absence ..... - 12 -

8.6.3.2 Written Orders Needed in Applying For Military Leaves Of Absence ..... - 12 -

8.6.3.3 Community Transit will Provide Paid Military Leaves Of Absence in Some Circumstances ..... - 13 -

8.6.3.4 Return to Work from Authorized Military Leaves Of Absence ..... - 14 -

8.6.3.5 Effect on Staff Filling a Vacancy Due to Military LOA . - 14 -

8.6.4 FMLA Leave ..... - 15 -

8.6.2.1 Definition of Serious Health Condition ..... - 15 -

8.6.2.2 Eligibility ..... - 16 -

8.6.2.3 Duration of Leave ..... - 16 -

8.6.2.4 How Leave Can Be Taken ..... - 16 -

8.6.2.5 Intermittent or Reduced Leave ..... - 16 -

8.6.2.6 Benefits While on Leave ..... - 17 -

8.6.2.7 Applying for Leave ..... - 17 -

8.6.2.8 Human Resources Approves FMLA Leave ..... - 17 -

8.6.2.9 Medical Certificates ..... - 18 -

8.6.2.10 Recertifications ..... - 18 -

8.6.2.11 Periodic Status Reports ..... - 18 -

8.6.2.12 Fitness for Duty Requirements ..... - 18 -

8.6.2.13 Reinstatement ..... - 18 -

8.6.2.14 Relationship of FMLA Leave to Other Leaves ..... - 19 -

8.6.2.15 Delay, Denial, Revocation of Leave ..... - 19 -

8.6.3 Extended Medical Leave For Nonoccupational Personal Illness Or Injury - 19 -

8.6.3.1 Requesting Extended Medical Leave ..... - 19 -

8.6.3.2 Benefits During Leave ..... - 19 -

8.6.3.3 Extensions of Leave ..... - 20 -

8.6.3.4 Delay, Denial, Revocation of Leave ..... - 20 -

8.6.4 Workers' Compensation Leave Of Absence ..... - 20 -

8.6.4.1 Reporting Requirements ..... - 20 -

8.6.4.2 Applying for Workers' Compensation Leave ..... - 20 -

8.6.4.3 Buying Back Sick Leave/Paid Time Off ..... - 21 -

8.6.4.4 Benefit Accruals While On Workers' Compensation Leave ... - 21 -
8.6.4.5 Time Loss Benefits Paid While Disabled ... - 21 -
8.6.4.6 Workers' Compensation Leave of Absence Expires After Twelve Months ... - 22 -
8.6.4.7 Making the Transition Back to Work ... - 22 -
8.6.4.8 Effects of Transitional Work on Pay, Seniority ... - 22 -
8.6.4.9 Length of Transitional Work Assignments ... - 22 -
8.6.4.10 Concurrent Leave ... - 23 -
8.6.5 Washington Family Care Leave ... - 23 -
8.6.6 Donated Sick Leave Program ... - 23 -
8.6.6.1 When An Employee May Request Donated Sick Leave ... - 23 -
8.6.6.2 CEO Authorizes What May Be Donated ... - 24 -
8.6.6.3 Making a Sick Leave Donation ... - 24 -
8.6.6.4 Returning Unneeded Donations. ... - 25 -
8.6.6.5 Receiving A Sick-Leave Donation. ... - 25 -
8.6.7 Unpaid Personal Leaves For Unusual Circumstances ... - 25 -
8.7 WORKING WHILE ON LEAVE ... - 25 -
8.8 ADMINISTRATIVE LEAVE ... - 26 -
8.8.1 Conditions Justifying Administrative Leave ... - 26 -
8.8.1.1 Administrative Leave For Remainder of Shift ... - 26 -
8.8.1.2 Administrative Leave Up to Three Days ... - 26 -
8.8.1.3 Administrative Leave Greater than Three Days ... - 26 -
8.8.1.4 Obligations of Employees on Paid Administrative Leave ... - 26 -

8. Leaves Of Absence And Time-Off Benefits

This policy covers all types of leave and time-off benefits offered by Community Transit and includes rules we expect employees to follow to appropriately use their benefits. For the purpose of this policy,

- We define "leave" and "leave of absence" to mean permission to be absent from work given by the employer to the employee; employees cannot place themselves on leave.
- We define "approve" and "authorize" as terms for permission documented in writing.
- We define "excused" as any absence where the employee has followed established procedures for notice and verification of need.

8.1 Benefits for Administrative Employees

This section of the policy describes specific leave benefits that apply to regular full-time administrative employees.

8.1.1 Company Holidays

Community Transit's offices will be closed on certain days during the year, called "company holidays," although the company may continue to provide service to the public and, in some circumstances, may schedule certain administrative employees to work on those days.

When a holiday falls on a Saturday, the company will observe it on the previous Friday. When such a holiday falls on a Sunday, the company will observe it the following Monday.

Company holidays include:

Holiday	Holiday Falls
New Year's Day	January 1
Martin Luther King Day	Third Monday in January
Presidents' Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Thanksgiving Day	Fourth Thursday in November

Day after Thanksgiving
Christmas Day December 25

A nonexempt employee who is scheduled off for holidays will be paid eight hours of holiday pay at the employee's normal hourly rate. However, to qualify for holiday pay, a nonexempt employee must have been in a paid status on the workdays before and after the holiday. A nonexempt employee who is scheduled to work on a holiday will be paid one and one-half times the employee's normal hourly rate for hours worked, plus eight hours of holiday pay.

8.1.2 Paid Time Off Program For Administrative Employees

Community Transit's paid-leave program for administrative employees consists of: paid time off in lieu of floating holidays, vacations, and sick leave for short-term illnesses or injury; major sick leave for illnesses and injuries lasting three or more days; short-term disability insurance for eligible employees who are unable to work due to a qualified disability; and bereavement leave for those who suffer the loss of a family member.

8.1.2.1 Paid Time Off

8.1.2.1.1 Purpose. Paid time off is an all-purpose, time-off policy for administrative employees to use for vacation, short illnesses or injuries lasting less than three days, and other personal reasons.

8.1.2.1.2 Accrual. Administrative employees earn paid time off from their date of hire and may use it as they earn it. The amount of paid time off earned differs for nonexempt and exempt administrative employees as shown below:

***Table 1*: Nonexempt — Employees Paid Time Off Earnings**

Beginning After	*Accrual Rate per Pay Period*	*Annual Accumulation*
Date of Hire	5.848 hrs	152
1st year of service	6.462 hrs	168
4th year of service	7.386 hrs	192
7th year of service	7.694 hrs	200
9th year of service	8.924 hrs	232
14th year of service	10.462 hrs	272

***Table 2*: Exempt Employees — Paid Time Off Earnings**

Beginning After	***Accrual Rate per Pay Period***	***Annual Accumulation***
Date of Hire	7.386 hrs	192
1st year of service	8.0 hrs	208
4th year of service	8.924 hrs	232
7th year of service	9.232 hrs	240
9th year of service	10.462 hrs	272
14th year of service	12.0 hrs	312

Employees may accumulate up to 150 percent of their annual paid-time-off earnings at any time, but accrual stops once the cap has been reached. Accrual resumes when the employee's paid-time-off balance falls below the cap.

8.1.2.1.3 Cash Out. In June and December of each year, employees have the opportunity to cash out part of their paid-time-off balance. Employees may cash out up to 25 percent of their current paid-time-off balance but may not cash out more than 40 hours of paid time off in a calendar year.

When employees leave Community Transit, they receive 100 percent of the current cash value of their unused paid-time-off balance.

8.1.2.1.4 Taking Paid Time Off. Except in the case of an emergency for which advance notice and approval is not possible, paid time off ***must*** be requested and approved in advance in accordance with the notice and approval rules set out in Section 8.3.

8.1.2.1.5 Paid Time Off Increments. Paid time off may not be used in less than quarter-hour increments unless it is being used for an FMLA-approved intermittent leave.

8.1.2.2 Major Sick Leave

8.1.2.2.1 Purpose. The purpose of the major sick leave benefit is to provide Administrative employees with leave they may use for

longer absences due to illness. Employees may draw from their major sick leave account from the third workday of their inability to work due to illness or injury.

8.1.2.2.2 **Accrual**. Administrative employees earn 48 hours per year, which accumulates at the rate of 1.848 hours per pay period into their major sick leave account[1] until the limit of 480 hours of major sick leave has been reached. When an employee's major sick leave account reaches the 480-hour cap, that employee will receive eight hours of extra paid time off for every 40 hours major sick leave accumulated over the cap.

8.1.2.2.3 **Major Sick Leave Cash Out**. To encourage employees to conserve major sick leave, CT pays terminating employees 25 percent of the current cash value of their unused major sick leave balance.

8.1.2.2.4 **How to Access Your Major Sick Leave**. Except in the case of a medical emergency for which advance notice and approval is not possible, major sick leave ***must*** be requested and approved in advance in accordance with the notice and approval rules set out in 8.3.

8.1.2.3 Short-Term Disability Insurance

The third prong of the Administrative Paid Time Off program is short-term disability insurance coverage. Short-term disability insurance premiums are paid by the Community Transit to provide qualifying employees with weekly disability benefits when they are unable to work due to a covered disability. The determination of what constitutes a disability is made by the insurance carrier.

Short-term disability insurance benefits take effect from the eighth calendar day of illness or the first day of hospitalization, if sooner. Benefits are paid at two-thirds of normal weekly pay to employees with approved claims. Employees may choose to draw either from their major sick leave or paid-time-off accounts, at their option, to receive 100 percent of normal weekly pay.

[1] Some administrative employees may have excess sick leave accounts, accumulated prior to the date paid time off/major sick leave/short-term disability insurance took effect. Employees with such an account may draw from their excess sick leave account until they exhaust it to continue their pay when they must take time off due to illness. Any balance remaining at time of termination will be paid out at 25 percent of the current cash value.

This benefit is more fully described in the Summary Plan Booklet which governs in the event of an inconsistency between this policy and the plan.

For assistance in making a claim for short-term disability insurance benefits, contact Human Resources.

8.1.2.4 Bereavement Leave Benefits

Upon the death of a member of an employee's or the employee's spouse's immediate family, as defined in Section 1.7.18, and with the approval of the employee's supervisor, an administrative employee may use a maximum of three days of leave with pay. If circumstances warrant, department heads may authorize up to five additional days of leave without pay. Employees may use paid time off to receive pay for these additional days.

When administrative employees participate in or attend a funeral ceremony, their supervisors may authorize them to take a reasonable amount of time off without pay. Employees may use paid time off to maintain their normal pay.

When an administrative employee has been asked to deliver the eulogy, act as a pall bearer, or perform a similar significant role in the services for a deceased employee, the department head may authorize the employee to receive time off with pay.

8.2 Paid Leave Applicable To Nonadministrative Employees

Bargaining-unit employees receive holidays, vacation, and sick leave in accordance with their respective collective bargaining agreements. However, use of leave is subject to the provisions of these policies and to the procedures set out in applicable SOPs.

8.3 Notice And Authorization Required To Take Time Off

Unless otherwise expressly provided for in a specific leave or time-off policy, department procedures, or a collective bargaining agreement, the rules for obtaining time off are:

8.3.1 Notice Required

Time off must be requested in writing or by email in accordance with the following guidelines:

- Planned or anticipated time off which is two work weeks or more in duration must be requested at least 30 days in advance.

- Planned or anticipated time off which is less than two work weeks in duration must be requested at least two weeks in advance.

- When the need for time off is not foreseeable or anticipated, time off must be requested as soon as practicable and reasonable under the circumstances and, in any event, no later than one hour before the start of the employee's shift.

- Requests for time off must be submitted to the employee's immediate supervisor. The supervisor will forward requests for time off for illnesses of three days or more to Human Resources.

- Requests for time off must state: the reason for the time off requested, the dates of leave requested, and the reason for any abbreviated notice, if applicable. When the emergency nature of absence prevents written notice, the employee or someone acting on the employee's behalf must verbally furnish the foregoing information.

- Each department may develop specific notice and scheduling procedures consistent with the goals of this policy to meet that department's operational needs. Where this is the case, employees must follow their department's procedures to schedule time off and handle emergency absences.

8.3.2 Scheduling Personal Appointments

Employees are expected to schedule medical, dental, and other personal appointments during nonwork hours. If this is not possible, employees are expected to schedule their appointments at times that are the least disruptive to business operations.

8.3.3 Supporting Documentation Required

- Employees absent for work-related illness or injury must submit medical certification dated the first day of absence and provide it to Risk Management staff as soon as practicable to establish their eligibility for time-loss payments under workers' compensation rules.

- Employees absent for three or more days due to illness or injury that is not work-related must submit a medical certification in the form required by Human Resources verifying the necessity of their absence. This

documentation must be obtained no later than the fourth day of absence and submitted no later than one week after the first day of absence.

- Employees may be asked to provide independent verification of the reason given for abbreviated notice or other inability to comply with the notice and approval provisions of this policy.

- Employees absent due to illness or injury for more than three days may be required to obtain a fitness-for-duty release before returning to work. Additional return-to-work requirements may be imposed depending on the employee's position and length of absence.

- Human Resources may require additional substantiating information, including clarification from the employee's healthcare provider or an independent medical opinion, to verify the legitimacy of major sick leave or sick leave use.

8.3.4 Who Authorizes Time Off

All time off must be approved in writing by the following company officials:

- Your supervisor must approve all requests for leave. Approval of requests for recreational leave is based on balancing the needs of the company with those of the employee.

- Requests for more than two weeks of recreational leave must also be approved by your department head.

- Human Resources must approve absences for nonoccupational illness and injury in excess of three days.

- Risk Management staff must approve absences for occupational illness or injury.

8.4 Leaves And Time Off May Be Revoked, Delayed, Or Denied

Approval of time off, including paid time off, major sick leave, vacation, sick leave and all other leaves of absence may be revoked, delayed, or denied and the absence considered unexcused if the employee:

- Doesn't provide requested documentation by the specified deadline.

- Fails to follow required notice and authorization procedures for taking leave.
- Doesn't cooperate with CT's efforts to obtain clarification, independent opinion, or otherwise determine eligibility for time off or leave.
- Makes false statements or knowingly provides inaccurate or incomplete information in support of the time-off request.
- Otherwise isn't entitled to time off under any applicable time-off or leave policy, procedure, or agreement.

8.5 Obtaining Leave Falsely

Employees who make false statements or who knowingly provide inaccurate information or withhold material facts to obtain or continue any leave will be subject to discipline, up to and including discharge.

8.6 Leaves And Time-Off Benefits That Apply Generally

Some portions of this Section may not apply to employees covered under a collective bargaining agreement that includes specific provisions differing from what we state here. However, where a collective bargaining agreement remains silent, the provisions of this policy apply.

8.6.1 Leave For Jury Duty Or Work-Related Court Appearance

Employees called for jury duty receive their regular rate of straight-time pay for the time thus spent provided that they return to work on any day that they are excused from service.

An employee required by subpoena to testify in court proceedings in an employment-related capacity will receive straight-time pay for the time thus spent.

Employees required by subpoena to testify in court proceedings in a nonemployment-related capacity may request time off for the time thus spent. Such time off may be compensated by drawing from any leave bank other than sick leave or may be requested and approved by the supervisor as leave without pay (LWOP), provided such LWOP doesn't exceed five days length. Longer absences require approval by a manager or department head.

8.6.2 Leave To Vote In Public Elections

When an employee's work schedule would make the employee unable to vote in a federal, state, or local jurisdiction election prior to or after their normal work hours, the employee's supervisor will grant a reasonable amount of time away from work for the employee to vote without loss of pay and without effect on leave accrual.

8.6.3 Military Leave Of Absence

8.6.3.1 Normal Length of Military Leave of Absence

Any employee called to active duty in the U.S. Armed Forces will receive those benefits and entitlements provided under federal and state law. Military leave of absence for such service may extend for an aggregate total of five years. Pay and benefits will be suspended for an employee granted this form of military leave of absence, except as otherwise provided at Sections 8.6.3.2 and 8.6.3.3 below.

Any officer or employee who is a member of the Washington National Guard or Federal Reserve Military Unit may take up to three weeks (15 working days) off with pay each calendar year as "annual military leave of absence" to engage in officially ordered military duty and while traveling to or from such duty. Pay for such leave is in addition to other leave benefits to which the employee may be entitled by policy or contract.

If the active duty period exceeds 15 working days, the additional leave needed for extended duty or travel time will be unpaid unless:

(1) Employees choose to draw pay from their recreational leave banks and/or

(2) The employee qualifies for a paid military leave of absence as described at Section 8.6.3.3 below.

Employees may not draw pay from sick leave accruals during a military leave of absence.

8.6.3.2 Written Orders Needed in Applying For Military Leaves Of Absence

When employees receive written orders for active duty or required training, they must immediately submit a copy of their orders, together with a written request for leave of absence, to their supervisor. When employees return to work, they

must give their supervisor a certified true copy of their orders showing the date they reported for duty and the date they were released from active duty. The employee's normal regular pay will continue during the first 15 work days approved for this absence, subject to our receipt of this documentation.

8.6.3.3 Community Transit will Provide Paid Military Leaves Of Absence in Some Circumstances

***Definitions**:* In this section, "regular base pay" means the employee's regular rate of pay as of the beginning date of the military leave of absence, excluding overtime, assignment pay, and other special pay rates. "Military pay" means compensation received as a result of active duty in the military, including base pay as determined by grade and years of service pursuant to uniformed services pay tables, plus housing allowance, if applicable.

Policy: Community Transit will grant paid military leaves of absence to full-time employees with two or more years of continuous service provided that the following conditions are met:

- Their employment with Community Transit is in good standing.
- They were ordered to involuntary active duty by the government, thus requiring a leave of absence from their Community Transit positions.
- They have exhausted their annual military leave as provided for in Section 8.6.3.1 or a collective bargaining agreement.
- They comply fully with Community Transit's procedures for administering paid military leaves of absence.
- Their performance while in military service remains in good standing.

Employees granted paid military leaves of absence will receive pay calculated at their regular base rate of pay less the amount of military pay to which they are entitled for a period of up to two years from the date their military leave of absence begins. If their service is extended involuntarily, they may request an extension of their paid military leave of absence in writing. Extension of such leave would be made at the sole discretion of Community Transit provided that the total of all leaves granted to the employee for military service may not exceed five years.

While on a paid military leave of absence, the Community Transit will continue to keep employee medical, dental, vision, and life insurance in effect provided that any required employee contributions will be deducted from the employee's pay. Disability coverage will be suspended during the period of the leave. Self-purchased benefits may be continued at the employee's option provided Community Transit remains authorized to deduct premium payments from the employee's pay and the pay is sufficient to cover the employee's obligation.

Continuation of health benefits coverage for up to 18 months is available under the Uniformed Services Employment and Reemployment Rights Act (USERRA) for employees who do not qualify for paid leave and for employees whose paid leave has ended.

8.6.3.4 Return to Work from Authorized Military Leaves Of Absence

An employee who volunteered for service or was called to service with the Armed Forces of the United States or the Washington National Guard will be entitled to reinstatement in accordance with state and federal law. To preserve their rights to reinstatement, employees must notify Community Transit of their readiness to return to work within the time limits established by state and federal law and provide written proof of their service and the character of their discharge from active duty, if applicable, to their supervisor.

8.6.3.5 Effect on Staff Filling a Vacancy Due to Military LOA

If another employee receives a promotion or lateral transfer to fill a vacancy caused by a military leave of absence, Community Transit considers the promotion or transfer as temporary, subject to the return of the person on military leave. When the person returns from military leave, the employee affected by that return would retreat to the position that employee previously held, if available, or to any other equivalent position for which the employee is qualified.

A new employee may be hired to temporarily perform the duties of the person on military leave of absence, subject to that person's return. The employee displaced as a result of the person's return from military leave of absence would be placed in a position as nearly equal to the vacant position as may exist or, if no such position or vacancy exists, would be subject to layoff for lack of work.

8.6.4 FMLA Leave

FMLA leave is available to eligible employees for any of the following reasons:

- Birth and care of a newborn child (expires 12 months after delivery).
- Placement of a child with the employee for adoption or foster care (expires 12 months after placement).
- When an employee is needed to care for a child, spouse, or parent with a serious health condition.
- For a serious health condition that makes the employee unable to perform one or more essential job functions.

8.6.2.1 Definition of Serious Health Condition

A "serious health condition" means an illness or condition which involves one of the following**:**

- An overnight stay in a hospital or medical-care facility.
- Incapacity for more than three calendar days with:
    - Two or more treatments by a healthcare provider; or
    - Treatment by a healthcare provider on one occasion which results in a regimen of continuing treatment under the supervision of the healthcare provider.
- Incapacity due to pregnancy or for prenatal care.
- Chronic conditions which require treatment by a healthcare provider, continue over an extended period of time, and cause incapacity when they occur.
- A period of incapacity caused by permanent or long-term conditions for which treatment may not be effective and which require continuing supervision of a healthcare provider.
- A period of absence to receive multiple treatments by a healthcare provider either for restorative surgery after an injury or for a nonchronic

condition which would likely result in a period of incapacity in excess of three consecutive days if the condition was not treated.

"Incapacity" means inability to work, attend school or perform other regular daily activities.

8.6.2.2 Eligibility

To be eligible for FMLA, an employee must have worked for Community Transit at least 12 months *and* at least 1,250 hours in the 12 months preceding the beginning date of each new leave in each calendar year. Special rules exist for the same serious health condition which bridges two calendar years.

8.6.2.3 Duration of Leave

An eligible employee is entitled to up to 12 work weeks of FMLA leave within the calendar year. Spouses who are both employed by Community Transit are entitled to a combined total of 12 work weeks leave for the birth, placement in adoption, or foster care of a child or for care of a sick parent. Leave for these purposes will be granted to only one spouse at a time.

A work week is defined as the employee's regular work week. If an employee's schedule varies from week to week, a weekly average of hours worked over the 12 weeks prior to the beginning of the leave period will be used.

8.6.2.4 How Leave Can Be Taken

Leave must be continuous unless leave is taken for an employee's serious health condition or to take care of a spouse, child, or parent with a serious health condition. In such case, leave may be taken intermittently or on a reduced schedule if such leave is certified as medically necessary.

8.6.2.5 Intermittent or Reduced Leave

Employees needing intermittent leave or leave on a reduced schedule must attempt to schedule their leave so as not to disrupt Community Transit's operations. Moreover, Community Transit may require the employee to transfer temporarily to an alternative position that better accommodates recurring absences. The alternative position will have equivalent pay and benefits.

Intermittent leaves for the same chronic condition automatically expire at year end unless the healthcare provider designates an earlier expiration date.

8.6.2.6 Benefits While on Leave

Employees must first use all their accrued sick and then their vacation pay or paid time off (subject to the restrictions in those policies) while on FMLA leave prior to taking unpaid leave. Vacation, paid time off, and sick leave benefits continue to accrue while an employee is on leave. Retirement service credit accrues during any month that an employee receives pay. Community Transit will pay its portion of any health insurance premiums. Employees who do not pay their share of health insurance premiums in a timely manner while they are on unpaid leave will not have their premium paid by Community Transit and may be dropped by the insurance carrier.

8.6.2.7 Applying for Leave

To take advantage of the protections provided by FMLA, employees must submit an FMLA application form to Human Resources within 30 days of any planned absence and as soon as practicable and reasonable under the circumstances for unanticipated absences. Requests for FMLA leave received more than 48 hours after an employee's return to work will be denied. A request for leave under Section 8.3 (Notice and Authorization Required to Take Time Off) submitted to the supervisor may substitute for an FMLA application if it contains information sufficient to put Human Resources on notice that the employee is seeking leave for an FMLA purpose. Human Resources will notify employees if additional information is needed to process their FMLA application.

Failure to notify Human Resources of the need for FMLA leave in a timely manner may cause all or a portion of the absence to be treated as a non-FMLA absence. CT may request independent verification of circumstances causing abbreviated notice.

8.6.2.8 Human Resources Approves FMLA Leave

Human Resources will decide and notify the employee whether FMLA leave is approved. If Human Resources is unable to make a determination, it will provisionally designate the leave as FMLA leave and notify the employee of its final determination once it receives the information it needs. If the facts do not ultimately establish the employee's entitlement to FMLA leave, leave will be revoked and the employee's absence will be treated as a non-FMLA absence. FMLA leave or the continuation of that leave may be delayed or denied when an employee fails to cooperate with Community Transit's efforts to determine the legitimacy of a potential FMLA condition.

8.6.2.9 Medical Certificates

All FMLA leaves taken for serious health conditions must be supported by a certificate of healthcare provider. Certifications must be on the form provided by Human Resources. Community Transit may use its own healthcare provider to clarify or authenticate any medical certification, or Community Transit may require an independent opinion.

8.6.2.10 Recertifications

Employees on continuous leave for serious health conditions may be required to submit a recertification. If a recertification is not submitted in a timely manner, FMLA status may be withdrawn and not reinstated until the appropriate documentation is presented and then only as of the date Community Transit receives the documentation.

8.6.2.11 Periodic Status Reports

Community Transit may require periodic reports from employees regarding their status, intention to return to work, and projected date of return.

8.6.2.12 Fitness for Duty Requirements

Employees absent on FMLA leave for three or more consecutive days for their own serious health condition may be required to obtain a fitness-for-duty release before returning to work. Those absent for 30 days or more must obtain a fitness-for-duty release before returning to work. Additional requirements may be imposed depending on the employee's position and length of absence. Failure to meet these requirements, as applicable, may result in delay or denial of reinstatement.

8.6.2.13 Reinstatement

Upon return from FMLA leave, employees are restored to their original position or an equivalent position. However, an employee has no greater right to reinstatement than if the employee had been continuously employed during the FMLA period. Failure to return to work at the end of the leave period will be considered a resignation unless an extension is granted prior to completion of the initial leave.

Key employees in the top 10 percent of all salaried Community Transit employees may be denied reinstatement if necessary to avoid substantial and grievous injury to Community Transit.

8.6.2.14 Relationship of FMLA Leave to Other Leaves

Any leave taken for a condition which also qualifies as a serious health condition under FMLA will be designated as FMLA leave and run concurrently with the other leave provided, however, that a female employee who is unable to work due to a pregnancy disability may elect to take sick or extended medical leave (subject to the terms of those leave policies) for the duration of her pregnancy-related disability in addition to any FMLA leave for which she is eligible.

8.6.2.15 Delay, Denial, Revocation of Leave

See Section 8.4 which applies to all leaves including FMLA Leave.

8.6.3 Extended Medical Leave For Nonoccupational Personal Illness Or Injury

Community Transit provides an unpaid extended medical leave of absence of up to six months to regular employees who are unable to work due to a nonoccupational personal illness, injury, or disability, including a disability associated with pregnancy or childbirth. Leave under this policy is continuous and begins with the first day of absence. This policy may be used by employees with extended illnesses who are not eligible for FMLA or whose medical leave needs exceed remaining FMLA. Upon the conclusion of extended medical leave, the employee will be reinstated to the same or similar position, unless the employee is unable to perform the responsibilities of the position or reinstatement would result in a hardship to Community Transit.

8.6.3.1 Requesting Extended Medical Leave

An employee must request leave 30 days in advance of the employee's anticipated leave date, unless the need for leave is unforeseeable, in which case, leave must be requested as soon as practicable and reasonable given the circumstances. All extended medical leave requests must be in writing directed to Human Resources and must: a) state the dates of leave and b) be accompanied by a physician's statement in the form required by Human Resources certifying the necessity and duration of the leave. The Community Transit may seek clarification from the employee's physician and/or an independent medical opinion.

8.6.3.2 Benefits During Leave

Employees must first use all their accrued sick and then their vacation pay or paid time off (subject to the restrictions in those policies) while on extended medical

leave prior to taking unpaid leave. Vacation, paid time off, and sick-leave benefits continue to accrue while an employee is on leave. Retirement service credit accrues during any month that an employee receives pay. Community Transit will pay its portion of any health insurance premiums. Employees who do not pay their share of health insurance premiums in a timely manner while they are on unpaid leave will not have their premiums paid by Community Transit and may be dropped by the insurance carrier.

8.6.3.3 Extensions of Leave

Failure to return from extended medical leave as scheduled will constitute a voluntary resignation unless the employee has requested in writing, and Community Transit has approved in writing, additional leave prior to the expiration of the leave. Community Transit will extend leave for up to 12 months if medically necessary for an employee with five or more years of service. However, leave accruals cease after the first six months of leave, and the employee must arrange for COBRA insurance continuation coverage. Community Transit complies with applicable laws which may supersede this policy.

8.6.3.4 Delay, Denial, Revocation of Leave

See Section 8.4 which applies to all leaves including extended medical leave.

8.6.4 Workers' Compensation Leave Of Absence

8.6.4.1 Reporting Requirements

Employees must report all work-related injuries or illnesses to their supervisor immediately and complete the required forms if able to do so. They should seek medical treatment if needed.

If absent from work or seeking medical attention because of an on-the-job injury, the employee must file a claim for workers' compensation leave benefits.

8.6.4.2 Applying for Workers' Compensation Leave

The first three days of absence due to work-related injury or illness must be taken as sick leave, except that administrative employees draw pay for the first two days from their paid-time-off account and the third day from their major sick leave account. Additional time off may be eligible for compensation once a determination is made regarding the claim. While the claims administrators evaluate the claim, we consider the employee to be on sick leave, and the

employee may draw pay from sick-leave or major sick leave accounts, as applicable.

Provisional time-loss payments may be permitted on a case-by-case basis, pending claim approval by the Department of Labor and Industries. The employee must repay provisional time-loss payments if the Department denies the claim.

8.6.4.3 Buying Back Sick Leave/Paid Time Off

When claims administrators determine that an employee is eligible for workers' compensation benefits, the employee will receive compensation for the period after the first three days (called "time-loss" payments). If time loss continues more than 14 days, benefits for the first three days may also be paid.

If employees endorses over to Community Transit the first workers' compensation time-loss check they receive, they may buy back sick leave or paid-time-off benefits used during the evaluation period. Payroll will calculate the repayment necessary and adjust their taxable income, payroll tax deductions, and accrued leave balances.

If employees do not remit the worker's compensation check, Community Transit won't make any adjustments to their sick leave, taxable income, or related payroll deduction records.

8.6.4.4 Benefit Accruals While On Workers' Compensation Leave

For up to 12 months from the date of injury while on workers' compensation disability leave, employees continue to accrue vacation and sick leave (or paid-time-off benefits) but will not receive pay for company holidays that fall while the employee is receiving time-loss payments. Community Transit will also continue to pay the company portion of any health insurance premiums. Employees who do not pay their share of health insurance premiums in a timely manner while they are on unpaid leave will not have their premium paid by Community Transit and may be dropped by the insurance carrier.

8.6.4.5 Time Loss Benefits Paid While Disabled

Employees on leave due to job-related injury receive disability income in the form of time-loss payments. They may supplement those benefits by drawing from their sick leave balances, but they may not receive more than 100 percent of normal gross pay.

8.6.4.6 Workers' Compensation Leave of Absence Expires After Twelve Months

Employees who haven't been released to return to work within 12 months from the date of injury may become subject to termination unless this period is extended through mutual agreement of the parties. Employees terminated under this section may exercise their COBRA rights to continue their health plan coverage at their own expense.

8.6.4.7 Making the Transition Back to Work

Community Transit encourages employees on workers' compensation leaves of absence to return to their job of injury as soon as medically possible. To assist employees in making the transition back to work and at Community Transit's discretion, employees on worker's compensation leaves of absence may be eligible for transitional temporary work assignment.

The purpose of the transitional work program is to get people back to the job we hired them to do. The Risk Management group allocates available transitional duties as best it can to meet the objectives of the program.

An employee's workers' compensation benefits may be affected if the employee refuses to accept a medically approved transitional assignment.

8.6.4.8 Effects of Transitional Work on Pay, Seniority

While on transitional work assignment, employees receive their regular rate of pay for all hours worked. Employees on workers' compensation leaves of absence continue to earn service credit and seniority in their regular positions.

8.6.4.9 Length of Transitional Work Assignments

We may modify the length and availability of transitional work assignments to respond to the needs of the corporation. Within those constraints, employees may remain in the transitional work assignment program if they meet all three criteria listed below:

1. Continue to qualify for workers' compensation benefits.

2. Remain unable to fully perform the essential duties of their regular job, as certified by a physician; and

3. Provide updated physician's statements within each 30-day period.

While full-time employees perform temporary transitional work, they accrue applicable benefits and receive paid holidays. We consider transitional work as hours worked.

8.6.4.10 Concurrent Leave

If employees were eligible for leave under the Family and Medical Leave Act (FMLA) as of the date their leave began, FMLA leave will run concurrently with their workers' compensation leave.

8.6.5 Washington Family Care Leave

Employees may use their earned, accrued paid leave to care for a child with a health condition which requires supervision or treatment or to care for a spouse, parent, grandparent, or parent-in-law who has a serious health or emergency condition.

For purposes of this policy, "child" means a biological, adopted, or foster child, a stepchild, legal ward, or child of a person standing in *loco parentis* who is either under 18 or 18 or over and incapable of self-care because of a mental or physical disability.

Leave under this policy may also qualify as FMLA leave.

8.6.6 Donated Sick Leave Program

Community Transit sponsors a program that permits employees to share their sick leave benefits with a coworker in need of benefit pay due to the coworkers' inability to work because of health problems.

8.6.6.1 When An Employee May Request Donated Sick Leave

The Chief Executive Officer or designee may authorize employees to receive donated leave under this program if:

8.6.6.1.1 The employee or the employee's dependent insured under the medical plan suffers from an illness which is extraordinary or severe in nature and which has caused or is likely to cause the employee to:

- Go on leave of absence without pay status; or
- Terminate employment with Community Transit.

8.6.6.1.2 The employee has depleted or will shortly deplete his/her accumulated paid leave balances.

8.6.6.1.3 The employee would qualify for sick leave benefits under this policy or any applicable labor agreement provisions.

8.6.6.1.4 The employee has diligently pursued and been found ineligible for benefits under Community Transit's worker's compensation program.

8.6.6.1.5 The employee has provided a physician's certification in the form required by Human Resources substantiating the necessity and duration of leave needed.

8.6.6.2 <u>CEO Authorizes What May Be Donated</u>

The CEO or designee determines the amount of donated leave, if any, which a requesting employee may receive. But no one may receive more donated leave than necessary to cover 180 calendar days of absence.

8.6.6.3 <u>Making a Sick Leave Donation</u>

Employees with an accrued sick leave balance of more than 10 days may donate excess sick leave to another employee authorized to receive it under this policy. Donors must retain at least 10 days sick leave in their account after the transfer has been made.

8.6.6.3.1 <u>Donor Relinquishes Rights and Interests</u>. An employee donating sick leave under this policy relinquishes all rights, interest, or benefits derived from such sick leave including, but not limited to, service credit or any compensation determination made by the Department of Retirement Systems that applies to that employee's Public Employees Retirement System (PERS) plan.

8.6.6.3.2 <u>Incentives Unaffected by Donations</u>. Community Transit will not count hours an employee donates as sick leave taken for purposes of calculating the employee's eligibility for a sick-leave incentive bonus, if applicable. However, since Community Transit will deduct hours an employee donates from that employee's total sick leave accrual, this will limit the employee's eligibility for additional floating holidays (or additional paid-time-off hours for

administrative employees) until the employee again reaches the maximum accrual cap.

8.6.6.4 Returning Unneeded Donations.

When Human Resources finds the requesting employee no longer needs leave and cannot reasonably predict that it may be needed at a future time due to the same illness or injury, unused leave will be returned to donors.

8.6.6.4.1 Excess Donations Shared With All Donors. Unused donated leave will be returned to donors at its original donated value. To the extent administratively feasible, we will return on a pro rata basis the value of unused leave donated by more than one employee to all the donors.

8.6.6.5 Receiving A Sick-Leave Donation.

Except for receiving paid time off for the donated sick leave, an employee receiving sick leave pursuant to this policy shall relinquish all rights, interest, or benefits derived from such sick leave including, but not limited to, service credit or any compensation determination made by the Department of Retirement Systems that applies to that employee's Public Employees Retirement System (PERS) plan.

8.6.7 Unpaid Personal Leaves For Unusual Circumstances

Community Transit expects employees to make every reasonable effort to handle personal matters on off-duty time. Community Transit will consider granting employees personal leaves of absence without pay in some cases. Requests for personal leaves of absence must be submitted in advance in writing to the immediate supervisor for approval. Department heads authorize personal leaves of absence up to 30 days. Longer leave requires authorization by the CEO.

During unpaid personal leaves for longer than 30 days, the employee's benefits cease to accumulate, and the employee will bear the full cost to maintain medical, dental, vision, and life insurance benefits, payable in advance for each month or partial month the employee is absent.

8.7 Working While On Leave

Employees may not engage in outside or supplemental employment while on leave for medical reasons unless they obtain advance written permission from their department head.

8.8 Administrative Leave

8.8.1 Conditions Justifying Administrative Leave

Types of incidents that may warrant administrative leave include:

- Allegations of serious misconduct that would, if true, violate company policies or constitute criminal conduct.
- Avoiding interference with an investigation or retaliation against employees or coworkers who are witnesses to the investigation.
- Situations where employees need a cooling-off period.
- Situations where employees need time to recover from unusual work incidents.

8.8.1.1 Administrative Leave For Remainder of Shift

An employee's supervisor has authority to relieve an employee for the rest of the employee's shift and send the employee home on administrative leave when, in the supervisor's judgment, the leave is warranted.

8.8.1.2 Administrative Leave Up to Three Days

A manager has authority to place an employee on administrative leave for up to three days, but the manager must immediately inform the department head of the reason for the leave and its expected duration.

8.8.1.3 Administrative Leave Greater than Three Days

If more than three days will be needed to determine the employee's status, the department head may authorize an extension of administrative leave up to two weeks. Administrative leave greater than two weeks must be authorized by the CEO.

8.8.1.4 Obligations of Employees on Paid Administrative Leave

Community Transit expects employees on administrative leave to make themselves available to meet with company officials on request during business hours (Monday through Friday, 8:00 a.m. to 5:00 p.m.), regardless of their normal shift or schedule. Employees on administrative leave must obtain permission from their supervisor before making plans that would affect their availability.

Section 9.0 – Work Standards and Employee Conduct

9.1 General Policy

It is the responsibility of all employees to represent the Organization to the public in a manner that is courteous, efficient, and helpful. Employees are expected to conduct themselves within the guidelines and procedures established by the Organization. (See Section 17.2 Cause for Disciplinary Action.)

9.2 Dress Code

Employees are expected to exercise good taste and discretion in deciding how to dress and maintain personal hygiene. Those employees in positions that require uniforms are expected to maintain them in a clean and professional manner. Dress and personal appearance should be appropriate to the employee's position and in accordance with the custom of other Community Transit staff (i.e., professional, business attire).

9.3 Safety

Community Transit's Safety Policy is to provide the safest possible work environment and transportation system for employees and the public respectively. The Organization will establish and insist upon safe methods and practices at all times. Safety policies and procedures are established in the Corporate Safety Plan and site-specific policies and procedures are found in departmental Operating Procedures.

The success of the Safety program depends heavily upon cooperation and communication among all levels of management and employees. No job is so important or urgent that time cannot be taken to perform the work in an efficient and safe manner.

Any equipment, procedure or working condition determined to be unsafe is to be corrected. All personnel are expected to recognize their responsibility to observe this safety policy and understand that accident prevention is as important as any other phase of work.

Community Transit employees use this policy statement as a guide in all phases of operation.

9.4 Drug and Alcohol Free Workplace

Possessing, using, transferring, offering, manufacturing or being under the influence of any narcotic, hallucinogen, stimulant, sedative, or illegal drug, alcohol or unauthorized substance (except as authorized and proscribed by a physician) while on Community Transit property, Community Transit time or in other circumstances which might directly and adversely affect Community Transit operations or safety, including consuming such substances immediately prior to reporting to work or during breaks or lunch periods is prohibited and may be cause for discipline, up to and including discharge.

For detailed information about Community Transit’s Drug and Alcohol Abuse Policy, see Section 10.

9.5 Smoke Only In Designated Areas on Company Property

For health and safety reasons and to comply with state law that prohibits smoking in enclosed buildings and public facilities, the Company permits smoking only in designated areas. Otherwise, smoking on company property or in buildings and vehicles, whether owned, rented or leased is prohibited. Departments may adopt work rules consistent with this policy to address their specific work requirements. (Revised 2/2006)

9.6 Workplace Harassment

9.6.1 Sexual Harassment or Other Harassment Based on Protected Status Prohibited
Employees should work in an environment free from sexual and other forms of harassment based on protected status. Harassment due to race, color, sexual orientation, marital status, religion, creed, age, national origin, disability, or any other status protected under applicable local, state, and federal law is prohibited. Accordingly, any manager or employee who is found to have engaged in sexual or other types of harassment based on protected status will be subject to discipline which may include immediate termination of employment.

9.6.2 Definition of Sexual Harassment
Sexual harassment may include unwelcome sexual advances, requests for sexual favors or other sexual language, conduct or expression when a submission to the conduct is either:

9.6.2.1 explicit or implicit term or condition of employment;

9.6.2.2 submission to or rejection of the conduct is used as a basis for employment decisions affecting the person submitting to or rejecting the conduct;

9.6.2.3 the conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

More subtle forms of behavior, such as offensive posters, cartoons, caricatures, comments, pranks and jokes of a sexual nature, may also constitute sexual harassment when they contribute to a hostile work environment.

9.6.3 Definition of Other Harassment Based on Protected Status
Community Transit also prohibits any kind of harassment based on race, color, sexual orientation, marital status, religion, age, national origin, disability, or any other legally protected status. As with sexual harassment, this includes all conduct that has the purpose or effect of interfering with a person's work performance or creating an intimidating, hostile or offensive work environment. It also includes more subtle forms of behavior, such as offensive posters, cartoons, caricatures, comments, pranks and jokes.

9.6.4 Reporting Harassment Based on Protected Status
Any employee who believes he or she is a victim of sexual or other forms of harassment based on protected status should immediately report circumstances to his or her direct supervisor, manager, director, or any other manager with whom the employee feels comfortable up to the Executive Director. The Executive Director and the EEO officer will be notified of all complaints.

9.6.5 No Retaliation
Community Transit prohibits any form of retaliation against an employee who makes a good faith complaint regarding harassment.

9.7 Outside Employment

An employee may not engage in employment other than his/her Community Transit job if such employment interferes with the efficient performance of his/her Community Transit job, constitutes a conflict of interest, is on FMLA leave, or would result in a poor public image for the Organization as determined by the Executive Director or designee.

9.8 Conflicts of Interest

No employee or public official may use their Community Transit position for personal gain and will avoid such conflicts of interest, or appearance of conflicts of interest, that may interfere with proper management of Community Transit. Public officials and employees of Community Transit may not use their position to generate opportunities for private advancement or gain or for avoidance of private detriment or loss. Employees are required to abide by the terms of the Code of Ethics policy. (See Section 11.)

9.9 Receipt and Disbursement of Gifts

Employees of Community Transit may receive certain items (gifts) for the purpose of redistribution of such item to the employees, passengers and general public in order to promote good will among such employees, passengers and the general public. The Executive Director or designee designate the events for which such gifts shall be received, within the guidelines of the Code of Ethics policy. (See Section 11.)

9.10 Political Activity

The rules governing political activities of employees follow the provision of RCW 41.06.250 as amended by Ch. 136, Laws of 1974, lst Ex. Sess.

Community Transit employees may participate in political or partisan activities of their choosing provided that Community Transit resources and property are not utilized, and the activity does not adversely affect the responsibilities of the employees in their positions. Employees may not campaign on company time or in a Community Transit uniform or while representing Community Transit in any way. Employees may not allow others to use Community Transit facilities or funds for political activities.

Any Community Transit employee who meets with or may be observed by the public or otherwise represents the Organization to the public, while performing his/her regular duties may not wear or display any button, badge or sticker relevant to any candidate or ballot issue during working hours. Employees shall not solicit on Organization property or Organization time for a contribution for a partisan political cause.

9.11 Selling and Peddling Among Employees

No peddling, soliciting, or sale for charitable or other purposes is allowed among or by employees during working hours in working areas. Solicitation in non-working areas such as lunch rooms or designated break areas may be permitted upon approval by the Executive Director or designee.

9.11.1 Solicitation of company-sponsored programs (i.e. United Way and Employee Association) will be permitted in non-working areas such as lunchrooms or designated break areas upon approval of Human Resources or the Executive Director or designee.

9.11.2 Solicitation or advertising by or among Community Transit employees will be limited to a designated bulletin board area. Access to this board is limited to employees only. All solicitation postings must be authorized by Human Resources prior to posting. Authorized postings will expire after 30 days with a renewal option for another 30 days; not to exceed 90 days total. Postings over 90 days will require a 30 days waiting period before re-posting.

9.12 Use of Community Transit Vehicles

The use of Community Transit vehicles shall be restricted to Community Transit operations except that, upon approval of the Executive Director, available vehicles may be assigned during off work hours to standby or supervisory personnel for answering service or emergency calls or for attendance at meetings.

Such assignments shall be limited to the Executive Director and those employees designated by the Executive Director. Private vehicles may be used, when approved, in cases where Community Transit vehicles are not available, or when there is a limited amount of mileage over an extended period of time. In the latter case, prior approval for use of a private vehicle is required from the Executive Director or designee. Reimbursement shall be paid by the Organization at the prevailing IRS vehicle cost reimbursement rates pursuant to the Travel Expense Reimbursement Policy. (See Section 9.15) When less expensive transportation is conveniently available, actual travel cost reimbursement shall not exceed the cost of less expensive transportation.

Community Transit vehicles are not used for private purposes or for other business purposes not directly related to the business affairs of the Organization as authorized by the Executive Director or designee. See administration procedures for a complete description of the Vehicle Use Policy.

9.13 Company Equipment

Employees are expected to use company equipment for the primary purpose of performing their job duties. Company equipment includes, but is not limited to: phones, computers, copiers, keys, pagers and miscellaneous office supplies. Employees who are issued keys and/or combinations have the responsibility to insure the integrity of the Organization's key and lock system. This system includes, but is not limited to: buildings, vehicles, safes, vaults, keys, and combinations. In order to maintain the safety and security all Community Transit buildings and equipment, any lost keys must be reported to Security Staff immediately. Any personal use of company equipment or facilities that would potentially have a negative financial, safety or security impact on the Organization will be cause for disciplinary action. Upon separation, employees are to return all company equipment no later than their last working day.

9.14 Media Contact

Only the Executive Director, department Directors, the Manager of Marketing and Customer Information Services, and the Public Information Coordinators are authorized to speak in an official capacity to any news media representative on behalf of Community Transit. At no time should any other Community Transit employee speak to the news media on any issue involving Community Transit unless prior authorization has been issued from the Executive Director, department Directors, the Manager of Marketing and Customer Information Services, or their designees. Any questions from any representative of the news media should be referred to one of the above positions for comment.

Community Transit employees can speak to the news media as private citizens but not as Community Transit representatives unless prior authorization is issued as described above.

9.15 Travel Expense Reimbursement

The Board of Directors authorizes the Executive Director to establish procedures for the administration of the travel reimbursement policy for Community Transit board members, officers and employees. The reimbursement to officials and employees of Community Transit of travel expenses incurred on official Community Transit business shall be on an actual, necessary and reasonable basis. Reimbursement will be made for transportation, lodging, meals and other job related travel expenses while on authorized travel. Advance travel funds may be requested by board members, officials and employees. Advance travel funds for officials and employees must be approved by the department head and Executive Director.

Any claim for travel expenditure reimbursement from a board member, official or employee shall be forwarded for approval no later than 90 calendar days after the return from the trip. Community Transit shall not provide reimbursement for travel expenditures claimed after 90 calendar days after the return from the trip.

See administration procedures for a complete copy of the Travel Policy Procedures and Reimbursement Guidelines.

9.16 Internet Policy

As a condition of providing Internet access to its employees, Community Transit places certain restrictions on workplace use of the Internet. Community Transit encourages employee use of the Internet to: 1) communicate with fellow employees, constituents, vendors, and clients regarding matters within an employee's assigned duties, 2) acquire information related to or designed to facilitate the performance of regularly assigned duties, and 3) facilitate performance of any task or project in a manner approved by tan employee's supervisor. Examples of inappropriate behavior include but are not limited to unauthorized attempts to break into any computer system, using Community Transit resources and Internet connection time for personal reasons, sending offensive messages, theft or copying of electronic files including software without permission and sending or posting Community Transit confidential materials outside of Community Transit or to non-authorized personnel.

All systems and electronic communications (phone use not included) are to be used for business purposes only and in accordance with other company policies and procedures. All systems are subject to periodic company audit for business and security purposes. Because of this fact, employees should not assume that messages sent over the Internet are confidential or that access by Community Transit or its designated representative will not occur. Community Transit does not guarantee the right of privacy in any form of electronic correspondence that is provided to employees for business purposes. Community Transit reserves the right to monitor and/or restrict these means of electronic communication. Community Transit also reserves the right to restrict access to computers on the Internet that it finds inappropriate or offensive. Community Transit employees are expressly prohibited from obtaining or transmitting information that is protected by copyright laws. Any software obtained from computers on the Internet must be scanned for viruses. Employee access to the Internet, including the ability to send and receive electronic mail, is contingent upon the acceptance of and adherence to this policy.

DRUG AND ALCOHOL ABUSE POLICY:

Concerning Prohibited Drugs and Alcohol Misuse

Effective: January 1993
Revised: March 1999
Revised: May, 2002
Revised: February 2004

Current Revision January 2006

TABLE OF CONTENTS

10.1 COMMUNITY TRANSIT PROHIBITS ILLEGAL USE OF DRUGS AND USE OF ALCOHOL 2

10.1.1 Help Available to Those Who Ask 2
10.1.2 Provisions Comply with Federal Regulations.....3
10.1.3 Policy Applies to Employees and Contractors.....3
10.1.4 Federal Regulations List Prohibited Substances.....4
10.1.5 Alcohol and Drugs Could Make You Unfit for Duty 4

10.2 EMPLOYEES MUST COMPLY WITH TESTING 5

10.2.1 All Employees Subject to Testing.....6
10.2.2 Safety-Sensitive Subject to Additional Testing 6
10.2.3 Confidential Process, Test Records Maintained Separately 6
10.2.4 FTA Rules Limit Release of Test Results.....7
10.2.5 Procedures, Testing Methods, Facilities Must Meet Standards.....7
10.2.6 Testing Occurs Prior to During or Just After Work.....8
10.2.7 Immediate Effects of a Positive Test 9
10.2.8 When Testing Occurs.....9
10.2.8.1 Pre-Employment, Before Performing Safety-Sensitive Work.....9
10.2.8.2 When Reasonable Suspicion Exists 9
10.2.8.3 When Regulations Require Post-Accident Testing.....10
10.2.8.4 When Random Testing Applies 11
10.2.8.5 Before Resuming Safety Sensitive Work 11
10.2.8.6 When SAP Recommends Follow Up Testing.....12
10.2.9 When Retests and Observed Tests Occur 12
10.2.10 Role of the Medical Review Officer (MRO) 12
10.2.11 Role of the Substance Abuse Professional (SAP).....13

10.3 DRUG-FREE WORKPLACE ACT OF 1988 13

10.4 EMPLOYEE ASSISTANCE PROGRAM (EAP) 14

10.5 DISCIPLINE – CONSEQUENCES OF POLICY VIOLATIONS 14

10.6 EDUCATION AND TRAINING SUPPORTS ALL EMPLOYEES 15

APPENDIX A — SAFETY SENSITIVE POSITIONS

APPENDIX B — CONTACTS FOR PROGRAM INFORMATION

APPENDIX C — COMMUNITY HOTLINE AND RESOURCE INFORMATION

10.1. Community Transit Prohibits Illegal Use of Drugs and Use of Alcohol

Community Transit provides and maintains a drug and alcohol free working environment that fully complies with the Drug-Free Workplace Act of 1988 and the Omnibus Transportation Employees Testing Act of 1991.

It is Community Transit's policy to:

- Assure that employees have the ability to perform assigned duties in a safe, healthy and productive manner;
- Create a workplace free from the adverse effects of drug and alcohol abuse or misuse;
- Prohibit the unlawful manufacture, distribution, possession or use of controlled substances;
- Provide services employees may access for help if they believe they have an alcohol or chemical dependency problem; and
- Train employees to help them comply with our policy.

Therefore, Community Transit prohibits employees from reporting for work under the influence of alcohol and from using prohibited drugs or illegally using prescribed drugs. Employees who violate this policy will be terminated.

An employee who believes another employee's condition may impair that person's ability to perform an assigned task in a safe and sure manner must report this matter to a supervisor or manager immediately. Failure to report may result in discipline.

10.1.1. Help Available to Those Who Ask

Employees who believe they have an alcohol or chemical dependency problem may contact the Human Resources Division staff members responsible for managing benefit programs to request help. HR will relieve the employee from duty and refer them to the Employee Assistance Program (EAP) provider for evaluation and assistance, and will facilitate their application for leave and return to work. Any employee may be

subject to testing while at work, except that an employee who meets with Human Resources staff to make these arrangements will not be subject to testing from the time they are relieved from duty until they return to work under an approved Return to Work Plan. See Appendix B for the names of the Self-Identification Facilitators in Human Resources to contact for help.

10.1.2. Provisions Comply with Federal Regulations

Community Transit's policy is written to comply with all the applicable Federal regulations governing workplace alcohol and drug misuse in the transit industry. Regulations issued by the U.S. Department of Transportation and the Federal Transit Administration mandate urine drug testing and evidentiary breath-alcohol testing for safety-sensitive positions. This policy sets forth the Community Transit alcohol and drug abuse program and the testing and reporting guidelines for safety-sensitive employees as required by those regulations.

This policy includes several components for prevention and intervention. To promote a drug free workplace and comply with FTA regulations, Community Transit provides supervisory and employee education and contracts for Employee Assistance Program (EAP) and Substance Abuse Professional (SAP) services that provide employees access to professionals in addressing substance abuse.

10.1.3. Policy Applies to Employees and Contractors

This policy applies in general to all transit system employees: full-time, part-time and contract employees, and to contractors when they are on transit property or when they perform transit-related business off property.

Employees who perform safety-sensitive functions, or contractors performing safety-sensitive functions for Community Transit, will be subject to the specific requirements of federal regulations[1]. Participation in the federally mandated testing program is a condition of performing safety-sensitive functions.

[1] Federal regulations include 49 CFR Part 40, published December 11, 2000 and as amended thereafter, and 49 CFR Part 655, published August 9, 2001 and as amended thereafter, issued pursuant to the Omnibus Transportation Employee Testing Act of 1991.

A "safety-sensitive function" is any duty related to the safe operation of mass transit service defined in 49 CFR Part 655 as:

1. Operating a revenue service vehicle, including when not in revenue service;

2. Operating a non-revenue service vehicle, when required to be operated by a holder of a Commercial Driver's License;

3. Controlling dispatch or movement of a revenue service vehicle;

4. Maintaining (including repairs, overhaul and rebuilding) a revenue service vehicle or equipment used in revenue service;

5. Carrying a firearm for security purposes.

Appendix A lists positions determined by the company to be safety-sensitive following review of all company job descriptions.

10.1.4. Federal Regulations List Prohibited Substances

Prohibited drugs are any illegal controlled substance, as well as any drug not approved for medical use by the USDA or the USFDA. Drugs for which testing will be conducted under the federal regulations (49 CFR Part 655.21[b]) include: marijuana, amphetamines, opiates, phencyclidine (PCP), and cocaine. Illegal use includes use of or impairment by any illegal drug, misuse of legally prescribed or over the counter drugs, or illegally obtained prescription drugs.

The use of any beverage or mixture, including any medication, containing alcohol during or prior to performing a safety-sensitive function is also prohibited.

The appropriate use of legally prescribed drugs and non-prescription medication is permitted. However, the use of any substance that carries a warning label indicating mental functioning, motor skills or judgment will be adversely affected, MUST be reported to supervisory personnel before performing safety-sensitive duties. It is the responsibility of employees to remove themselves from service if they are experiencing any adverse

effects from medication.[2] Employees are responsible for informing their physician of the safety-sensitive nature of their work. Employees must use medically authorized drugs or over-the-counter medications in a manner which will enable them to perform their jobs without impairment. [2] (under CT authority – see Footnote 2).

Legally prescribed drugs must include documentation of the patient's name, the substance name, the quantity to be taken and the period of authorization.

10.1.5. Alcohol and Drugs Could Make You Unfit for Duty

In compliance with the Drug Free Workplace Act of 1988 employees are absolutely prohibited from using, manufacturing, dispensing, distributing drugs or possessing or being impaired by alcohol or drugs when reporting for duty, while on duty, or when on Community Transit's premises. Such behavior constitutes a threat to the health, safety and security of themselves, their fellow employees, passengers and other members of the public. Therefore, employees must not report for work or continue working under these circumstances.

DRUG USE: Reporting to work with any of the drugs identified in Section 10.1.4 in their systems is prohibited at all times for safety-sensitive employees.

ALCOHOL USE: No safety-sensitive employee shall report for duty within four hours of using alcohol, use alcohol while on duty or within eight hours of an accident, or use alcohol while subject to being on call.

10.2. Employees Must Comply with Testing

Safety-sensitive employees who refuse to comply with a request for testing under the circumstances defined in Section 10.2.8. When Testing Occurs shall be removed from duty immediately under FTA authority. *Non-safety-sensitive employees under the same circumstances will be removed from duty immediately under Community Transit authority* (see Footnote 2). Refusal to comply with a request for testing includes:

[2] *Italicized* items are promulgated under Community Transit's authority, not under FTA authority.

1. Delaying arrival or failing to arrive at the collection site; or
2. Providing false information in connection with a test; or
3. Failing to sign the DOT required testing forms; or
4. Attempting to falsify test results through tampering, contamination, adulteration, or substitution; or
5. Failing to attempt to provide the required specimen; or
6. Failing to remain at the testing site until the testing process is complete; or
7. An inability to provide a specimen (a urine specimen of less than 45 mL or a breath specimen inadequate for analysis by an approved EBT) without a valid medical reason as established in writing by a physician;
8. Failing to undergo medical examination as directed by the Medical Review Officer or Community Transit to determine medical basis for insufficient sample; or
9. Leaving the scene of an accident prior to testing without a valid reason or without notifying Community Transit; or
10. Failing to cooperate with any part of the testing process.

Any such refusal to comply with a request for testing will be recorded as a positive test for FTA purposes and a violation of this policy. An employee who violates this policy is subject to *discharge* (under CT authority – see Footnote 2) as called for in Section 10.5 Discipline of this document.

10.2.1. All Employees Subject to Testing

All employees will be subject to testing for reasonable suspicion, post-accident, and prior to return to duty after failing a test [see Section 10.5 Discipline] or upon the completion of prescribed substance abuse treatment. *For non-safety-sensitive employees this testing is conducted under the authority of Community Transit* (– See Footnote 2). For safety-sensitive employees this testing is conducted under FTA authority.

10.2.2. Safety-Sensitive Subject to Additional Testing

Those employees who perform safety-sensitive functions as defined in Section 10.1.3 of this policy shall also be subject to testing:

- Before performing safety-sensitive work (pre-employment);
- On a random, unannounced basis;
- Before performing work following an absence of *30 days* (under CT authority – see Footnote 2) or more;
- When called back to work[3] if they acknowledge having used alcohol within less than four hours but claim they are still able to perform their duties. Such testing must take place before the employee may perform safety sensitive work.

10.2.3. Confidential Process, Test Records Maintained Separately

Confidentiality is maintained throughout the drug and/or alcohol testing process from notification of the request to test, to collection of the required specimens, to notification of results. The Human Resources Division will maintain results in a locked file cabinet separate from the official personnel file. In cases where disciplinary action results from a positive test, such information is shared only with those in a supervisory capacity directly involved in the disciplinary decisions related to the test result.

10.2.4. FTA Rules Limit Release of Test Results

Testing records and results will be released only to those authorized by the FTA rules to receive such information. This includes:

1. The employee, if requested in writing, or another person identified by the employee in a specific written consent.
2. National Traffic Safety Board (NTSB) when investigating an accident.
3. Decision-maker in a lawsuit, grievance, or other proceeding initiated on behalf of the employee, including, but not limited to, a worker's compensation, unemployment compensation, or other proceeding relating to a benefit sought by the employee.
4. Pursuant to a court order in a criminal or civil action resulting from an employee's performance of safety sensitive duties.

[3] Community Transit does not place employees "on call". Compliance with Federal regulations would require revision to this section of the policy before implementing an on call system for employees in safety-sensitive jobs.

5. Federal Department of Transportation (DOT) or state oversight agency authorized by the DOT, or Federal grantee required certifying FTA compliance.
6. Subsequent employers, if requested in writing by the employee.
7. Other identified third parties if requested by the employee.

10.2.5. Procedures, Testing Methods, Facilities Must Meet Standards

Testing will be conducted in a manner to assure accuracy and reliability by using the techniques, chain of custody procedures, equipment and laboratory facilities as called for in the regulations[4]. Both alcohol and drug testing will be conducted in an environment that affords maximum privacy.

Specimen collection for urine drug testing will occur at a collection site designated by Community Transit. Collection will be conducted according to procedures outlined in the regulations[5]. These procedures include the collection of a split sample specimen, completion and distribution of a Federal Drug Testing Custody and Control Form according to federal protocol, and transportation of the specimen by laboratory courier to the certified laboratory. These procedures ensure the integrity of the specimen and protect the employee from false accusations. (See Drug & Alcohol Procedures Manual for collection site procedure protocol.)

Drug Testing: Analytical urine testing will be conducted at a DHHS certified laboratory for marijuana, cocaine, opiates, amphetamines, and phencyclidine. Laboratory analysis of the submitted specimen will be conducted according to the procedures outlined in regulations[6]. An initial drug screen will be conducted on the primary specimen with the split sample preserved for testing upon request as provided for in the regulations. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry will be performed. A positive test result, above the minimum thresholds set forth by federal regulation and verified by the MRO, will be considered a violation of this policy. The

[4] 49 CFR Part 40
[5] 49 CFR Part 40.Subparts C-E published December 19, 2000 and as amended thereafter.
[6] 49 CFR Part 40 Subpart F

laboratory will conduct validity testing on all specimens to determine whether they are consistent with human urine. An employee with a dilute negative drug test result will not be re-tested except for pre-employment tests and when directed by the MRO.

Alcohol Testing: Tests for alcohol concentration will be conducted using National Highway Traffic Safety Administration (NHTSA) approved evidential breath testing (EBT) devices operated by breath alcohol technicians (BATs) trained to proficiency on the particular EBT they are using. Equipment will be maintained according to the quality assurance plan developed for the particular piece of equipment. The collection process will be conducted according to procedures set forth in the regulations[7]. A US Department of Transportation Breath Alcohol Testing Form will be completed with each collection. In accordance with the regulations an employee who tests at 0.02 or above will be retested within 15 to 30 minutes of the first test. This second test is considered a confirmatory test. A confirmed alcohol concentration of 0.02 or greater will be considered a positive alcohol test and a violation of this policy. [See Section 10.5 Discipline].

10.2.6. Testing Occurs Prior to, During or Just After Work

All testing will occur just prior to, during, or immediately following the performance of safety-sensitive functions.

10.2.7. Immediate Effects of a Positive Test

An employee who tests positive for drugs or alcohol will be removed immediately from work, informed about educational and rehabilitation programs available, and referred to a Substance Abuse Professional (SAP).

Assessment by an SAP does not protect an employee from disciplinary action or guarantee employment.

10.2.8. When Testing Occurs

Community Transit will conduct testing under the following circumstances:

[7] 49 CFR Part 40 Subparts J–N.

10.2.8.1. Pre-Employment or Before Performing Safety-Sensitive Work

Applicants for all safety-sensitive positions shall undergo urine drug testing prior to employment. Receipt by the agency of negative test results is required prior to employment and failure to pass will disqualify an applicant. Employees transferring from a non-safety-sensitive to a safety-sensitive position shall undergo urine drug testing prior to appointment to the new position. Test results must be negative in order for the appointment to take place. Employees who have not performed safety-sensitive functions for *30 consecutive calendar days* (under CT authority – see Footnote 2), regardless of the reason, shall undergo pre-employment drug testing before resuming safety-sensitive work. The results must be negative.

If the pre-employment test results show a "dilute negative," Community Transit will require the applicant to re-test at the Company's expense, and the results of the re-test shall stand as the final result.

10.2.8.2. When Reasonable Suspicion Exists

Under FTA authority safety-sensitive employees must be sent for testing when there is a reason to suspect they are under the influence of any of the prohibited drugs or alcohol immediately prior, during, or immediately after performing job duties or while on the property. *Non-safety-sensitive employees are also subject to a fitness for duty evaluation including drug and alcohol testing in these same circumstances under Community Transit authority* (see Footnote 2). A referral for testing will be made on the basis of documented objective facts and circumstances. Supervisory personnel who are trained to detect the signs and symptoms of drug and alcohol use will make such referrals. (Details regarding a reasonable suspicion investigation and referral for testing are found in the Drug & Alcohol Procedures Manual.)

10.2.8.3. 10.2.8.3. When Regulations Require Post-Accident Testing

Federal regulations require testing of safety-sensitive employees if they are involved in an accident involving a Community Transit vehicle (in or out of service) that results in:

- *A collision involving a school bus, pedestrian or roll-away vehicle, unless the Community Transit vehicle was legally stopped, standing or parked* (under CT authority – see Footnote 2).
- *A collision in which a Community Transit vehicle rear-ends another vehicle* (under CT authority – see Footnote 2).
- A fatality.
- An injury requiring immediate attention at a medical facility and the supervisor in charge of the accident scene determines, using the best information available at the time, that the covered employee's performance cannot be completely discounted as a contributing factor to the accident; or
- A vehicle being towed from the scene and the supervisor in charge of the accident scene determines, using the best information available at the time, that the covered employee's performance cannot be completely discounted as a contributing factor to the accident.
- When another employee (such as a maintenance mechanic or a dispatcher) might have contributed to the accident through their own performance.

Following an accident under the above circumstances, the employee will be tested as soon as possible, but not to exceed eight hours for alcohol testing and 32 hours for drug testing. Testing will be stayed while the employee assists in the resolution of the accident or receives medical attention as required.

- Employees involved in accidents must refrain from alcohol use for eight hours following the accident or until a drug/alcohol test is administered.

- Employees must remain readily available for testing.

- Those who leave the scene of an accident without appropriate authorization prior to the testing will be considered to have refused the test and thus subject to discipline under Section 10.5.

- *Non Safety-Sensitive employees who refuse to take an alcohol test when requested by law enforcement to do so will be considered as*

having refused to test under this policy and thus subject to discipline under Section 10.5 (under CT authority – see Footnote 2).

10.2.8.4. When Random Testing Applies

Employees in safety-sensitive positions will be subject to random, unannounced testing. The company will retain the services of a third party that uses a scientifically valid computer-based random number generator to select employees for random testing. All covered employees will have an equal chance of being tested each time a selection is made. Testing will be continuous throughout the year and conducted on all days and hours during which Community Transit is in operation. Each year Community Transit will conduct a number of drug tests equal to at least 50% of its covered employees and a number of alcohol tests equal to at least 10% of its covered employees. These percentage rates are subject to change by direction of the Federal Transit Administration.

Employees selected for testing will receive a Letter of Notification and will report immediately to the appropriate testing site. Alcohol testing will occur only while the employee is performing safety-sensitive functions, just prior to performing such functions or just after an employee has completed performing such functions. Drug testing may occur any time a safety-sensitive employee is on duty.

10.2.8.5. Before Resuming Safety Sensitive Work

Under FTA authority safety-sensitive employees who previously tested positive on an alcohol test, and who, under the discipline policy are allowed to return to work, will be subject to alcohol testing before being released for duty by a Substance Abuse Professional. Test results must be negative.

Community Transit requires non-safety-sensitive employees to undergo return to work testing before being released to return to duty by the Substance Abuse Professional (under CT authority – see Footnote 2).

10.2.8.6. When SAP Recommends Follow Up Testing

Safety-sensitive Employees who are allowed to return to work following a violation of this policy will be required to undergo frequent random drug and alcohol testing during the period of their re-entry contract with a minimum of six randomly scheduled tests during the first twelve months

following their return. The Substance Abuse Professional will recommend the frequency and duration of the testing. *Non safety-sensitive employees may be subject to randomly scheduled tests if recommended by the SAP who will specify the frequency and duration for such testing* (under CT authority – see Footnote 2). (See Section 10.5 Discipline.)

10.2.9. When Retests and Observed Tests Occur

Employees who test positive for drugs may request within 72 hours of notification, a test of the split sample, as all specimens are split and the non-tested portion stored for a period of time. The procedure for requesting this test is outlined in the Drug & Alcohol Procedures Manual. A copy of this manual may be obtained from Human Resources.

There are certain situations that may require the employee to provide, at the collection site, another urine or breath sample, i.e., when insufficient urine or breath provides an inadequate sample, when directed by the Medical Review Officer (MRO), or the technician has reason to suspect tampering with the sample. If tampering is suspected a second collection may be conducted under observed conditions.

10.2.10. Role of the Medical Review Officer (MRO)

Community Transit will establish a contractual relationship with a qualified Medical Review Officer who is a licensed physician with knowledge of substance abuse disorders and who has met the qualification training requirements outlined in the regulation[8]. The MRO or authorized staff will review all drug test results to ensure that the chain of custody form (ccf) has been properly completed and the specimen has been handled according to DOT established protocol. The MRO will personally review at least 5% of all ccfs quarterly. In addition, the MRO will review and interpret confirmed positive test results examining alternative medical explanations for these results. Prior to verifying a positive test, the MRO will contact the affected employee to discuss the test results and provide an opportunity to offer a legitimate medical reason for the test results. If the MRO determines the test is a verified positive, the MRO will contact both the Community Transit Program Manager and the employee with that determination. The MRO will direct a retest and notify Community Transit for dilute negative drug test results when

[8] 49 CFR Part 40 Subpart G.

specific creatinine levels trigger an immediate observed collection. Community Transit's MRO will fully comply with the role and responsibilities prescribed.

10.2.11. Role of the Substance Abuse Professional (SAP)
Community Transit will contract with a qualified Substance Abuse Professional (SAP) to evaluate employees who have violated this policy to determine what help they need in resolving problems associated with drug abuse and/or alcohol misuse. The SAP shall be a licensed physician (Medical Doctor or Doctor of Osteopathy); or a licensed or certified psychologist, social worker, or employee assistance professional; or an addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission or by the International Certification Reciprocity Consortium/Alcohol and Other Drug Abuse). The SAP shall have knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorder. Community Transit's SAP will recommend education or treatment for all employees referred for violation of DOT drug and alcohol regulations.

10.3. DRUG-FREE WORKPLACE ACT OF 1988

In compliance with the Drug-Free Workplace Act of 1988 the manufacturing, distribution, dispensing, possession or use of a controlled substance is prohibited at Community Transit.

- Employees violating this prohibition become subject to the provisions of Section 10.5 Discipline of this policy.

- All employees are required to notify Community Transit of any conviction under a criminal drug statute for violations occurring on *or off* (under CT authority – see Footnote 2) the property within five days of conviction.

Failure to report such a conviction, *or any moving violation causing the loss of driver's license, by state or local law enforcement involving drugs or alcohol* (under CT authority – see Footnote 2), will result in discipline, up to and including discharge, within thirty days of the notification. Community Transit will notify FTA within ten days after receiving notice of such conviction.

Community Transit will conduct an on-going drug-free awareness program informing employees about the dangers of drug abuse in the workplace and available substance abuse counseling, rehabilitation and employee assistance programs.

10.4. EMPLOYEE ASSISTANCE PROGRAM (EAP)

Community Transit encourages employees to seek treatment voluntarily and makes available the Employee Assistance Program. Any employee who comes forth and notifies the agency of alcohol or chemical abuse problems will be given the assistance extended to employees with any other illness. Sick leave, vacation leave or leave of absence without pay may be granted for treatment and rehabilitation as in other illnesses, and insurance coverage for treatment will be provided to the extent of individual coverage.

Employees are encouraged to contact the Human Resources Division's Compensation and Systems section for help in understanding benefits and leave policies when participating in the EAP. Any decision to seek help through the Employee Assistance Program or privately will not interfere with an employee's continued employment or eligibility for promotional opportunities. Confidentiality of information will be maintained at all times.

While Community Transit is anxious to assist employees with alcohol or chemical dependency problems, employees are expected to remember that safety is the Agency's first priority. Therefore, employees must not report for work or continue working if they are under the influence or impaired by alcohol or any controlled substance. Failure to observe the Prohibited Conduct rules established in Section 10.2 of this policy will result in disciplinary action (see Section 10.5 Discipline) regardless of whether or not an employee is participating in a treatment program. Such employees are expected to observe all other job performance standards and work rules, including attendance, required of all employees (under CT authority – see Footnote 2).

10.5. DISCIPLINE - CONSEQUENCES OF POLICY VIOLATIONS

Under FTA regulations, discipline for program violations is determined at the local level. The Community Transit discipline policy for prohibited conduct is as follows:

1. *Any* (under CT authority – see Footnote 2) employee who tests positive for drugs or tests positive for alcohol at a 0.04 alcohol level or higher will be

removed from duty, given a list of treatment resources available for evaluating and resolving drug and alcohol problems, referred to the SAP *and discharged* (under CT authority – see Footnote 2).

2. An employee or provisionally hired employee who tests positive for drugs or alcohol through pre-employment testing will not be permitted to start work but will be referred to the SAP *then discharged from employment* (under CT authority – see Footnote 2) *Note: An employee who tests positive for prohibited drugs or alcohol shall be discharged for violation of this policy and considered ineligible for rehire. The company will rescind its offer of employment to a person provisionally hired for safety sensitive work who tests positive on the pre-employment drug test. A person, provisionally hired for the first time, who has been rejected for employment due to a positive test will be barred from re-applying to Community Transit for at least two years thereafter* (under CT authority – see Footnote 2).

3. Any employee who tests positive for alcohol at a 0.02 - 0.039 level must successfully complete the following before being allowed to return to work (under CT authority – see Footnote 2).

a) Removal from their safety-sensitive position.

b) Referral to and assessment by a Substance Abuse Professional (SAP).

c) Complete a treatment and rehabilitation program as developed by the SAP.

d) Return to duty tests with negative results.

e) Return to work agreement that is developed in conjunction with the SAP outlining terms of return to work, including ongoing treatment, aftercare conditions, and, for any safety-sensitive employee, additional random testing for up to five years, with a minimum of six tests the first year will be required. *Non safety-sensitive employees may be subject to randomly scheduled tests if recommended by the SAP who will specify the frequency and duration for such testing* (under CT authority – see Footnote 2).

f) Any employee who has a second positive test will be discharge (under CT authority – see Footnote 2).

4. *Any* (under CT authority – see Footnote 2) employee who refuses to comply with a request for testing *(as set forth in 10.2)* will be given a list of resources,

referred to the SAP, *and discharged* (under CT authority – see Footnote 2) for failure to comply with the testing provisions of this policy.

10.6. EDUCATION AND TRAINING SUPPORTS ALL EMPLOYEES

It is the policy of Community Transit that training and education programs will be made available to all agency employees (under CT authority – see Footnote 2). All safety-sensitive employees will receive one hour of training on the effects of drugs on the body, the major elements of the DOT drug testing regulations, Community Transit's Drug & Alcohol Abuse Policy, and resources for dealing with a substance abuse problem. Periodic refresher training will also be conducted. The training will also provide detailed information on alcohol misuse, specifically as it impacts an individual's biological, emotional, and psychosocial health.

Supervisors, managers, and union officials will receive a minimum of 2 hours of instruction on how to identify the signs of drug and/or alcohol use or impairment and Community Transit's reasonable suspicion investigation process, in addition to periodic refresher training.

The Human Resources Division is responsible for administering the Drug and Alcohol Abuse Policy. Any questions about the policy or testing program may be addressed to the Drug & Alcohol Testing Program Manager or to the Manager of Human Resources at Community Transit (See Appendix B) (under CT authority – see Footnote 2).

APPENDIX A

SAFETY-SENSITIVE POSITIONS

(Revised 08/01/07)

Customer and Community Relations

Director of Marketing and TMS
Education Coordinator
Manager of Transportation Management Services
Supervisor of Vanpool
Vanpool Coordinator

Maintenance

Apprentice Body Person
Apprentice Mechanic
Assistant Facilities and Automotive Maintenance Manager
Assistant Maintenance Shop Manager
Assistant Manager of Programs & Projects
Director of Maintenance
Journey Body Person
Journey Mechanic (Includes Component Rebuild and Automotive Mechanics)
Lead Journey Body Person
Lead Journey Mechanic (Includes Component Rebuild and Automotive Mechanics)
Lead Vehicle Service Attendance
Maintenance Shop Manager
Manager of Facilities Shop/Maintenance
Manager of Maintenance
Radio Technician
Vehicle Service Attendant
Vehicle Service Worker

Transportation

Assistant Operations Manager
Chief Operations Officer
Coach Operator (full-time, part-time and trainee
Contract Services Coordinator
Director of Transportation
Dispatcher
Manager of Contracted Services
Manager of Transportation
Manager of Transportation Administration
Operations Supervisor
Security Officer

Training

Instructor
Supervisor of Training
Manager Risk and Training

Other

Schedule Analyst

Appendix B
Contacts for Program Information

Program Manager
Tina Guzinski, HR Analyst
Community Transit
Human Resources Division
7100 Hardeson Road
Everett, WA 98203
Phone: (425) 348-7197

Alternate
Lynn Starcher, Manager
Community Transit
Human Resources Division
7100 Hardeson Road
Everett, WA 98203
Phone: (425) 348-7116

Self-Identification Facilitators

Chris Beck, HR Supervisor
Community Transit
Human Resources Division
7100 Hardeson Road
Everett, WA 98203
Phone: (425) 348-7163

Dianne Koshelnik, HR Analyst
Community Transit
Human Resources Division
7100 Hardeson Road
Everett, WA 98203
Phone: (425) 348-7154

Sheryl Mills, HR Analyst
Community Transit
Human Resources Division
7100 Hardeson Road
Everett, WA 98203
Phone: (425) 348-2323

Employee Assistance Program

APS Healthcare
16625 Redmond Way
Redmond WA 98052
Phone: 1-800-833-3031

Substance Abuse Professional

Contact APS at number listed below for referral to those individuals who are employed by or contracted with APS as qualified Substance Abuse Professionals.

APS Healthcare
16625 Redmond Way
Redmond WA 98052
Phone: 1-800-833-3031

Medical Review Officer

Randall Franke, MD
HealthForce
11001 31st Place West – Suite 1
Everett, WA 98204
Phone: (425) 267-0299
Office Hours: 7:00 am-5:00 pm Monday-Friday
After hours: (206) 223-7501

Appendix C
Information

Community Hotline and Resource Information

Alcohol/Drug 24-Hour Help Line.....(800) 562-1240
OR.....(206) 722-3700
Teen Line .....(206) 323-5399
National Cocaine Hotline..... (800) COCAINE
OR.....(800) 262-2463
OR.....(800) 662-HELP
National Council on Alcoholism and Drug Dependence Hope Line.....(800) 622-2255
Alanon or Alateen .....(800) 562-1240

STATEMENT of POLICY/PROCEDURE

Section 11.0 – Code of Ethics

11.1 Purpose

It is the policy of Community Transit that no employee or public official shall use his/her position for personal gain, avoids such conflicts of interest or appearance of conflicts of interest, that may interfere with proper management of Community Transit and that the public officials and employees of Community Transit shall not use their position to generate opportunities for private advancement or gain or for avoidance of private detriment or loss.

The Community Transit Code of Ethics is applicable to duly elected public officials and employees of Community Transit. The Code of Ethics shall be consistent with the applicable laws as described in RCW 42.23 of the Revised Code of Washington. The policies shall further act as a guide for public officials and employees of Community Transit to properly administer the function of Community Transit in a manner that best illustrates independent, impartial and responsible management of Community Transit. The Code of Ethics is intended to provide a guide for Community Transit officials and employees in avoiding situations of conduct which may give rise to an appearance of impropriety even though there is no factual or implied impropriety. The Code of Ethics shall provide protection for Community Transit, its employees and the citizens being served against public decisions which may be affected by undue influence, conflicts of interest, or any other violation of this code.

11.2 Definitions

The following terms or phrases as used hereafter shall have the following meanings:

11.2.1 The term "Community Transit" means Snohomish County Public Transportation Benefit Area Corporation, a municipal corporation of the State of Washington.

11.2.2 The term "Board of Directors" means the Board of Community Transit as provided by RCW 36.57A.

11.2.3 The term "public official" means those duly elected persons composing the Board of Directors as provided by RCW 36.57A.

11.2.4 The term "employee," as used in this Code of Ethics, means a person or persons employed on a full-time or part-time basis; however, an employee does not include a person or persons contracting with Community Transit to perform consulting or special technical services.

11.2.5 The term "financial interest" means any legal or equitable interest which would provide a financial benefit.

11.2.6 The term "immediate family", as used in this Code of Ethics, includes a person's spouse, dependent children and other dependent relatives in a person's household.

11.3 Conflicts of Interest

Public officials and employees of Community Transit shall not engage in any act which is in conflict with the performance of their responsibilities while performing in an official capacity for Community Transit. The following shall be deemed a conflict of interest for Community Transit public officials and employees.

11.3.1 Receives or has any financial interest in any sale or lease to Community Transit of services, materials, equipment, or property when such financial interest is received with the prior knowledge that Community Transit intends to purchase, lease or contract for such services, materials, equipment or property.

11.3.2 Accepts or seeks for others, any service, information or item of value on more favorable terms than those granted to the public generally, from any person, firm or organization with or providing any services, materials, equipment or property to Community Transit.

11.3.3 Accepts any gratuity, gift, favor or any other item of substantial economic value from any person, firm or organization providing services or seeking to provide services, materials, equipment or property to Community Transit. A conflict is deemed to exist where a reasonable and prudent person would believe that it was given for the purpose of obtaining special consideration or influence.

The staff of Community Transit is authorized to receive certain items (gifts) for the purpose of redistribution of such item to the employees, passengers and general public in order to promote good will among such employees, passengers and general public. The Executive Director or his or her designee designates the events for which such gifts shall be received.

11.3.4 Influences the selection or non-selection of, or the course of doing business with, a organization, person or firm having or seeking business with Community Transit if personally or through his or her immediate family, a public official or employee has a financial interest in said person, organization or firm.

11.3.5 Remains an employee, officer, partner, director or consultant of any organization or firm or an employee or business associate of any person contracting with or providing any services, materials, equipment or property to Community Transit.

11.3.6 Uses or discloses confidential information acquired by reason of the public official or employee's position in such a way as to benefit himself/herself or any member of their immediate family.

11.3.7 Engages in or accepts private employment or renders services for a person, firm or organization when such employment or service is incompatible with the proper discharge of official duties for Community Transit or would impair independence of judgment or action in the performance of such official duties.

11.3.8 Appears on behalf of a private interest before any governmental agency regulating or funding the operations of Community Transit or represents a private interest in any litigation to which Community Transit is a part, unless the public official or employee has a personal interest and this personal interest has been disclosed to the proper authorities of Community Transit.

11.3.9 Knows, or, in the exercise of reasonable care, should have known that he/she directly or indirectly possesses a substantial or controlling interest in any business entity which contracts with or provides any services, equipment, materials or property to Community Transit without disclosing such interest to the proper authorities of Community Transit.

Participates in a transaction involving the appointment, termination of appointment, promotion, demotion, discipline, approval of a salary increase or decrease or the supervision of the work of a

member of the immediate family or any other person in whom the employee has a financial interest.

11.4 Resolution of Conflicts of Interest

Employees of Community Transit may request in writing, or may be directed to provide information in writing on such matters that pertain to any real or potential conflict of interest. Requests for information are channeled through the Executive Director and will be addressed by an official body composed of appointed members of the Board of Directors, Executive Director and legal counsel who have the responsibility to investigate the issues and take appropriate corrective measures.

The Chairman of the Board of Directors will appoint a committee of Board members to address any real, implied or potential conflict of interest of any Board member. The committee will act as a fact-finding commission and shall present the findings of fact to the entire Board of Directors with a recommended course of action.

11.5 Enforcement

Any public official or employee of Community Transit who willfully or negligently violates this policy may be subject to disciplinary action, including termination. Further, public officials and employees of Community Transit may be subject to civil penalties as prescribed and set forth in the Revised Code of Washington and by any other governmental laws and regulations providing penalties and sanctions for actions that may be deemed inappropriate and in conflict with the discharge of the individual's official duties and responsibilities.

COMMUNITY TRANSIT

STATEMENT of POLICY/PROCEDURE

Section 12.0 –Concerns, Suggestions, and Complaints

12.1 Purpose

Community Transit recognizes that fostering a work environment which allows employees the opportunity to communicate their concerns, suggestions, and problems can contribute significantly to improving the overall quality of work and conditions of employment. In realizing that most situations, if resolved early, are not severe enough to warrant filing a formal complaint, management encourages employees to share their concerns, suggestions, or complaints through the following methods before they escalate to a more severe situation.

12.2 Communication

Community Transit management and supervisors affirm their commitment to an approachable style of management. Employees are encouraged to contact their supervisor to discuss concerns, suggestions, or complaints. If employees feel that their issue is not being addressed adequately or feel uncomfortable approaching their supervisor, they are encouraged to approach the next level manager. Employees who are unsure to whom to share their concern always have the option of seeking assistance from Human Resources.

12.3 Suggestion Program

12.3.1 Purpose

To establish guidelines for Community Transit's suggestion program and to assign responsibility for the program so established.

12.3.2 General Policy

Community Transit is an organization that strives to promote and value the contributions of its employees. The purpose of Community Transit's Suggestion Program is to encourage employee participation in the improvement of organizational functions, to promote teamwork, and to enliven the Vision.

12.3.3 Operating Guidelines

12.3.3.1 **Criteria.** Suggestions that eliminate mistakes; reduce work; improve processes, methods, reduce costs, eliminate waste or redundancy, or improve safety and service are eligible suggestion nominations.

12.3.3.2 **Who May Submit a Suggestion.** All full or part-time employees of Community Transit may submit suggestions for consideration if they address any of the topics noted in 12.3.3.1. Suggestions must be the original idea of the employee and developed on his or her own time. A suggestion may be outside or within the employee's line of duty, reasonable job expectations, job responsibilities or assignments.

12.3.3.2.1 Two or more employees may submit a single suggestion if they both sign the Suggestion Form signifying their agreement to share on an equal basis any recognition that may be associated with the acceptance and implementation of the suggestion.

12.3.3.3 **Duplicate Suggestions.** Suggestions that mirror or parallel previously submitted suggestions will be returned to the suggestor. Responses to suggestions, both approved and disapproved, will remain active and viable for one (1) year. After one year the suggestion may be offered again. If two or more suggestions for the same or similar ideas are received by the Suggestion Program Coordinator, the one with the earliest time/date stamp will be processed, and all others returned.

12.3.3.4 **Approving Authority for Suggestions.** The Director of the responding department will ensure that due consideration of suggestions is given. The decision to implement or deny a suggestion rests solely with the Director responsible for the area addressed by the suggestion.

12.3.3.5 **Suggestion Review.** A Suggestion Review Committee made up of members of the Steering Team (or employees appointed by the Steering Team) is responsible for monitoring the program to include review and disposition of submitted suggestions. Departments affected by suggestions will provide the Suggestion Review Committee with an evaluation of each eligible suggestion.

12.3.4 Process

12.3.4.1 Determine if the suggestion meets the criteria stated in 12.3.3.1 above. If so, submit the suggestion on a current Suggestion Form. All other suggestion forms are obsolete, and suggestions made on forms other than the valid form will be returned to the suggestor without further action. The suggestion form should be signed by all sponsors.

12.3.4.2 Send the completed suggestion form to the Suggestion Program Coordinator. Employees who want a copy of their suggestion should make a copy before sending the completed suggestion form to the Suggestion Program Coordinator. The Suggestion Program Coordinator is not responsible for making copies and sending them back to the suggestor.

12.3.4.3 Upon receipt of a suggestion, the Suggestion Program Coordinator first ascertains if the suggestion is a duplicate, if it is complete, and if it meets one of the criteria for eligibility listed in 12.3.3.1. If the suggestion is a duplicate, is incomplete, or does not meet one of the criteria of 12.3.3.1, the Suggestion Program Coordinator returns it to the suggestor with a written explanation of why the suggestion was returned. In the case of duplicate suggestions, the explanation indicates the status of the original suggestion.

12.3.4.4 If the suggestion is a new suggestion, the Suggestion Program Coordinator date/time stamps the suggestion, assigns it a suggestion reference number, and enters it into a suggestion tracking log. The suggestion tracking log includes the reference number of the suggestion, the date/time it was accepted, the name of the employee(s) who made the suggestion, a brief description of the suggestion, the date the suggestion is due to the Suggestion Review Committee, and the committee or department that receives the suggestion for staff work. A copy of this log is made available to all employees as a read-only document on the common drive.

12.3.4.5 After entering the suggestion into the tracking log, the Suggestion Program Coordinator forwards it to the appropriate department or committee/team as indicated by the blocks checked on the suggestion form. Suggestions forwarded to departments are sent to the department's senior administrative support person for assignment to the correct department staff person to respond to the suggestion. The administrative support staff person also notifies the department Director or the Executive Director, as appropriate, that a suggestion has been received.

12.3.4.6 Staff who receive a suggestion have twenty-one (21) calendar days to prepare their response, have their Director review it, and then return the completed response to the Suggestion Program Coordinator.

12.3.4.7 Upon receipt of a suggestion, staff responding to the suggestion may contact the suggestor to acknowledge receipt of the suggestion. Further contact may be needed to acquire additional information or to request clarification as needed.

12.3.4.8 Staff evaluating a suggestion record their response on the Staff Evaluation Worksheet.

12.3.4.9 Completed suggestion evaluations are reviewed by the Director or designee of the responding department. If accepted, a tentative implementation date is provided. If denied, the Director ensures that a reasonable explanation is attached to the evaluation form. All completed suggestions are then returned to the Suggestion Program Coordinator.

12.3.4.10 The Suggestion Program Coordinator notes the status of each completed suggestion in the suggestion log. The log indicates whether the suggestion was recommended for implementation and the suggested implementation date or was rejected and should be forwarded to the Suggestion Review Committee.

12.3.4.11 If the suggestion is accepted, the Suggestion Program Coordinator sends a written notification to the employee(s) who made the suggestion. The letter notes (at minimum) that the suggestion has been accepted, the proposed implementation date, and who to contact for further information about the implementation.

12.3.4.12 If a suggestion is denied, the Suggestion Program Coordinator forwards the suggestion response to the Organizational Improvement Specialist who sends it to the Steering Team Suggestion Review Committee.

12.3.4.13 The Suggestion Review Committee reviews the response to ensure that it adequately explains why the suggestion cannot be entertained at this time. After this review, the Suggestion Review Committee then forwards the denied suggestion and all supporting documents to the Suggestion Program Coordinator.

12.3.4.14 The Suggestion Program Coordinator enters any appropriate Suggestion Review Committee information in the suggestion log and then notifies the suggestor in writing that the suggestion was rejected. The notification includes the Director's explanation as prepared in 12.3.4.9.

12.3.4.15 The Suggestion Program Coordinator tracks all returned documents through the suggestion log and maintains this log as a current data base for the suggestion program. The Suggestion Program Coordinator also maintains a file of all suggestions for a one (1) year period from date of submission.

12.4 Complaints

12.4.1 Purpose

The purpose of this procedure is to provide an orderly method for resolving employee complaints at Community Transit. A determined effort will be made to settle any such differences at the lowest possible level in the complaint procedure. The appeal procedure shall not apply to the Executive Director or the Directors. This complaint procedure is intended to provide resolution of workplace issues which are not governed by an established procedure for reporting a particular workplace issue, such as the procedure for reporting improper governmental action, discrimination, or workplace harassment, or by a grievance procedure in a collective bargaining agreement.

12.4.2 Complaint Defined

A "complaint" means a written claim or dispute by an employee that the conditions of his/her employment have been violated, or that a dispute exists concerning proper application or interpretation of the Organization's personnel policies and/or procedures.

12.4.3 Procedure

A complaint is processed in the following manner unless other procedures are provided regarding that particular workplace issue (improper governmental action, discrimination or workplace harassment) or by a collective bargaining agreement.

12.4.3.1 The employee presents the complaint to his/her supervisor, in written form within fourteen (14) days of its alleged occurrence. The supervisor responds in writing to the complaint within fourteen (14) days of receiving the complaint.

12.4.3.2 In the event no agreement is reached, or the employee is not satisfied with the solution indicated by the immediate supervisor, the employee may submit a written complaint to the next level of supervision. The written complaint is to be submitted within fourteen (14) days after receiving the immediate supervisor’s response to the complaint and specifies the complaint, the date of the occurrence and the remedy sought. Every effort is to be made by this next level supervisor to resolve the complaint within fourteen (14) days of its receipt.

12.3.4.3 If still unresolved to the satisfaction of both parties, the complaint is submitted to the Executive Director in writing within fourteen (14) days after receiving the next level supervisor’s response to the complaint. The Executive Director or designee replies to the complaint in writing within fourteen (14) days of its presentation at this level. The Executive Director's decision in writing is final and binding on both parties.

12.4.4 Time Limits

12.4.4.1 If the complaint procedure is not initiated within the time limits established by this section, the complaint is considered not to have existed.

12.4.4.2 Any complaint not taken to the next step of this procedure is considered settled on the basis of the last reply made in accordance with the provisions of this section.

12.4.4.3 If the Organization fails to meet or answer any complaint within the time limits prescribed for such action by this section, such complaint is automatically advanced to the next step.

12.4.4.4 The time limits described in this section for the initiation and completion of the steps of the complaint procedure may be extended by mutual consent of the parties involved.

12.4.5 Discrimination Prohibited
No employee shall be disciplined or discriminated against in any way because of the employee's proper use of this complaint procedure.

12.5 Procedural Rights

Discrimination complaints can be alternatively submitted by the employee to Washington State Human Rights Commission or the Equal Employment Opportunity Commission.

Section 13.0 – Whistleblower Retaliation Prevention Program

13.1 Purpose

The purpose of the whistleblower retaliation prevention program is to protect employees of local government from retaliation because the employee provided information that an improper governmental action occurred.

13.2 Scope

This procedure shall apply to situations when a local government takes any retaliatory action against an employee who has reported an improper governmental action.

13.3 Definitions

For the purpose of this policy the following terms shall mean:

13.3.1 "Improper governmental action" means any action in performance of an official duty by a local government officer or employee, either within or outside the scope of employment, that is in violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds.

"Improper governmental action" does not include personnel actions including but not limited to employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployment, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of the local government collective bargaining and civil service laws, alleged labor agreement violations and reprimands.

13.3.2 "Retaliatory action" means any adverse change in a local government employee's employment status, or 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, reduction in pay, denial of promotion, suspension, dismissal or any other disciplinary action.

13.4 Initial Notice Requirements

13.4.1 Any local government employee seeking relief under this procedure must provide the Chairperson of the governing body (e.g. Board of Directors) written notice of a charge that the employee was subject to a retaliatory action because the employee provided information that an improper governmental action occurred. Such written notice shall specify:

13.4.1.1 The alleged retaliatory action taken; and

13.4.1.2 The relief requested.

13.4.2 The written notice of the alleged retaliatory action and requested relief shall be delivered to the governing body within thirty days after the occurrence of the alleged retaliatory action. The written notice may be delivered to members of the governing body in a sealed envelope and need not be disclosed to other employees of the local government.

13.4.3 In addition to notifying the government body of the local government, the employee shall also notify the Prosecuting Attorney of the county in which the local government is located.

13.4.4 Unless there is an emergency that requires immediate attention to prevent damage to persons or property, the employee will submit written notice to the governing body of the local government and the parties listed above before providing information of improper governmental activity to any other person.

13.5 Review of Governing Body

Upon receipt of written notice from an employee alleging retaliatory action, the governing body has thirty (30) days to respond to the charge of retaliatory action and request for relief. Such response shall be delivered to the employee in writing.

13.6 Request for Hearing

Upon receipt of either the response of the local government or after the last day upon which the local government could respond, the local government employee may request a hearing to establish that a retaliatory action occurred and to obtain appropriate relief. The request for a hearing shall be delivered to the local government within fifteen (15) days of delivery of the response from the local government or within fifteen (15) days of the last day on which the local government could respond. If the local government grants the relief sought prior to the date of hearing, all future action relating to that particular situation shall be terminated.

13.7 Hearing Procedure

Within five (5) working days of receipt of the request for hearing, the local government shall apply to the state office of administrative hearings for an adjudicative proceeding. The hearing shall comply with applicable provisions of the Administrative Procedure Act relating to adjudicative proceedings. The employee, as the initiating party, must prove his or her claim by a preponderance of the evidence.

13.8 Decision from Hearing

The administrative law judge shall issue a final decision consisting of findings of fact, conclusions of law, and judgment no later than forty-five (45) days after the date the request for hearing was delivered to the local government. The administrative law judge may grant specific extensions of time beyond this period of time for rendering a decision at the request of either party upon a showing of good cause, or upon his or her own motion.

13.9 Remedies

13.9.1 Relief that may be granted by the administrative law judge consists of reinstatement, with or without back pay, and such injunctive relief as may be found to be necessary in order to return the employee to the position he or she held before the retaliatory action and to prevent any recurrence of retaliatory action. The administrative law judge may award costs and reasonable attorney's fees to the prevailing party.

13.9.2 If a determination is made that retaliatory action has been taken against the employee, the administrative law judge may, in addition to any other remedy, impose a civil penalty personally upon the retaliator of up to three thousand dollars payable by each person found to have retaliated against the employee and recommend to the local government that any person found to have retaliated against the employee be suspended with or without pay or dismissed. All penalties

recovered shall be paid to the Local Government Administrative Hearings Account which has been created by law under the custody of the State Treasurer.

13.10 Judicial Review

The final decision of the Administrative Law Judge is subject to judicial review under the arbitrary and capricious standard. Relief ordered by the Administrative Law Judge may be enforced by petition to superior court.

13.11 Enforcement Agencies:

Snohomish County

Snohomish County
Prosecuting Attorney
3000 Rockefeller
Everett, WA 98201
(425) 388-3333

Snohomish County Sheriff's Department
South County
16000 Mill Creek, Suite 103
Mill Creek, WA 98012
(425) 743-0807

State of Washington

Attorney General's Office
Fair Practices Division
2000 Bank of California Center
900 Fourth Avenue
Seattle, WA
(206) 464-6684

State Auditor's Office
Legislative Building
PO Box 40021
Olympia, WA 98504-0021

Human Rights Commission
402 Evergreen Plaza Bldg., FJ-41
711 South Capitol Way
Olympia, WA 98504-2490
(800) 233-3247

Department of Labor and Industries
300 West Harrison, Room 201
Seattle, WA
(206) 281-5400

State of Washington

Equal Employment Opportunity
Commission
2815 Second, Suite 500
Seattle, WA
(206) 553-0968

Department of Labor
Occupational Safety & Health
1111 Third Ave., Suite 715
Seattle, WA 98101-3212
(206) 553-5930

Department of Transportation
Office of Inspector General
915 Second Avenue
Seattle, WA 98178
(206) 464-5878

Federal Transit Administration
Region X
915 Second Avenue
Federal Bldg, Suite 3142
Seattle, WA 98174
(206) 442-4210

Section 14.0 – Discipline

14.1 Disciplinary Procedure

The degree of discipline administered depends on the severity of the infraction and the procedures followed will be in accordance with any applicable labor contract. The supervisor is to evaluate the circumstances and facts as objectively as possible. The supervisor will then apply the most suitable form of discipline to the best of his/her knowledge and discretion. In cases involving attendance or sick leave, the discipline procedure outlined in Section 3.5, Attendance Review Policy, shall apply.

There are several types of disciplinary action designed to address problematic behavior at varying levels of severity. Supervisors use judgement as to which is the most appropriate level to use.

14.1.1 Verbal Counseling

The supervisor meets with the employee in private to assess action(s) and to counsel the employee as to how to correct the action(s). The incident and counseling session are documented with the employee signing the documentation to acknowledge its occurrence. The document is placed in the personnel file.

14.1.2 Written Reprimand

The supervisor documents the nature of the infraction and discusses what further disciplinary action will follow if this or a similar incident is repeated.

A copy of the written reprimand is given or sent to the employee. The employee signs the written reprimand to acknowledge receipt. The original document is placed in the employee's personnel file.

14.1.3 Suspension

This form of discipline is administered as a result of a severe infraction of standards of operation and for repeated violations.

The supervisor shall set forth in writing the reasons for disciplinary suspension, the effective date and the duration of the suspension.

The employee is given or sent a copy of the notice of suspension and the original is placed in the employee's personnel file**.** The employee shall sign the notice of suspension to acknowledge receipt.

In the event an employee is involved in an activity which negatively reflects on the Organization, the Executive Director has the right to suspend the employee, with or without pay, pending investigation and final resolution.

14.1.4 Discharge

Prior to the supervisor taking action on the discharge of an employee, the supervisor must discuss his/her recommendations for discharge with the Executive Director or designee.

If, in the opinion of the supervisor, the infraction is so severe as to necessitate immediate termination, the supervisor should take action by placing the employee on suspension with or without pay until circumstances are reviewed with the Executive Director or designee prior to final discharge action, which must be approved by the Executive Director.

In cases of termination, the employee is given or sent a copy of the written notice indicating the effective date of termination and the reason for termination.

14.2 Causes for Disciplinary Action

The following list of inappropriate activities includes but is not limited to those stated below; violations will subject the employee to the provisions of Progressive Discipline up to and including immediate termination:

14.2.1 Fighting or attempting bodily injury to another, threatening, intimidating, coercing or interfering with anyone on Organization premises at any time.

14.2.2 Possessing a concealed or dangerous weapon while on Organization premises or while off Organization property in the performance of Organization duties.

14.2.3 Embezzlement, theft, or destruction (unauthorized removal, storage, transfer, or use) of Organization, customer, or employee property. All found items must be turned in to Lost and Found immediately upon discovery. Management reserves the right to inspect lockers, banks, packages, bags, or similar items whenever deemed necessary. Refusal to be searched or have packages examined will result in immediate termination.

14.2.4 Falsifying or altering employee time records, work schedules, payroll records, employment applications, or providing false/misleading information prior to or during employment. Signing in or out for another employee or asking another employee to sign in or out for you. Signing in or out for time which you did not work.

14.2.5 Immoral or indecent behavior that publicly embarrasses the Organization. Soliciting persons for immoral purposes or the aiding and abetting of any of the above, to include fraternization of an intimate nature with subordinates.

14.2.6 Violation of Community Transit's Drug and Alcohol Abuse Policy, Section 10.

14.2.7 Insubordination, willful disregard, or disrespect toward a supervisor or representative of management or failure to obey/perform work as required or assigned. Inability or unwillingness to perform assigned work. Sloppy or excessively slow performance of routine duties. If you disagree with your supervisor's request, always follow the instructions given at the time and discuss it later in private.

14.2.8 Wantonly offensive conduct or language; the use of profane, discourteous, abusive or rude language/action against another employee, supervisor, customer or officers of the Organization.

14.2.9 Any attempt to induce any employee of a private or public agency to commit an illegal act or acts in violation of any lawful or reasonable regulation. Violation of a lawful duty or breach of discipline.

14.2.10 Soliciting or accepting gratuities from a customer.

14.2.11 Conviction of a felony offense or conviction of a misdemeanor involving moral turpitude.

14.2.12 Failure to report accidents involving employees and/or customers. All accidents should be reported immediately to either one's supervisor or Operations no later than twenty-four (24)

hours after the accident occurs. Failure to report breakage or damage to equipment or machinery, giving false information or refusing to give testimony when accidents are being investigated, or receiving traffic violations when using Organization vehicles.

14.2.13 Neglect, carelessness, mischief or "horse play," which creates the danger of loss, damage, breakage or destruction of Organization property or the property of customers, fellow employees or others, or which results and/or contributes to unsanitary conditions or which results in accidents involving employees and/or customers.

14.2.14 Discrimination or harassment against a customer or fellow employee because of race, color, creed, age, religion, sex, national origin, or physical disability. Using religious, political or fraternal influence.

14.2.15 Any personal use of company equipment or facilities to include but not limited to telephones, vehicles, keys, computers, copiers, faxes, that would potentially have a negative financial, safety or security impact on the organization.

14.2.16 Being absent from work without first notifying and securing permission from the employee's supervisor. Excessive absenteeism or tardiness for any reason or as defined in the Personnel Policies or in the negotiated labor contracts on attendance.

14.2.17 Taking unauthorized breaks or otherwise leaving the job without permission. Leaving your department or work area or being in other than your assigned work area without authorization from your supervisor. Walking off the job may be considered job abandonment and the employee may be terminated.

14.2.18 Giving away Organization property to anyone.

14.2.19 Gambling or engaging gambling activities on Organization premises.

14.2.20 Failure to observe established fire, safety or established safety practices; engaging in dangerous or potentially dangerous activity, or failure to report any personal injury sustained while on duty.

14.2.21 Failure to comply with established dress and grooming requirements.

14.2.22 Giving confidential information to other employees, an outside Organization or agency, to the news media, or discussing confidential Organization information with customers or in public areas where a customer could overhear a conversation.

14.2.23 Smoking in non-smoking areas.

14.2.24 Failure to maintain accurate and proper accountability and control of cash banks. Failure to follow proper witnessing procedures with deposits and cash handling. Excessive or continuous cash shortages or other irregularities will be considered irresponsible and unacceptable. Failure to follow proper customer check procedures; unexplained discrepancies in customer check handling procedures.

14.2.25 Making unwanted, unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature which has the effect of creating an offensive, intimidating, degrading or hostile environment to other employees or customers or adversely interferes or

affects an employees work performance. Violation of Community Transit's Workplace Harassment policy, Section 9.6.

14.2.26 Unauthorized distribution of literature or posting notices, signs or writing in any form on Organization premises during working time and in work or public areas. If you wish to have something posted on the Employee Bulletin Board, please bring it to Human Resources for determining suitability and posting.

14.2.27 Unauthorized fund raising, selling lottery tickets or merchandise, soliciting donations or any other type of fund raising on Organization premises. Violation of Community Transit's Selling and Peddling Among Employees Policy, Section 9.11.

14.2.28 Accepting fees, gifts or any valuable item from a purveyor, customer, or contractor who does business with the Organization while in the performance of the employee's official duties for the Organization, except as authorized by the Executive Director in a accordance with Section 9.8 and Section 11, Code of Ethics, of this Personnel Policy. When in doubt, check with your supervisor.

14.2.29 Directly or indirectly maintaining an outside business or financial activity that conflicts, in any manner, with the interest of the Organization.

14.2.30 Violation of any established Organization or departmental regulation policy, procedure or rule.

14.2.31 Failure to reasonably assist a customer.

14.2.32 Failure to turn in a comment card. Withholding, falsifying, or destroying comment cards.

14.2.33 Failure to return to work promptly at the end of an authorized absence.

14.2.34 Failure to pay or make provision for payment of just debts to the company.

14.2.35 Personal property left or kept outside of employee lockers.

14.2.36 Unauthorized absence of an employee from duty shall be deemed to be an absence without pay and may be cause for disciplinary action. After three days of unauthorized absence, the employee's actions may be considered as job abandonment and the employee may be terminated.

14.2.37 Sleeping on the job or while on duty.

14.2.38 Inappropriate use and/or disregard of internet access rights per Section 9.16.

14.3 Program Administration

Additions and deletions to these rules may be necessary to meet the changing needs of the Organization. Any additions or deletions to the above list must be submitted to the Manager of Human Resources for review and then forwarded to the Executive Committee prior to implementation.

14.4 Authority of Executive Director

All employee disciplinary issues are under the jurisdiction of the Executive Director and not subject to the Board of Directors' for review or involvement.

Section 15.0 – Separation

15.1 Resignation

An employee wishing to resign shall give his/her supervisor a written notice stating the reasons for resignation and the effective date. For an employee to leave Community Transit in "Good Standing" the employee will work a minimum of ten (10) days from date of notice and turn in all company keys and equipment. In addition, the resignation must not be in lieu of termination and the employee must not leave the Organization with any outstanding debts. The effective date of the resignation may be waived at the discretion of the Executive Director.

Upon consideration for rehire, the employee's previous work records will be reviewed. The records reviewed include, but not limited to, disciplinary, attendance, safety, accidents, and violations of SOP/Personnel Policies, any of which may be reason to deny employment.

15.2 Retirement

Community Transit's retirement provisions are governed by the state-sponsored retirement program (Washington State Public Employees' Retirement System). Employees planning to retire and begin receiving benefits under the retirement plan will do so in accordance with the rules of the state retirement program. Employees should provide written notice to their supervisor with a copy to Human Resources three (3) months prior to the anticipated retirement date.

15.3 Termination

A personnel action initiated by the Organization to separate an employee from the Organization's service. Examples of reasons for termination are covered in Section 14, Discipline.

15.4 Death

Separation from employment shall be effective as of the date of death. All compensation due the employee to that date shall be paid in accordance with the laws of the State of Washington.

15.5 Layoff

The Executive Director may lay off employees for lack of work, budgetary restrictions, or other changes that have taken place. The employee is to be given fourteen (14) days notice, except in cases of emergency, before such layoff is to take place. In case of closing of a site or a layoff of longer than six (6) months resulting in a layoff of fifty (50) or more employees at one site or thirty-three percent of the work force there, notice shall be given according to federal regulations.

15.5.1 Determination of Layoff

Temporary employees or employees who have not completed their probation period will be laid off before regular employees are affected. In determining who is to be laid off, consideration will be given to individual performance and qualifications required for remaining jobs. Where there is more than one employee in the affected classification of work, the employee with the best overall performance rating will be retained. Length of service will be considered when performance and qualifications are equal.

15.5.2 Recall

Employees who are laid off may be eligible to be reemployed, if a vacancy occurs in a position for which they are most qualified. For a period of one year, such employee will be maintained on a list for reinstatement for the position held at the time of layoff. Where there is more than one employee on the reinstatement list for a vacant position, employees shall be recalled in the reverse order of lay off.

15.6 Rehire

15.6.1 Eligible for Rehire

Employees who have resigned from the company in good standing per section 15.1, or who have been terminated for extended absence or inability to perform the essential functions of their job due to injury or illness, are eligible for rehire in any job for which they are determined to be the best qualified candidate and can perform the essential functions of the job.

15.6.2 Ineligible for Rehire

Employees who have been terminated by the Organization are not eligible for rehire unless otherwise noted in Section 15.6.1. Reasons for which terminated employees are determined to be ineligible for rehire include, but are not limited to: tardiness, chronic absenteeism, substandard performance or misconduct.

15.6.3 Conditions of Rehire

If an employee is rehired by the Organization, the employee's date of rehire shall be used for vacation, sick leave and seniority accrual. Service may be bridged for purpose of service awards. For purposes of retirement benefits, pension service credit shall be determined according to the provisions of the retirement plan

15.7 Employee & Corporate Responsibilities Upon Separation of Employment

Employees separating from the Organization are required to return all Organization equipment, keys and transit pass on or prior to the last day worked. Employees separating from the Organization for any reason other than death, will be scheduled for an exit interview on their last day of work. If the employee is unavailable as of the last day of work, a questionnaire will be mailed to the employee as soon as possible following that date. The employee or surviving spouse/children will be provided information regarding the effect of the separation on benefits, including procedures for extension of benefits through COBRA rights.

15.8 Benefits Upon Separation

Company paid insurance benefits cease the last day of the month for which premiums have been paid. In compliance with COBRA (the Consolidated Omnibus Budget Reconciliation Act), health care coverage may be extended after separation for reasons other than gross misconduct, a reduction in hours, retirement or death.

15.9 Unemployment Compensation

Community Transit employees may qualify for Washington State Unemployment Compensation after separation, depending on the reason for separation and if certain qualifications are met. Application must be made by the employee at the Department of Employment Services in order for a determination to be made.

Section 16.0 – Severability

16.1 Severability

If a provision of these policies or their application to any person or circumstance is held invalid, the remainder of the policies or the application of the provision to other persons or circumstances is not affected.

Subject Index

Acting Appointment....2 – 3
Administration of Policies....1 – 2
Administrative Leave....8 – 18
Application Procedures....2 – 2
Appointment....2 – 2
Attendance....3 – 2
Attendance – Inclement....3 – 2
Attendance Review Policy....3 – 2
Awards and Recognition....7 – 3

Benefits Eligibility....7 – 2
Bereavement Leave....8 – 16
Bonus Pay Program....5 – 4
Breaks....3 – 2

Cafeteria Benefit Plan....7 – 1
Classification Audit....5 – 2
Classification Evaluation....4 – 1
COBRA....7 – 2
Code of Ethics....11 – 1
Communication....12 – 1
Company Equipment....9 – 4
Compensation....5 – 1
Complaints....12 – 4
Conflicts of Interest....9 – 3

Death....15 – 1
Definitions....1 – 2
Demotion....2 – 4
Departmental Rules & Regulations....1 – 1
Directors....2 – 4
Disability Benefits....7 – 1
Disciplinary Action, Cause for....14 – 2
Disciplinary Procedure – Discipline....14 – 1
Dress Code....9 – 1
Drug & Alcohol Abuse Policy....10 – 1
Drug and Alcohol Hotline and Resource Information....10 – 13
Drug and Alcohol Policy Contacts....10 – 12
Drug Free Workplace....9 – 1

Employee Assistance Program (EAP)....7 – 3
Employee Representation....1 – 1
Employment of Relatives....2 – 5
Employment Requisitions....2 – 1
Employment Verifications and References....2 – 5
Equal Employment Opportunity....1 – 1
Exempt Employee Leave....8 – 3

Subject Index

Family and Medical Leave Act Policy (FMLA) ..... 8 – 9
Fitness Center ..... 7 – 3
Flex-Time Options ..... 3 – 1
Floating Holidays ..... 8 – 1

Harassment ..... 9 – 2
Health Club Membership Benefit ..... 7 – 3
Holidays ..... 8 – 1
Hours of Work ..... 3 – 1

Insurance Benefits ..... 7 – 1
Internet Policy ..... 9 – 5
Internship Program ..... 2 – 3

Job Opportunities ..... 2 – 1
Jury/Court Duty ..... 8 – 17

Lateral Move ..... 5 – 2
Layoff ..... 15 – 1
Leave Due to Job-Related Injury or Illness ..... 8 – 7

Media Contact ..... 9 – 4
Medical Leave – Non-Job Related Injury or Illness ..... 8 – 7
Military Leave ..... 8 – 17

Orientation ..... 2 – 4
Outside Employment ..... 9 – 2
Overtime ..... 3 – 1

Performance Review (PRDP) ..... 6 – 1
Personal Leave ..... 8 – 16
Personnel Records ..... 2 – 5
Political Activity ..... 9 – 3
Position Description Questionnaire (PDQ) ..... 4 – 1
Probationary Period ..... 2 – 4
Professional Development ..... 6 – 2
Prohibited Substances ..... 10 – 3
Promotion ..... 2 – 3
Receipt and Disbursement of Gifts ..... 9 – 3
Rehire ..... 15 – 2
Resignation ..... 15 – 1
Retirement ..... 15 – 1
Retirement Benefits ..... 7 – 1

Safety ..... 9 – 1
Safety-Sensitive Positions ..... 10 – 12
Salary Adjustments ..... 5 – 3
Salary Determination ..... 5 – 1
Salary Ranges ..... 5 – 1

Subject Index

Scope of Policy Manual ..... 1 – 1
Selling and Peddling Among Employees ..... 9 – 3
Separation of Employment ..... 15 – 1
Severability ..... 16 – 1
Sick Leave Incentive Bonus ..... 8 – 4
Sick Leave Sharing ..... 8 – 5
Sick Leave Upon Separation ..... 8 – 5
Sick Leave, Permissible Use of ..... 8 – 3
Smoke Free Workplace ..... 9 – 1
Suggestion Program ..... 12 – 1

Temporary Help ..... 2 – 3
Termination ..... 15 – 1
Training ..... 6 – 2
Training Required ..... 6 – 2
Transfer ..... 2 – 3
Transitional Work ..... 8 – 8
Transportation Incentive Program (TIP) ..... 7 – 4
Travel Expense Reimbursement ..... 9 – 4

Unemployment Compensation ..... 15 – 2

Vacation Leave ..... 8 – 2
Vehicles, Use of ..... 9 – 3
Voting ..... 8 – 17

Wage and Salary Adjustments ..... 5 – 2
Wellness Program ..... 7 – 3
Whistleblower Retaliation and Prevention Program ..... 13 – 1

Accident Policy

Approved By: Joyce Olson, CEO

Issue Date: April 1, 2005

Revised Date: May 18, 2006

Manager Responsible for Administering This Policy:

Please direct inquiries about this policy to
Community Transit's Risk Manager.

166-POL-001 Through 166-POL-006

Accident Policy Table of Contents

166-POL-001 Promoting Safe Driving Standards

Community Transit Follows National Safety Council (NSC) Guidelines
Community Transit Requires Safe Operation of All its Vehicles
Employees Receive Training and/or Retraining

166-POL-002 Reporting Accidents

Employees Complete Accident Reports on the Day of the Accident
Employees "Bad Order" (BO) the Vehicle
Employees Must Complete Event Report for Noncollision Passenger Accidents
Only Authorized Personnel May Release Accident Information

166-POL-003 Analyzing Accidents

Risk Manager Classifies and Determines Accidents
Supervisor of Training Determines Accident Preventability
Supervisor of Training Assesses Points for Operator Error
Supervisor of Training Assesses Points for Injuries
Supervisor of Training Assesses Points for Property Damage
Appendix A: Preventable Accident Analysis Property Damage Point Scale

166-POL-004 Appealing Preventable Accident Decisions

Employees May Appeal Accident Ruling to the ARC
Employees Attend Hearings on Their Own Time
The Risk Manager Approves Requests to Postpone Hearings
Employees May Submit Evidence at the ARC Hearing
ARC Rulings May Be Appealed to the National Safety Council (NSC)
NSC Does Not Accept All Appeals
Risk Manager Forwards Appeal Request to NSC
NSC Decision is Final

166-POL-005 Establishing Accident Review Committees (ARC)

ARC Has Two Employee-Designated Members

Management Designates Two ARC Members

All ARC Members Must Meet These Criteria

Risk Manager Chairs and Schedules the ARC

ARC Members Receive Compensation

ARC Judges Accidents

Risk Manager Notifies Employee of ARC's Decision

166-POL-006 Administering Discipline for Preventable Accidents

Employees Receive Counseling from Their Manager or Supervisor

Employees Will Receive Training or Lose Driving Privileges

Point Scale Determines Severity of Employee Discipline

Exempt Employees May Receive Suspensions That Follow Labor Laws

Employees Returning To Work Will Receive a Ride Check Before Driving

Earned Safe Driving Credits May Offset Accident Points

Preventable Fatalities Result in Loss of Job or Loss of Employment

Management May Direct Additional Training

Supervisor of Training Must Document All Training

166-POL-001 Promoting Safe Driving Standards

This policy applies to all Community Transit employees who operate company vehicles.

1. Community Transit Follows National Safety Council (NSC) Guidelines

Community Transit has adopted NSC guidelines for defensive driving and determining preventability of accidents.

2. Community Transit Requires Safe Operation of All Its Vehicles

Community Transit employees will make safe driving decisions based on company policies, procedures, and guidelines. Community Transit requires employees to drive defensively and exercise professional judgment in compliance with NSC guidelines.

3. Employees Receive Training and/or Retraining

Employees receive defensive driving training and retraining to give them maximum opportunity to control safety factors. This training provides employees the opportunity to review and identify defensive driving tactics. Employees may also request additional training.

Cancels/Supersedes: April 1, 2005

See Also:

Resolutions	*Policies*	*Procedures*	*Tasks*	*Forms*	*Other*
					NSC Guidelines

166-POL-002 Reporting Accidents

This policy applies whenever an accident occurs involving a Community Transit vehicle and/or employee.

1. Employees Complete Accident Reports on the Day of the Accident

Employees must fill out an Event Report for every accident. If the total damage to vehicles or other property exceeds $750 (use your best judgment in the absence of a supervisor or police report), or if the accident caused injuries, employees must also complete a State Accident Report.

Employees must complete an Event Report every time Community Transit receives a Blind Report involving them. A Blind Report is when someone other than the driver reports an accident after the fact, at a time or location other than the scene of the accident, and without the driver's knowledge.

2. Employees "Bad Order" the Vehicle

After returning to base, employees should park vehicles in the Bad Order lane located on the south end of the maintenance shop. Employees must complete a Bad Order (BO) form to show the point of contact to the vehicle. We define "Bad Order" as damage or other defect to the vehicle.

3. Employees Must Complete Event Report for Noncollision Passenger Accidents

A noncollision passenger accident requires a Community Transit Event Report but does not require a State Accident Report. We define a noncollision passenger accident as any occurrence where a customer or passenger falls, slips, trips, bumps, etc., or is otherwise injured while on board, boarding, alighting, or before boarding or after alighting in which the driver's action was a contributing factor or cause.

4. Only Authorized Personnel May Release Accident Information

The following employees are authorized to release accident information:

- Chief Executive Officer
- Chief Operating Officer
- Director, Public Affairs Department and department staff the director designates
- Risk Manager

All other Community Transit personnel should treat details of the accident as confidential.

Cancels/Supersedes: April 1, 2005

See Also:

Resolutions	*Policies*	*Procedures*	*Tasks*	*Forms*	*Other*
				Event Report	
				State Accident Report	
				Bad Order Form	

166-POL-003 Analyzing Accidents

This policy applies to all accidents involving Community Transit vehicles.

1. Risk Manager Classifies and Determines Accident Status

The Risk Manager initially classifies any contact with vehicles, objects, and/or persons as an accident. After reviewing the accident information and completing any additional investigation deemed necessary, the Risk Manager determines whether the event is an accident, an incident, or an unsubstantiated accident.

We define "accident" as any occurrence involving a Community Transit vehicle that results in death, injury, other damage, or loss.

We define "incident" as any occurrence which does not result in property damage, injury, and/or loss. *

We define "unsubstantiated accident" as a situation in which we cannot determine the likelihood that a specific driver was associated with an accident and/or damage to property. Unsubstantiated accidents will not be included in an employee's record.

After completing the investigation, if the Risk Manager finds no loss to any vehicles, persons, or property, the Risk Manager will reclassify the accident to an incident. *

2. Supervisor of Training Determines Accident Preventability

The Supervisor of Training reviews the information on the accident report and may conduct any additional investigation or analysis considered important to determine the preventability or nonpreventability of an accident.

We define a "preventable" accident as any accident in which the driver failed to do everything within reason, according to National Safety Council (NSC) guidelines, to prevent the accident. We define a "nonpreventable" accident as any accident in which the driver did everything within reason, according to NSC guidelines, to prevent the accident.

* Paragraph revised

If the Supervisor of Training determines that the accident was nonpreventable, then no points will be assessed.

3. Supervisor of Training Assesses Points for Operator Error

The Supervisor of Training will assess points if analysis finds operator error present in the accident. Determination of operator error is based on the basic rules of defensive driving.

Category	Operator Error	Explanation	Points Assessed
1	Basic Rules of Defensive Driving	Not following basic tenets of defensive driving (*NSC Guidelines*). Examples include, but not limited to: • Following too close. • Failure to maintain adequate clearance. • Speed too fast for conditions.	15

4. Supervisor of Training Assesses Points for Injuries

The Supervisor of Training will separate injuries into the two categories listed below:

Category	Explanation
1	Motor vehicle collision or on-board passenger injury.
2	Pedestrian or nonmotor vehicle collision injury (includes bike, skates, etc.)

The Supervisor of Training will count the total number of injuries sustained in the accident, classify the injuries, then assess points as follows:

	Classification	Explanation	Points Assessed **
1	Visible Injury	Nondisabling	8
2	Disabling Injury	Medically verified as temporary.	25
3	Disabling Injury	Medically verified as permanent.	50
4	Fatality		100

** Table revised

5. *Supervisor of Training Assesses Points for Property Damage*

The Supervisor of Training will assess points as indicated on the scale in Appendix A for damage costs for all property involved in the accident, including labor, parts, and materials. (*See Appendix A.*) Instead of actual costs, written estimates may be used.

If the accident judgment has already occurred and actual costs come in under the written estimate, the Risk Manager may downgrade the accident. If the accident judgment has already occurred and actual costs exceed the written estimate, the accident status will not be upgraded.

Cancels/Supersedes: April 1, 2005

See Also:

Resolutions	*Policies*	*Procedures*	*Tasks*	*Forms*	*Other*
	166-POL-002			Event Report	Appendix A
				State Accident Report	
				Bad Order Form	

Appendix A to 166-POL-003: Preventable Accident Analysis

Property Damage Point Scale
(Insurance reserves may be used in lieu of actual costs.)

Amounts In Whole Dollars	*Points Assessed*
0 to 2,000	0
2,001 to 3,000	2
3,001 to 4000	3
4,001 to 5,000	4
5,001 to 6,000	5
6,001 to 7,000	6
7,001 to 8,000	7
8,001 to 9,000	8
9,001 to 10,000	9
10,001 to 11,000	10
11,001 to 12,000	11
12,001 to 13,000	12
13,001 to 14,000	13
14,001 to 15,000	14
15,001 to 16,000	15
16,001 to 17,000	16
17,001 to 18,000	17
18,001 to 19,000	18
19,001 to 20,000	19
20,001 to 21,000	20
21,001 to 22,000	21
22,001 to 23,000	22
23,001 to 24,000	23
24,001 to 25,000	24
25,001 to 26,000	25
26,001 to 27,000	26
27,001 to 28,000	27
28,001 to 29,000	28
29,001 to 30,000	29

Amounts In Whole Dollars	*Points Assessed*
30,001 to 31,000	30
31,001 to 32,000	31
32,001 to 33,000	32
33,001 to 34,000	33
34,001 to 35,000	34
35,001 to 36,000	35
36,001 to 37,000	36
37,001 to 38,000	37
38,001 to 39,000	38
39,001 to 40,000	39
40,001 to 41,000	40
41,001 to 42,000	41
42,001 to 43,000	42
43,001 to 44,000	43
44,001 to 45,000	44
45,001 to 46,000	45
46,001 to 47,000	46
47,001 to 48,000	47
48,001 to 49,000	48
49,001 to 50,000	49
50,001 to 51,000	50
51,001 to 52,000	51
52,001 to 53,000	52
53,001 to 54,000	53
54,001 to 55,000	54
55,001 to 56,000	55
56,001 to 57,000	56
57,001 to 58,000	57
58,001 to 59,000	58

Amounts In Whole Dollars	*Points Assessed*
59,001 to 60,000	59
60,001 to 61,000	60
61,001 to 62,000	61
62,001 to 63,000	62
63,001 to 64,000	63
64,001 to 65,000	64
65,001 to 66,000	65
66,001 to 67,000	66
67,001 to 68,000	67
68,001 to 69,000	68
69,001 to 70,000	69
70,001 to 71,000	70
71,001 to 72,000	71
72,001 to 73,000	72
73,001 to 74,000	73
74,001 to 75,000	74
75,001 to 76,000	75
76,001 to 77,000	76
77,001 to 78,000	77
78,001 to 79,000	78
79,001 to 80,000	79

Amounts In Whole Dollars	*Points Assessed*
80,001 to 81,000	80
81,001 to 82,000	81
82,001 to 83,000	82
83,001 to 84,000	83
84,001 to 85,000	84
85,001 to 86,000	85
86,001 to 87,000	86
87,001 to 88,000	87
88,001 to 89,000	88
89,001 to 90,000	89
90,001 to 91,000	90
91,001 to 92,000	91
92,001 to 93,000	92
93,001 to 94,000	93
94,001 to 95,000	94
95,001 to 96,000	95
96,001 to 97,000	96
97,001 to 98,000	97
98,001 to 99,000	98
99,001 to 100,000	99
≥ 100,001	100

Cancels/Supersedes: April 1, 2005

See Also:

Resolutions	*Policies*	*Procedures*	*Tasks*	*Forms*	*Other*
	166-POL-003			Event Report	166-POL-003, Appendix A
				State Accident Report	
				Bad Order Form	

166-POL-004 Appealing Preventable Accident Decisions

This policy applies when an employee decides to appeal a preventable accident ruling to the Accident Review Committee (ARC).

1. Employees May Appeal Accident Ruling to the ARC

Employees who decide to appeal an accident ruling to the ARC must do so within **ten** calendar days of notification. The appeal must be in writing and addressed to the Risk Manager.

2. Employees Attend Hearings on Their Own Time

Employees attending appeal hearings will do so on their own time.

3. The Risk Manager Approves Requests to Postpone Hearings

Requests to postpone a hearing will be approved only for exceptional circumstances. The Risk Manager must receive a written request for postponement at least five calendar days before the scheduled hearing date.

4. Employees May Submit Evidence at the ARC Hearing

Employees may make their presentation to the ARC. The presentation may include any additional evidence or information, such as witness reports or photos, they deem helpful to their case.

5. ARC Rulings May Be Appealed to the National Safety Council (NSC)

Either the employee or the Risk Manager may appeal the ARC decision to the NSC. The appeal must be in writing, and the Risk Manager must receive it within 10 calendar days of the ARC's judgment.

6. NSC Does Not Accept All Appeals

According to NSC guidelines, cases will not be reviewed under the following circumstances:

- The accident involved fatalities.
- The accident is more than one year old.
- The employee has more than two preventable accidents in the past 12 months.
- The case is incomplete or lacks information.

7. *Risk Manager Forwards Appeal Requests to NSC*

Any appeal request sent to the NSC must come from the Risk Manager. Employees who decide to appeal to the NSC must forward their written appeal request to the Risk Manager. If an employee appeals to the NSC, the Risk Manager must forward the appeal to the NSC within ten business days after receiving notification of the employee's intent to appeal.

For all appeals, the Risk Manager will send the NSC the following information:

- Cover letter
- Accident file
- Statement from the appealing party (i.e., the employee or the Risk Manager) explaining the basis for the appeal.

8. *NSC Decision Is Final*

If the NSC will not review a case, the ARC's decision is final.

Cancels/Supersedes: April 1, 2005

See Also:

Resolutions	*Policies*	*Procedures*	*Tasks*	*Forms*	*Other*
	166-POL-003				

166-POL-005 Establishing Accident Review Committees (ARC)

This policy applies to Community Transit employees serving on the ARC.

1. ARC Has Two Employee-Designated Members

Each of the following workgroups will designate two primary representatives and two alternates to serve on the ARC:

- ATU
- IAM Supervisors
- IAM Mechanics
- Nonrepresented employees

The four workgroups above will establish their own processes for determining designated members.

When an employee requests an accident review, both designated representatives from the employee's workgroup will serve on the ARC. Designated alternates serve if primary representatives are unavailable.

Designated members serve two-year terms: one year as an alternate and one year as a primary member. No designated member may serve two consecutive terms.

2. Management Designates Two ARC Members

The Risk Manager will choose two nonrepresented employees to serve on the ARC.

3. All ARC Members Must Meet These Criteria:

- Have no preventable accidents for at least five consecutive years.
- Be employed by Community Transit for a minimum of two of the five accident-free years.
- Have successfully completed at least four hours of a defensive driving training course within the previous two years.

An employee who has an accident in the appeal process cannot serve on the ARC.

4. Risk Manager Chairs and Schedules the ARC

The Risk Manager or designee will chair the ARC, present all appeals for review, and advise the ARC on National Safety Council (NSC) guidelines. In case of a tie vote, the Risk Manager will cast the tie-breaking vote.

5. ARC Members Receive Compensation

All committee members will be compensated for actual time in ARC meetings. Compensation will be consistent with labor contracts and applicable wage and hour laws.

6. ARC Judges Accidents

Committee members judge accidents as either preventable or nonpreventable and state the reason for their decision. The ARC arrives at a final decision by secret ballot. Ballots must be counted in the presence of all committee members.

7. Risk Manager Notifies Employee of ARC's Decision

Within three business days of the ARC's decision, the Risk Manager must send written notification to the employee and the employee's bargaining unit or supervisor informing them of the ARC's decision.

Cancels/Supersedes: April 1, 2005

See Also:

Resolutions	*Policies*	*Procedures*	*Tasks*	*Forms*	*Other*
	166-POL-004				

166-POL-006 Administering Discipline for Preventable Accidents

This policy applies to all employees with preventable accidents after all internal reviews of their accidents are completed.

1. Employees Receive Counseling from Their Manager or Supervisor

2. Employees Will Receive Training or Lose Driving Privileges

Within 30 days of any preventable accident, the employee will attend a minimum amount of defensive driving training determined by the Supervisor of Training, Risk Manager, or the employee's manager or supervisor. Employees who fail to comply will lose their driving privileges.

3. Cumulative Net Points Determine Severity of Employee Discipline *

All employees with preventable accidents will receive discipline based on the cumulative point total assigned to their record after an accident, less any safe driving credits they have earned (See Section 6, below). Appendix A to this policy divides points from the Accident Analysis Point Scale *(166-POL-003, Appendix A)* into ranges and lists disciplinary actions associated with each point range. Disciplinary actions range from verbal and written reprimands, to suspensions of various lengths, to termination. *(See 166-POL-006, Appendix A.)*

4. Exempt Employees May Receive Suspensions That Follow Labor Laws

Should application of the point scale result in an exempt employee receiving a disciplinary suspension of less than a full work week, Community Transit may modify the discipline, as necessary, to avoid a change in the employee's exempt status under state and federal wage and hour laws.

5. Employees Returning to Work Will Receive a Ride Check Before Driving *

Before driving any company vehicle, employees returning from a suspension received as discipline for a preventable accident will pass a ride check. Training staff administer ride checks unless they previously received training under Section 2 for the accident in question.

* Paragraph revised

6. Earned Safe Driving Credits May Offset Accident Points **

An employee with no preventable accidents in a 12-month period will earn 15 credits; credits may accumulate to a maximum of 50 credits (four years of accident-free driving). Credits may be applied against points earned as the result of preventable accidents, except in the case of a preventable fatality.

In determining an employee's credits for accident-free driving, Community Transit will use a "look back" method. Under this approach, when an employee has a preventable accident, the Supervisor of Training will review that employee's driving record (Community Transit vehicles) to determine whether the employee, by driving safely for full years prior to the just-occurred accident, has earned safe driving credits. For purposes of this determination, the employee's safe driving period will be deemed to end the day before the preventable accident. The look back period would be from the day before the accident to the later of the last preventable accident this employee had or their date of hire or four years. The employee will receive 15 credits for each full 12 months of continuous safe driving to a maximum of 50 safe driving credits. Credits will not be awarded on a pro rata basis for partial years.

7. Preventable Fatalities Result in Loss of Job or Loss of Employment **

In preventable fatality accidents, an employee who has accumulated the maximum credits possible given their length of service will have their privileges to drive company vehicles rescinded. If the employee's job requires driving a company vehicle, the company will place the employee in lay off status, eligible for rehire, and assist the employee in applying for jobs at Community Transit they are qualified to perform. Other employees who have preventable fatality accidents will be terminated and will be ineligible for rehire at Community Transit.

8. Management May Direct Additional Training

The Supervisor of Training, the Risk Manager, or department managers may decide that employees involved in vehicle-related events receive additional training.

** New paragraph

9. Supervisor of Training Documents All Training

Cancels/Supersedes: April 1, 2005

See Also:

Resolutions	*Policies*	*Procedures*	*Tasks*	*Forms*	*Other*
	166-POL-003				166-POL-006, Appendix A
	166-POL-004				166-POL-003, Appendix A
	166-POL-005				

Appendix A * *to 166-POL-006* *Discipline Based on Accident Analysis Point Scale*

Net Points[1]	*Disciplinary Action*
0 to 15	Verbal reprimand (written)
16 to 22	Written reprimand
23 to 33	One-day suspension
34 to 44	Two-day suspension
45 to 55	Three-day suspension
56 to 66	Four-day suspension
67 to 77	Five-day suspension
78 to 88	Six-day suspension
89 to 99	Seven-day suspension
100	Eligible for termination
Fatality	See Section 7 of 166-POL-006

Cancels/Supersedes: April 1, 2005

See Also:

Resolutions	*Policies*	*Procedures*	*Tasks*	*Forms*	*Other*
					166-POL-003, Appendix A

* Table revised

[1] After applying safe driving credits earned (see Section 6, 166-POL-006)