



AGENDA

PSERN Operator Board of Directors Meeting

August 2023

Location: PSERN Conference Room 19717 62nd Ave S, E102, Kent, WA 98032

Virtual meeting: Microsoft Teams (details below)

Date: Thursday, August 24, 2023

Time: 3:45 p.m. – 5:00 p.m.

Microsoft Teams Meeting: Members of the public are invited to participate in the meeting in person at the location above or virtually by telephone or video by using the following phone number and meeting ID: 1-425-653-6586 Meeting ID: 975 100 443#

Directors: Chief Harold Scoggins (Chair), Dwight Dively, Commissioner Chris Elwell, Kurt Triplett, Lora Ueland, Chief Dan Yourkoski

Alternates: Undersheriff Jesse Anderson, Shawn Hayes, Kristin Meitzler, Brad Miyake, Mark Schmidt

Agenda Details:

1. Call to Order – Chief Scoggins 3:45 p.m.
2. Roll Call – Tracey Doss 3:45 p.m.
3. Public Comment – Chief Scoggins 3:45 – 3:46 p.m.

Board Chairperson to open floor for public comment. Members of the public are invited to address the Board of Directors for a period of time not to exceed three minutes.

4. Consent Agenda – Chief Scoggins 3:46 – 3:48 p.m.

Note: Directors can request to have any item removed from the consent agenda.

- a. Approve July 27 Meeting Minutes
- b. Payment Approvals

(Decision: Approve the Consent Agenda)

5. Action Register Review – Chief Scoggins 3:48 – 3:50 p.m.
6. Executive Director Report – Mike Webb 3:50 – 4:00 p.m.

(Discussion)

7. Startup Spending Update – Tracy Plouse 4:00 – 4:05 p.m.

(Discussion)

8. Draft Employee Policy Handbook – Mike Webb 4:05 – 4:20 p.m.
9. Operator Benefits – Additional Options - Mike Webb 4:20 – 4:30 p.m.
(Discussion)
10. Stakeholder Engagement and Website Initiative – Mike Webb 4:30 – 4: 50 p.m.
(Discussion & Decision)
11. PSERN Board of Directors Officer Report – Board Officers 4:50 – 4:55 p.m.
(Discussion)
12. Review New Action Items – Chief Scoggins 4:55 – 5:00 p.m.
(Discussion)

Adjourn

Next Meeting: September 28, 2023

PSERN Board of Directors Agenda Item #4



Title: Consent Agenda

PSERN Operator Board of Directors Meeting Date: August 24, 2023

PSERN Staff Contact: Tracey Doss, Administrator

Action: Decision

Appendix A: July 27, 2023 Meeting Minutes

Appendix B: Payment Approval

Date	Payment Type	Amount
7/19/2023	Warrants	\$ 12,220.58
7/26/2023	Warrants	16,928.56
8/03/2023	Warrants	20,011.08
8/18/2023	Special District Journal Entry – KCIT Reimbursement	78,849.84
TOTAL		\$128,010.06

MOTION: That the PSERN Operator Board approve the Consent Agenda.



MINUTES

PSERN Operator Board of Directors Meeting

July 2023

Location: PSERN Conference Room 19717 62nd Ave S, E102, Kent, WA 98032

Virtual meeting: Microsoft Teams (details below)

Date: Thursday, July 27, 2023

Time: 3:45 p.m. – 5:00 p.m.

Microsoft Teams Meeting: Members of the public are invited to participate in the meeting in person at the location above or virtually by telephone or video by using the following phone number and meeting ID: 1-425-653-6586 Meeting ID: 975 100 443#

Directors Present: Kurt Triplett (Chair), Dwight Dively, Commissioner Chris Elwell, Mark Schmidt in for Chief Scoggins, Lora Ueland

Other Attendees: Spencer Bahner, Celeste Bolden, Jennifer Devore, Tracey Doss, Sean Douglas, Julia Holden, Hank Krajewski, Dino Lamanna, Assistant Chief Lombard, Kristin Meitzler, David Mendel, Kimberly Nuber, Tracy Plouse, Preetha Raju, Alex Rampley, Mike Webb

1. Call to Order – Kurt Triplett 3:51 p.m.
2. Roll Call – Tracey Doss 3:51 p.m.
3. Public Comment – Kurt Triplett 3:52 p.m.

Board Chairperson to open floor for public comment. Members of the public are invited to address the Board of Directors for a period of time not to exceed three minutes.

No public comment.

4. Consent Agenda – Kurt Triplett 3:52 – 3:53 p.m.

Note: *Directors can request to have any item removed from the consent agenda.*

- a. Approve June 22 Meeting Minutes
- b. Payment Approvals

Motion: Lora Ueland made a motion to approve the Consent Agenda. Dwight Dively seconded the motion. Members unanimously approved the motion.

5. Action Register Review – Kurt Triplett 3:53 – 3:54 p.m.

Two actions, #14 for budget and service fee development, and #17, for the Operator to provide further analysis and proposed budget scenarios, were completed in June and have been closed. No new actions were logged in June. One open item, related to funding for in-building sites, will begin in the fall.

6. Executive Director Report – Mike Webb 3:54 – 4:00 p.m.

Primary focus has been on transition, which will hit a major milestone next week with Wave 4.

PSERN Operator staffing currently sits at 6, and an accountant has been hired who will begin next week.

The Employee Policy Handbook work is underway and on track with the help of Summit Law Group. The draft will be brought to the Board for review in August.

The Operator's membership in the Association of Washington Cities (AWC) has been approved and staff have been working on benefit program selection, pricing, and options. These will be discussed in agenda 8.

Staff have also been working to establish contact with all the agency finance representatives to confirm who will be receiving user invoices.

The financial management system is up and running, there are some additional modules that are being configured and training is underway.

The Operator is planning to bring in a PR consultant to help undertake several activities. The first will be to develop a stakeholder engagement strategy, define who are the stakeholders, what will be the methods of communications, and what is the Operator trying to communicate. This strategic plan will be used to develop the scope and requirements for a digital platform. The content will continue to be on the PSERN.org domain and will be more relevant to the PSERN Operator in its operating state.

The consultant will also support development of a crisis communication plan by looking at the likely crisis scenarios the Operator might face and going through exercises to pre-plan what stakeholder communications would be.

A firm has been selected through an RFP; more information will be brought to the Board in August. There will be some interaction with Board members, and a series of workshops will be scheduled with various groups to gather input.

The Microsoft 365 environment is up and running and email is transitioning. Sharepoint setup and document management will be underway over the next couple of months.

Focus is also going to reconciling deployed radio quantities in order to be in a position to invoice agencies.

Topics for the August meeting include discussion of the draft Employee Policy Handbook and updates on the stakeholder engagement and website work. In September, approval of the Employee Policy Handbook and the Board of Directors' Workplan. And in October, an update on the Transfer Agreement, if any, and a report on establishing a PSERN Operating Board or Committee.

Startup Spending Update – Tracy Plouse

4:00 – 4:05 p.m.

The spending plan has been updated as of June 30. Costs for the first half of the fiscal year are less than forecasted due to delays in staffing and other startup costs. The Operator still anticipates having a surplus of approximately \$300K at the end of 2023.

Two vehicles were delivered and paid for in June from the first half of 2023 funds. Due to delays, some costs have been pushed from the first half to the second half of 2023.

Assuming no additional staff are acquired, the existing startup funds will be sufficient to fund the Operator through the remainder of 2023, with the surplus of \$300K.

Year-to-date total expenditures for the first half of 2023 are \$979,459. The spending plan as of June 30 shows the first half of 2023 \$48K less than forecasted, those funds are reallocated to costs in the second half of 2023.

Although not in the Board reports, it was noted that the Operator has not received the rate stabilization funds as specified in the ILA and will be working with KCIT Finance to make sure it gets transferred over to the Operator prior to FSA.

7. Operator Employment - Benefits - Mike Webb

4:05 – 4:25 p.m.

Per the PSERN Operator ILA, the PSERN Operator will use its best efforts to provide a package of benefits similar to the benefits available to the transferring employees from King County.

The Operator staff have researched several health benefit options, including forming its own small group to provide identical benefits as King County. This option would cost the Operator \$6800 per employee per month and is cost prohibitive.

Other options considered were the Public Employee Benefits Board (PEBB), through the WA Healthcare Authority, at an estimated cost of \$2250 per employee per month and the Washington Association of Cities with an estimated cost of \$2025 per employee, closer to the costs the Operator could afford. Currently, the Operator reimburses King County \$1562 per employee per month. The AWC costs are expected to increase in 2024 by 2% - 9%, and the Operator's 2024 budget is adequate to cover these programs.

The staff is proposing the two medical AWC plans that most closely match the King County plans. The covered services are very similar, there are some differences in specific deductibles and copays. A third, high-deductible plan along with an HSA is also being considered if there is employee interest.

AWC dental and vision plans are largely the same as King County plans.

At this point, the Operator is not proposing to have a cost share with employees to cover premiums. The Operator will pay the entire premium for both plans.

Differences between the County plans and the proposed AWC plans are mostly in the larger services; office visits, prescriptions, ER and in-patient services are very similar and in some cases the employee copay is lower in the AWC plans.

If the Board approves going forward, AWC would be invited to present and answer questions at the October meeting, formal open enrollment would occur in November, billing setup and plan choices entered into the payroll system in December, and employee coverage would be effective January 1, 2024.

The PSERN Operator recommends the plans offered by AWC. If further information or research is requested by the Board, that will be presented at the August meeting.

Action: The PSERN Operator will look into options on how it could offset the higher out of pocket maximums and deductibles for transferring employees and bring this information to the Board in August.

Motion: Dwight Dively made a motion to approve the PSERN Operator to offer the two Association of Washington Cities plans as presented in the regular meeting of the Board of Directors, and to authorize the PSERN Operator Management to add a third, high-deductible health plan option, if it is determined to be in the interest of the employees. Mark Schmidt seconded the motion. Members unanimously approved the motion.

8. PSERN Board of Directors Officer Report – Board Officers 4:25 p.m.

No Officer reports.

9. Review New Action Items – Kurt Triplett 4:25 – 4:26 p.m.

One action item was logged, for the PSERN Operator to look at options on how it could offset the higher out of pocket maximums and deductibles for the transferring employees and bring this information to the Board in August.

Adjourn 4:26

Next Meeting: August 24, 2023

Appendix B: Payment Approvals

PSEARN Operator

Check Register - Consent Agenda
Check Issue Dates: 7/19/2023 - 7/19/2023

Page: 1
Aug 17, 2023 10:17AM

Check Issue Date	Check Number	Merchant Name	Payee	Amount	Invoice Number	Description	Invoice GL Account Title
07/19/2023	10046837	WFT Company Two LLC	WFT Company Two LLC	3,384.58	PSEMERG AUG 2023	Kent Facility Lease	Utilities
07/19/2023	10046837	WFT Company Two LLC	WFT Company Two LLC	8,836.00	PSEMERG AUG 2023	Kent Facility Lease	GASB 87 & 96 Clearing Account
Grand Totals:				<u>12,220.58</u>			

Check Issue Date	Check Number	Merchant Name	Payee	Amount	Invoice Number	Description	Invoice GL Account Title
07/26/2023	72623	Aramark	Aramark	16.52	5120257539X	Floor Mat Service	Janitorial Services
07/26/2023	10047849	Aramark	Aramark	16.52	5120231347	Floor Mat Service	Janitorial Services
07/26/2023	10047850	Aramark	Aramark	16.52	5120261839	Floor Mat Service	Janitorial Services
07/26/2023	10047851	Aramark	Aramark	16.52	5120270566	Floor Mat Service	Janitorial Services
07/26/2023	10047852	Aramark	Aramark	16.51	5120192286	Floor Mat Service	Janitorial Services
07/26/2023	10047853	Aramark	Aramark	16.52	5120223007	Floor Mat Service	Janitorial Services
07/26/2023	10047854	Aramark	Aramark	16.52	5120227110	Floor Mat Service	Janitorial Services
07/26/2023	10047855	Aramark	Aramark	16.52	5120266230	Floor Mat Service	Janitorial Services
07/26/2023	10047856	Aramark	Aramark	16.52	5120236061	Floor Mat Service	Janitorial Services
07/26/2023	10047857	Aramark	Aramark	16.52	5120240037	Floor Mat Service	Janitorial Services
07/26/2023	10047858	Aramark	Aramark	16.52	5120244412	Floor Mat Service	Janitorial Services
07/26/2023	10047859	Aramark	Aramark	16.52	5120248746	Floor Mat Service	Janitorial Services
07/26/2023	10047861	CDW Government	CDW Government	3,705.00	SE2305516	Tech Consulting	Consulting Services
07/26/2023	10047862	CDW Government	CDW Government	3,607.50	SE2305517	Tech Consulting	Consulting Services
07/26/2023	10047863	Cowan Miller Lederman	Cowan Miller Lederman	5,354.31	2031052	Legal Services	Legal Services
07/26/2023	10047864	Enduris Washington	Enduris Washington	182.00	R23-673-4	Insurance	Insurance
07/26/2023	10047865	Franklin Roofing Enterprise	Franklin Roofing Enterprise	1,376.25	1400756	Roofing Services	Repairs & Maintenance
07/26/2023	10047866	Johnson Controls Security	Johnson Controls Security	345.47	39075514	Security Alarm Services	Security Services
07/26/2023	10047867	Pacifica Law Group LLP	Pacifica Law Group LLP	1,223.00	84366	Legal Services	Legal Services
07/26/2023	10047868	SMS Cleaning	SMS Cleaning	900.00	PSE KENT-0723	Monthly Janitorial Services	Janitorial Services
07/26/2023	10047869	Tracy Plouse	Tracy Plouse	36.80	3911126	Janitorial Services	Janitorial Services
07/26/2023	100478601	CDW Government	CDW Government	3,705.00	SE2305516	Tech Consulting	Consulting Services
07/26/2023	100478601	CDW Government	CDW Government	3,705.00-	SE2305516	Tech Consulting	Consulting Services
Grand Totals:				<u>16,928.56</u>			

Check Issue Date	Check Number	Merchant Name	Payee	Amount	Invoice Number	Description	Invoice GL Account Title
08/03/2023	10048652	Aramark	Aramark	16.52	5120287895	Floor Mat Service	Janitorial Services
08/03/2023	10048654	Johnson Controls Security	Johnson Controls Security	1,971.75	1-7SEZRJL	Security Alarm Services	Security Services
08/03/2023	10048655	Home Depot	U.S. Bank Corporate Paym	113.69	***3644 JULY 2023	0032847/3026514	Tech Supplies
08/03/2023	10048655	Archon Systems Inc	U.S. Bank Corporate Paym	328.00	***3644 JULY 2023	IC-090349	Tech Supplies
08/03/2023	10048655	Keeney's Office Supply	U.S. Bank Corporate Paym	93.61	***3644 JULY 2023	112-7552082-5609000	Office Supplies
08/03/2023	10048655	Amazon	U.S. Bank Corporate Paym	17.60	***3644 JULY 2023	112-7552082-5609000	Office Supplies
08/03/2023	10048655	Washington Finance Office	U.S. Bank Corporate Paym	495.00	***3644 JULY 2023	64455322684	Memberships & Registrations
08/03/2023	10048655	Amazon	U.S. Bank Corporate Paym	110.05	***3644 JULY 2023	114-7634601-3061003	Tech Supplies
08/03/2023	10048655	Amazon	U.S. Bank Corporate Paym	514.84	***3644 JULY 2023	114-8820466-5124257	Tech Supplies
08/03/2023	10048655	Amazon	U.S. Bank Corporate Paym	29.87	***3644 JULY 2023	112-564446-8673810	Office Supplies
08/03/2023	10048655	Municipal	U.S. Bank Corporate Paym	40.00	***3644 JULY 2023	6231	Memberships & Registrations
08/03/2023	10048655	Municipal	U.S. Bank Corporate Paym	40.00	***3644 JULY 2023	OPMA23-072023-1904	Memberships & Registrations
08/03/2023	10048655	Amazon	U.S. Bank Corporate Paym	5.82	***3644 JULY 2023	112-0606930-5441865	Office Supplies
08/03/2023	10048655	Amazon	U.S. Bank Corporate Paym	117.50	***3644 JULY 2023	112-4263995-7990668	Office Supplies
08/03/2023	10048655	Keeney's Office Supply	U.S. Bank Corporate Paym	91.01	***3644 JULY 2023	KI-00100452	Office Supplies
08/03/2023	10048655	AT&T Mobility	U.S. Bank Corporate Paym	51.28	***3644 JULY 2023	287321209309X6272023	Mobile Phone Service
08/03/2023	10048655	Amazon	U.S. Bank Corporate Paym	14.96	***3644 JULY 2023	112-451254-3500232	Office Supplies
08/03/2023	10048655	Amazon	U.S. Bank Corporate Paym	11.30	***3644 JULY 2023	113-6304106-1793027	Office Supplies
08/03/2023	10048655	Chevron	U.S. Bank Corporate Paym	13.20	***3644 JULY 2023	7318	Office Supplies
08/03/2023	10048655	Amazon	U.S. Bank Corporate Paym	26.37	***3644 JULY 2023	112-4659670-2353017	Office Supplies
08/03/2023	10048655	Lumen	U.S. Bank Corporate Paym	1,672.07	***3644 JULY 2023	648173361	IT Network Services
08/03/2023	10048655	Amazon	U.S. Bank Corporate Paym	542.79	***3644 JULY 2023	114-8855992-9025807	Office Supplies
08/03/2023	10048655	Amazon	U.S. Bank Corporate Paym	198.17	***3644 JULY 2023	114-6789286-4703444	Office Supplies
08/03/2023	10048655	Puget Sound Energy	U.S. Bank Corporate Paym	608.51	***3644 JULY 2023	***8931 June 2023	Utilities
08/03/2023	10048655	Century Link	U.S. Bank Corporate Paym	147.72	***3644 JULY 2023	***593B June 2023	Phone Service
08/03/2023	10048655	Amazon	U.S. Bank Corporate Paym	99.35	***3644 JULY 2023	114-4113165-5310652	Office Supplies
08/03/2023	10048655	Atlassian	U.S. Bank Corporate Paym	346.82	***3644 JULY 2023	AT-254439472	Software License Subscription
08/03/2023	10048655	Keeney's Office Supply	U.S. Bank Corporate Paym	175.86	***3644 JULY 2023	KI-00100990	Office Supplies
08/03/2023	10048655	Amazon	U.S. Bank Corporate Paym	281.84	***3644 JULY 2023	112-2182969-0806661	Office Supplies
08/03/2023	10048655	Dropbox Inc	U.S. Bank Corporate Paym	99.09	***3644 JULY 2023	J61N3S7875BX	Software License Subscription
08/03/2023	10048655	Amazon	U.S. Bank Corporate Paym	73.17	***3644 JULY 2023	112-0525088-0538611	Office Supplies
08/03/2023	10048655	Amazon	U.S. Bank Corporate Paym	86.90	***3644 JULY 2023	112-1981115-8026615	Office Supplies
08/03/2023	10048655	Amazon	U.S. Bank Corporate Paym	594.42	***3644 JULY 2023	114-8820466-5124257	Tech Supplies
08/03/2023	10048655	Puget Sound Finance Offic	U.S. Bank Corporate Paym	35.00	***3644 JULY 2023	94K87665598102246	Memberships & Registrations
08/03/2023	100486523	Enduris Washington	Enduris Washington	10,947.00	R24-673-1	Insurance	Prepaid Expenses
Grand Totals:				<u>20,011.08</u>			



PSERN Operator Board of Directors Action Log - Open Items

#	Date Opened	Item	Responsible	Due Date	Notes
13	2/24/22	Request for additional information related to In-Building Sites to include details of funding options for the remaining 10 areas recommended by the task force, any budget considerations, improvements found in Coverage Testing, impacts of additional sites on Operator rates, Operations Board and Technical Committee perspective, and impact on backhaul capacity.	Operator Staff	TBD	Planning work for how to fulfill this set of requests will begin once the in-building sites are live on the system and testing is complete. This action item was moved from the Project Action Log to the Operator Action Log on 4/27/23. Work is expected to begin in the fall 2023.
18	7/27/23	The PSERN Operator will look into options on how it could offset the higher out of pocket maximums and deductibles for transferring employees and bring this information to the Board in August.	Operator Staff	8/24/23	On agenda for August.



PSERN Operator Board of Directors Action Log - Closed Items and Archive

#	Date Opened	Item	Responsible	Due Date	Notes
1	4/28/22	Summary of portfolio of PSERN leases	Project Staff	6/1/22	Operator
2	4/28/22	Budget workshop to discuss 2023 budget and rate setting	Mike Webb/ Tracy Plouse	7/15/22	Workshop held July 11th. Update at July board meeting.
3	6/23/22	Operator staff will send a calendar invite for the July 11, 2022 budget workshop.	Tracy Plouse	6/24/22	
4	3/24/22	Facility recommendation and approval	Mike Webb	8/25/22	Leased approved at 8/25 meeting.
5	6/23/22	Review availability for the August and September regular Board meetings.	Board Members	7/28/22	Need to confirm quorum
6	4/28/22	Provide a report on possible changes to the Operator ILA associated with a change to the milestone at which the Operator takes over operational responsibility. Assess the Motorola contract for any concerns.	Mike Webb	9/22/22	This pertains to the proposal to set the date for operational transition and PSERN service fee commencement to something other than FSA.
7	5/26/22	Review existing procurement policy to consider issues identified in Clark Nuber phase 1 report.	Mike Webb/ Tracy Plouse	9/22/22	Procurement policy amendments approved.

#	Date Opened	Item	Responsible	Due Date	Notes
8	8/25/22	Update the draft budget and service fee estimates to reflect revised CPI rates.	Tracy Plouse	9/22/22	Updated budget report provided at September meeting.
9	9/22/22	Approval of warrant vouchers (checks) needs to be added to future board meetings as a standing item. This could be done as part of a consent agenda that would also include approval of previous meeting minutes.	Mike Webb/ Tracy Plouse	10/27/22	Will be incorporated as part of consent agenda starting with October meeting
10	9/22/22	Operator staff will bring additional information on the alternatives to modifying or setting the Operator Transfer date and the associated funding requirements and approaches	Mike Webb	10/27/22	Closed, follow up item added to action log.
11	1/26/23	Mike Webb will consult with legal counsel on the wording of the motion for the Board to approve the transfer agreement prior to sending for Council approval.	Mike Webb	2/23/23	This is complete. Wording for the agreement has been provided. Pacifica advised the wording to be "it is also recommended that the Board plan to approve the Agreement, in substantially final form."

#	Date Opened	Item	Responsible	Due Date	Notes
12	10/27/22	The Operator will add the decision regarding collection of service fees from agencies beginning in 2024 to a future Board meeting.	Mike Webb/ Tracy Plouse	NA	FSA will not occur until December and there is no ability for the Operator to collect fees until after FSA. Recommend this item be closed. The Board of Directors agreed that this item should be closed at the 4/27/23 meeting.
14	3/24/22	2024 budget and service fee development.	Mike Webb/ Tracy Plouse	6/22/23	Budget approved in June.
15	3/24/22	Report on proposed plan for development of sublease agreement templates to be drawn up for discussion.	Mike Webb	5/25/23	Agenda item #8 of the 5/25/2023 Board meeting.
16	10/27/22	Operator staff will prepare a draft operational support agreement between the County and the Operator.	Mike Webb	5/25/23	Recommended to close this item as there is no OSA.

#	Date Opened	Item	Responsible	Due Date	Notes
17	5/25/23	The Operator has an action item to come back with some further analysis and proposed budget scenarios for the June meeting.	Tracy Plouse	6/22/23	On the June agenda.

PSERN Board of Directors Staff Report

Agenda Item #6



Title: Executive Director Report – August 2023
Meeting Date: August 24, 2023
PSERN Staff Contact: Michael Webb, Executive Director
Action: Discussion

SUMMARY:

This report provides a summary of the activities of the PSERN Operator (PSERN) since the last report to the Board at the July 2023 meeting.

DISCUSSION:

PSERN Operator Staffing & Hiring

- Staffing for the PSERN Operator currently sits at 6, with 3 positions partly funded by the Project through to FSA as indicated below:
 - Executive Director (50%)
 - Finance and Administration Manager
 - Technical Operations Manager (50%)
 - Radio Operations Supervisor (50%)
 - Administrator III
 - Accountant
- Anju John started as the PSERN Accountant on August 1st.
- The Administrative Specialist position is currently vacant as the incumbent left for another role in King County on August 11th.

Employment Transition to Operator

- Summit Law Group has developed a draft Employee Policy Handbook for the PSERN Operator, which will be discussed as part of agenda item 8.
- A report on the feasibility of providing a Health Reimbursement Account (HRA) for staff is provided as agenda item 9.
- The goal continues to be to issue job offers to staff transitioning from King County prior to the end of October, in anticipation of employment transition on January 1, 2024.

Financial Startup

- The capability to generate client invoices has been setup in the Operator's financial

management system.

- The intention is to issue invoices to user agencies on a quarterly basis, with the first invoices for 1Q 2024 issued by November 15.
 - Agencies will be provided their preliminary 2024 service fees starting September 15.
 - The preliminary fees will be based on the quantity of radios procured by the Project for each agency as defined in the Motorola contract change order 13.
 - Agencies will be asked to confirm quantities and provide feedback prior to the invoices being issued in November.
- All PSERN Operator financial transactions are now being recorded and processed in the Operator's financial management system (Caselle).

Stakeholder Engagement Strategy and Website Evolution

- PSERN has selected Fearey as a Digital Public Relations consultant to support three activities:
 - Develop a stakeholder engagement strategy and plan tailored to ongoing needs for the PSERN Operator.
 - Develop a new digital engagement platform, including a new PSERN.org website and other capabilities.
 - Develop a crisis communications plan and provide ongoing support.
- The first phase of work, (stakeholder engagement strategy/plan) will commence in August and be complete by the end of October:
 - Cost for this phase of work is \$31,500.
 - The consultant will conduct 3 stakeholder workshops and a series of one-on-one interviews with key individuals and as part of developing the stakeholder engagement strategy.
- The next phase of work (digital media presence/website development) will start in September and be complete by the end of 2023:
 - Forecasted cost is \$63,000.
- Approval for the expenditure of \$115,500 for these activities is requested in agenda item 10.

Operational Planning

- Populating the PSERN Operator's asset management system (CommShop) with deployed radio information is continuing as a collaborative effort with Project staff.
 - The focus is ensuring deployed radio inventories are accurately captured and reconciled as radio deployment completes.
- The PSERN Operator's service management system (Jira) is fully operational and being used to track service requests, including DAS verification requests, and incidents/troubles reported by system users.

- Work is underway to setup tracking and reporting of compliance with service targets defined in Radio and Dispatch End User SLAs.

Upcoming Board Meeting Topics

- Topics expected to be brought forward over the next 3 board meetings include the following:
 - September 2023:
 - Approval of Employee Policy Handbook.
 - Approval of terms of job offers for transitioning employees.
 - Update of Board of Directors Workplan.
 - October 2023:
 - Update on Transfer Agreement execution and associated workplan.
 - Report/discussion on the establishment of the PSERN “Operating” board/committee as defined in ILA section 5.0.
 - December 2023:
 - Update on Transfer Agreement and transition to PSERN Operator.
- These topics are in addition to the regular standing items, including the Action Item Log, Executive Director’s report, Startup Spending Update and any approvals that may be required.

CONCLUSION:

This report has provided a summary of the work undertaken by the PSERN Operator since the previous report in July 2023.

SUPPORTING DOCUMENTATION:

None

PSERN Operator Board of Directors Staff Report - Agenda Item #7



Title: Startup Spending Update – Through July 2023
Meeting Date: August 24, 2023
Staff Contact: Tracy Plouse, Finance & Admin Services Manager
Action: Discussion

SUMMARY:

This report provides an update on PSERN Operator startup expenditures to the end of July 2023 and an updated spending plan/forecast for the second half of 2023, after which the PSERN Operator is assumed to be operational and collecting service fees.

BACKGROUND:

As discussed in the January 2022 report to the Board (Startup Staffing and Spending Plan), the Executive Director will provide monthly status reports/updates at each Board meeting that describe:

- Year-To-Date spending against the baseline spending plan.
- Revisions to expenditure forecasts, including cost estimates and timing.

A total of \$3.05M has been approved as startup funds and transferred from the Project to the Operator.

DISCUSSION/ANALYSIS:

Appendix A provides a summary of the spending of the PSERN Operator as of July 31, 2023. Year-to-date expenditures by month for the 2023 fiscal year are summarized below.

Month	Expenditures
January 2023	\$ 75,969
February 2023	284,374
March 2023	150,076
April 2023	129,894
May 2023	125,931
June 2023	213,223
July 2023	160,358
TOTAL	\$ 1,139,827

As discussed at the April 2023 Board meeting, the PSERN Operator will not acquire any additional technical or operational staff to be funded from startup funds. As a result, the PSERN Operator expects that startup funds will be sufficient to support it through to the point at which service fees can be collected in January 2024 (after FSA). A spending forecast for the second half of 2023 has been provided in this report.

The Operator had unspent startup funds of approximately \$1.13 M at the end of July 2023.

The following notes apply:

- Costs for the first half of fiscal year 2023 were less than forecasted due to delays in staffing and other startup costs. It is anticipated that the Operator's startup funds will have a surplus of approximately \$300,000 at the end of 2023 due primarily to these delays.
- Delayed expenditures have been pushed from the first half of 2023 forecast into the second half. The total forecasted costs have not changed.

CONCLUSION

This report provides an update on startup expenditures to the end of July 2023, a forecast of expenditures to the end of July 2023 and a further forecast to the end of December 2023.

SUPPORTING DOCUMENTATION:

Appendix A: PSERN Operator Spending (Year-to-Date and Forecast) – July 2023

A summary of expenditures to end of July 2023 and forecasted expenditures during PSERN’s startup phase in 2021, 2022 and 2023 (prior to FSA), are provided in the table below.

This covers the administrative staffing and initiatives discussed in prior reports to the board. The table will be updated every month once transactions post to that the applicable account.

PSERN OPERATOR STARTUP SPENDING						
AS OF JULY 31, 2023						
Expenditure Category	2021 Actual	2022 Actual	2023 First Half Actual	2023 Forecast Second Half	2023 Second Half Actual	Total Forecasted Operator Costs 2021-2023
Contracted Salaries, Wages & Benefits	\$44,661	\$455,769	\$446,830	436,584.40	\$71,078	\$1,407,353
Insurance	3,488	\$4,513	\$0	6,000	\$182	14,001
Contracted Services	7,506	29,179	\$38,534	54,720	\$7,772	157,023
Professional & Consulting Services	8,413	79,038	\$20,017	175,650	\$16,850	289,736
Office/Administrative Expenses	-	111,774	\$318,119	218,732	\$18,742	618,325
PSERN-Specific IT Systems		7,850	\$155,818	92,856	\$45,734	277,914
Cash Security Deposits/Petty Cash		39,088	\$150			39,088
	<u>\$64,068</u>	<u>\$727,210</u>	<u>\$979,469</u>	<u>\$984,542</u>	<u>\$160,358</u>	<u>\$2,755,290</u>
				Startup Funds Made Available	\$	3,056,158
				Variance	\$	300,868

PSERN Board of Directors Staff Report

Agenda Item #8



Title: Draft Employee Policy Handbook
Meeting Date: August 24, 2023
PSERN Staff Contact: Mike Webb, Executive Director
Action: Discussion

SUMMARY:

This report provides a summary of recent work undertaken to develop an employee policy handbook for the Operator’s employees effective January 1, 2024. An employee policy handbook will enable the PSERN Operator to provide employees with employment policies and procedures, salary and benefits information, and provide required legal disclosures. A draft of the handbook is provided as an attachment to this report and board member feedback is being requested prior to approval at the September 2023 meeting.

BACKGROUND

The PSERN Operator currently employs staff under a staffing agreement with King County that was adopted in 2021. As a result, the Operator follows King County’s employee policies. Shortly after full system acceptance (FSA), approximately January 1, 2024, the Operator will employ staff and the staffing agreement will no longer be in effect.

The PSERN Operator Interlocal Cooperation Agreement (ILA) dated December 8, 2020, Article 8.2.1.2 states that *“The Board of Directors shall require the PSERN Operator to use its best efforts to offer the Transferring Employees opportunities for professional advancement and a package of employee benefits that are similar to the opportunities and benefits available to the Transferring Employees at their current agency at the time of transition to PSERN employment”*.

In preparation for FSA and becoming an employer, Summit Law Group was engaged to develop an employee policy handbook that ensures the Operator is compliant with employment law, that benefits are comparable to King County per the ILA and communicates PSERN’s expectations and policies.

ANALYSIS:

A draft of the employee policy handbook is provided as an attachment to this report and board member feedback is being requested. The sections below are highlighting key points that board members should be aware of.

One-time Exceptions for Transferring Employees

Note: The term “transferring employee” is used in this report to refer to employees that are currently employed by King County and working on the PSERN Project, PSERN and/or KCERCS systems who will be offered employment directly with the PSERN Operator with the same or similar job duties, commencing shortly after FSA. “Transferring employees” includes “Qualified Employees” as defined in the Operator ILA section 8.2, and it also includes staff employed by King County specifically to fulfill PSERN Operator roles.

To ensure that qualifications and experience of transferring employees are recognized, it is proposed that they receive

one-time exceptions from some policies, such as leave and probation. These one-time exceptions will be stated in employment offer letters that will be sent to transferring employees the first part of October 2023. These one-time exceptions are as follows:

- Section 6: Probationary Periods. Transferring employees will not be subject to an initial probationary period of employment if they have already completed their probationary period with King County.
- Section 10: Wage Steps and Classification System. Offer letters will document any advanced placement on the Operator's salary step system. The Executive Director will have discretion to place transferring employees on the salary step that recognizes experience and qualifications.
- Section 30: Vacation Leave. Transferring employees will be placed on the vacation accrual schedule, at a minimum, based on their number of completed years of service with King County. Transferring employees may be placed at a higher step on the vacation accrual schedule, at the Executive Director's discretion, based on prior years of experience in the industry or with other public agencies in Washington. Transferring employees will have their 2024 vacation accruals front-loaded and will be eligible to use vacation immediately. Any frontloaded vacation leave is not eligible for cash-out until the leave would have otherwise been accrued based on the timelines established in the PSERN Operator employee policy handbook.
 - It should be noted that unused vacation balances from King County as of December 31, 2023 will be cashed out and not transferred to the Operator. Transferring employees will officially separate from employment with King County prior to becoming Operator employees.
- Section 32: Sick Leave. Transferring employees will receive 12 days of front-loaded paid sick leave for 2024. This paid sick leave is eligible for use immediately.

Deviations from King County Policies

In general, the employee policy handbook has been drafted to mirror King County policy where appropriate, consistent with the Operator ILA section 8.2 referenced above. However, there are certain aspects where this is not possible or not appropriate, primarily due to the size and nature of the PSERN Operator's business.

Sections of the PSERN Operator policies that differ from King County's are as follows:

- Section 20: Timekeeping/Exempt Employees. Exempt employees who are absent for four (4) or more hours during a workday are required to deduct vacation leave based on actual leave used, in increments of one (1) hour, rounded to the nearest hour. For example, an exempt employee who works for two (2) hours, and then takes six (6) hours, should deduct six (6) from the employee's vacation balance. Exempt employees who are absent for less than four (4) hours during a workday are not required to deduct from their vacation leave balances.
- Section 30: Vacation Leave/Credit and Frontloading for Prior Industry Service. As a new public agency, the Operator recognizes a large portion of its workforce may have substantial industry experience with other public agencies in Washington. In recognition of this, the Operator retains the discretion to credit new-hires with prior years of service for their initial placement on the Operator's vacation accrual schedule, and to frontload new-hires with an initial allotment of vacation leave. Such credit and frontloading are at the discretion of the Executive Director, and the specific terms and conditions will be stated in new-hire offer letters. Any frontloaded vacation leave is not eligible for cash-out until the leave would have otherwise been accrued based on the timelines established in this policy.

- Section 32: Sick Leave Credit and Frontloading for Prior Industry Service. As a new public agency, the Operator recognizes a large portion of its workforce will include employees with substantial industry experience at other public agencies in Washington. In recognition of this, the Operator retains the discretion to frontload new-hires with an initial allotment of sick leave, for usage immediately upon hire. Such credit and frontloading are at the discretion of the Executive Director, and the specific terms and conditions will be stated in new-hire offer letters. Frontloaded sick leave hours are not eligible for cash-out until they would have been otherwise accrued based on the timelines established in this policy.
- Section 33: Federal Family and Medical Leave Act (FMLA). As a public employer, the Operator is covered by the federal Family and Medical Leave Act (FMLA). However, as a small public employer with under 50 employees, the Operator's employees are not eligible for FMLA leave benefits or protections. Instead, the Operator provides comparable leave benefits through Washington's Paid Family and Medical Leave program (PFML).
- Section 34: Washington Paid Family and Medical Leave (PFML). As a small employer with under 50 employees, the Operator is not required to provide job-protected PFML leave. However, the Operator will participate in the PFML program.
- Section 49: Resignations and Retirement. Unless the two (2) week notice period is waived by the Executive Director based on a personal emergency, employees who fail to provide the requested two (2) weeks' advance notice are subject to a deduction of their final vacation cash-out equal to days in which notice was not provided.

RECOMMENDATION AND NEXT STEPS

This report has presented information about the PSERN Operator's draft employee policy handbook.

This information is provided for the Board's review and feedback. If the Board requires additional information or directs staff to revise the draft or research further, that information will be presented at the September 2023 meeting. If not, a request to adopt the PSERN Operator Employee Policy Handbook will be brought forward at the September meeting.

SUPPORTING DOCUMENTATION: Draft PSERN Operator Employee Policy Handbook

Draft Puget Sound Emergency Radio Network Operator Employee Policy Handbook

Contents

1. Introduction and Welcome Message	4
2. Scope of Handbook and At-Will Employment Disclaimer	4
3. Equal Employment Opportunity	5
4. Anti-Discrimination and Anti-Harassment Policy	5
5. Employee Definitions and Classifications	8
6. Probationary Periods	9
7. Personnel Evaluations.....	9
8. Personnel Records	10
9. Personnel and Employment References	10
10. Wage Steps and Classification Pay System	11
11. Reasonable Accommodation of Disabilities.....	11
12. Pregnancy Accommodation	11
13. Lactation and Breastfeeding Accommodation	12
14. Accommodation of Religious Beliefs	12
15. Attendance and Punctuality	12
16. Overtime.....	13
17. FLSA Workweek Designation	14
18. Work Schedules.....	14
19. On-Call and Call-Back Duties	15
20. Timekeeping	15
21. Meal and Break Periods	16
22. Executive Leave for Exempt Employees	17
23. Telecommuting and Hybrid Workplaces	18
24. Health and Welfare Benefits.....	18
25. Employee Assistance Program (EAP).....	19
26. COBRA Coverage	19

27. Washington’s Long-Term “Cares” Act.....	20
28. PERS Coverage, Retirement Accounts, and Social Security	20
29. Workers’ Compensation (L&I) Insurance and Workplace Injuries	20
30. Vacation Leave	21
31. Holiday Leave	23
32. Sick Leave.....	24
33. Federal Family and Medical Leave Act (FMLA)	27
34. Washington Paid Family and Medical Leave (PFML)	28
35. Pregnancy, Childbirth, and Related Disability Leave.....	31
36. Washington Family Care Act	31
37. Military Leave.....	32
38. Leave for Domestic Violence, Sexual Assault, or Stalking	33
39. Unpaid Religious Holidays.....	34
40. Bereavement Leave.....	35
41. Jury Duty	35
42. Other Unpaid Leaves of Absence	36
43. Administrative Leave; Fitness-for-Duty Examinations.....	36
44. Pay Periods and Payroll Procedures.....	36
45. Vehicles and Safe Driving Practices.....	37
46. Reimbursable Expenses and Mileage.....	39
47. Uniforms and Equipment.....	39
48. Outside Employment.....	40
49. Resignations and Retirement	40
50. Layoffs, Furloughs, and Reductions in Force.....	41
51. Training and Development.....	41
52. Workplace Privacy Disclaimer	41
53. Solicitation	42
54. Political Activities	42
55. Media Statements and Public Relations Communications	42
56. Inclement Weather, Natural Disasters, and Emergencies.....	43
57. Standards of Conduct.....	43

58. Workplace Violence and Weapons..... 45

59. Nepotism, Dating, and Romantic Relationships 46

60. Conflicts of Interest and Code of Ethics 47

61. Drug and Alcohol-Free Workplace and Testing 48

62. Smoking and Vaping 50

64. Reporting Improper Governmental Action 51

65. Electronic Communications, Devices, and Technology Resources 55

66. Social Media Use..... 59

INTRODUCTORY MATERIALS

1. Introduction and Welcome Message

Welcome to the Puget Sound Emergency Radio Network Operator (“PSERN”) Operator! We hope you find your employment with Operator to be productive and fulfilling.

The Operator was founded in 2021 through an interlocal agreement of 12 regional public partners: King County and the cities of Auburn, Bellevue, Federal Way, Issaquah, Kent, Kirkland, Mercer Island, Redmond, Renton, Seattle, and Tukwila. Today, the Operator exists as its own standalone non-profit public agency. The Operator is responsible for implementing, improving, and maintaining the region’s public safety radio systems. The Operator is governed by a Board of Directors, who set policies, decide budgetary matters, and oversee the organization and operations. The Board has appointed an Executive Director, who is entrusted with the daily supervision of personnel and general administration of the agency.

2. Scope of Handbook and At-Will Employment Disclaimer

This Employee Handbook (the “Handbook”) summarizes the Operator’s personnel policies and is intended to serve as a resource concerning employment with the Operator. This Handbook applies to all employees of the Operator. Employees are expected to review this Handbook and become familiar with its contents. Questions regarding the Handbook or specific policies should be directed to a supervisor or Human Resources.

There are several things to keep in mind about this Handbook. First and foremost, the Handbook contains only general information and guidelines. **This Handbook does not constitute an employment contract, a promise of specific treatment, or a promise of employment of any specific duration between the Operator and its employees.** Employment with the Operator is “at-will” under Washington law, meaning the employment relationship can be terminated at any time, without cause or notice, by employees or by the Operator. Nothing in this Handbook is intended to modify the at-will employment relationship. No supervisor or other Operator representative has the authority to modify an employee’s at-will status, or make representations that are inconsistent with this Handbook, unless the modification is in writing and approved by the Operator’s Executive Director or Board of Directors.

Second, this Handbook is not intended to address every aspect of employment in detail. In some cases, details may be found in other controlling documents, such as benefits enrollment materials or workgroup-specific operating procedures. Employees are

expected to review all such materials and procedures and become familiar with their contents, as such materials and procedures supplement the policies included in this Handbook. Employees with questions about whether (or how) a policy applies to a specific situation should consult Human Resources.

Third, as the Operator grows and evolves, so will its personnel policies. The Operator, therefore, reserves the right to modify, revoke, suspend, terminate or deviate from the policies set forth in this Handbook at any time. While the Operator will try to provide advance notice of any policy changes, such notice will not always be possible or practical. In addition, in cases where these policies conflict with an applicable local, state, or federal law, or a written employment agreement, the terms of the law or contract will take priority.

3. Equal Employment Opportunity

The Operator is an equal opportunity employer. All employees and job applicants are recruited, selected, trained, promoted, compensated, and, if necessary, disciplined or terminated without regard to any protected characteristics prohibited by local, state, or federal law. Such protected characteristics include race, creed, color, national origin, citizenship or immigration status, families with children, sex/gender, marital status, pregnancy, sexual orientation, gender identity or expression, age, honorably discharged veteran or military status, mental or physical disability, genetic information, or other any other basis prohibited by law.

Employees who believe they have been discriminated against or subjected to unlawful harassment or retaliation should report it to their supervisor, Operator managers or department heads, the Executive Director, or Human Resources. Please also refer to the Anti-Discrimination and Anti-Harassment Policy, Section 4, for guidance on reporting complaints or concerns. Upon receipt of a complaint, the Operator will investigate and take appropriate corrective action, as may be warranted under the circumstances. The Operator takes its obligations under the equal employment opportunity laws seriously and will not tolerate retaliation against any individual who reports good faith workplace discrimination or harassment concerns.

4. Anti-Discrimination and Anti-Harassment Policy

The Operator is committed to providing a workplace free from discrimination, any kind of unlawful harassment, and bullying or other unprofessional behavior. In keeping with this commitment, the Operator will not tolerate harassment by Operator personnel. In addition, the Operator will not tolerate the harassment of Operator personnel by

anyone, including coworkers, contractors, vendors, members of the public, elected officials, or other third parties.

Harassment. Harassment encompasses unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status, such as race, creed, color, national origin, citizenship or immigration status, families with children, sex/gender, marital status, pregnancy, sexual orientation, gender identity or expression, age, honorably discharged veteran or military status, mental or physical disability, or other characteristics protected by law. Harassing conduct that affects tangible job benefits, interferes unreasonably with an individual's work performance, or creates an intimidating, hostile, or offensive working environment, is strictly prohibited.

Sexual Harassment. Sexual harassment is one form of prohibited unlawful harassment. Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitute sexual harassment when (1) submission to the conduct is an explicit or implicit term or condition of employment, (2) submission to, or rejection of, the conduct is used as the basis for an employment decision, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment may include sexual propositions, sexual innuendo, suggestive comments or gestures, sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, display of foul or obscene printed or visual material, physical contact such as patting, pinching, rubbing, or brushing against another's body, or other physical behavior such as blocking movement or invading another's personal space.

Examples of Unlawful Harassment. Each individual must exercise their own good judgment to avoid engaging in conduct that may be perceived by others as harassment. Forms of unlawful harassment include, but are not limited to:

- Verbal: racial or sexual epithets, derogatory slurs, off-color jokes, propositions, sexual innuendo, threats, or suggestive or insulting sounds;
- Visual/Non-verbal: derogatory posters, cartoons, drawings or emails, suggestive objects or pictures, sexual or graphic videos or photos, leering, or obscene gestures;
- Physical: unwanted physical contact including touching (especially of private parts of the body), interference with an individual's movement, or assault; and

- Other: making or threatening reprisals as a result of a negative response to harassment or conditioning favorable working conditions on the toleration of inappropriate sexual conduct.

Bullying and Unprofessional Behavior. All Operator employees are expected to model behavior that is professional, respectful, and mature in tone and content. These expectations apply to interactions with coworkers, contractors, vendors, members of the public, and other third parties. The Operator prohibits behavior that is rude, discourteous, impolite, or demeaning, when such behavior is serious enough to negatively impact operations and working relationships. The Operator retains the discretion to investigate and take remedial action against bullying or other unprofessional behavior, even where such behavior does not amount to unlawful harassment.

Complaint Procedure for Discrimination, Harassment, or Unprofessional Behavior. Employees who believe they are being subjected to unlawful harassment or discrimination, or other unprofessional behavior, or become aware of such conduct being directed at someone else, shall promptly notify their supervisor, Human Resources, or the Executive Director.

Any supervisory employee of the Operator who receives a complaint, or who becomes aware of potential harassment, discrimination, or other unprofessional behavior, must immediately notify Human Resources or the Executive Director. The Operator's supervisors are held to a strict reporting obligation.

All employees are encouraged to use this reporting policy without worrying about whether the conduct involved would be considered discrimination or harassment in a strict legal sense. Employees who reasonably believe behavior violates this policy are encouraged to report. This applies to harassment or discrimination caused by anyone with whom an employee comes into contact as part of an employee's job, including coworkers, contractors, vendors, officials, members of the public, or any other third party.

Complaints will be reviewed, and if deemed necessary, investigated thoroughly and promptly. Complaints will be handled confidentially to the extent reasonably possible, consistent with the need to fairly investigate, and subject to certain disclosure obligations required by Washington law. Refusal to cooperate in an investigation will be grounds for discipline, up to and including termination.

The Operator strictly prohibits retaliation action against employees because of their good faith report of harassment or discrimination, or their participation in the investigation of alleged harassment. Any employee who perceives retaliation in violation of this policy may report it via the procedure described above.

Discipline. If an investigation establishes that an individual has engaged in prohibited discrimination, harassment, or other unprofessional behavior, appropriate remedial action will be taken. Behavior need not rise to the level of unlawful discrimination or harassment to warrant discipline. Disciplinary action may include remedial workplace training, warnings, verbal and/or written reprimands, suspension, or termination, depending on the circumstances.

EMPLOYEE CLASSIFICATIONS, DEFINITIONS, AND EVALUATIONS

5. Employee Definitions and Classifications

Wages and salaries, benefits, and other terms and conditions of employment may be affected, in whole or in part, by an employee's classification. Provided below are the most common employee classifications used by the Operator. An employee may fall into more than one of these categories, or may shift between categories.

1. Probationary Employee: A regular, newly-hired or newly-promoted employee who has not yet completed the probationary period applicable to their position.
2. Regular, Full-Time Employee: An employee who is regularly scheduled to work at least 40 hours per week and who has successfully completed the applicable probationary period.
3. Regular, Part-Time Employee: An employee who is regularly scheduled to work less than 40 hours per week and who has successfully completed the applicable probationary period. Part-time employees are subject to pro-rated, eliminated, or reduced benefits, as established elsewhere in this Handbook or applicable benefits materials.
4. Temporary Employee: An employee who is hired with the expectation they will be needed for a limited period of time, generally not more than six (6) months.
- 5.. Non-Exempt Employee: An employee whose duties render the job eligible for overtime pay for all hours worked in excess of 40 hours in a workweek, in accordance with applicable federal and state wage and hour laws. Depending on the position, non-exempt employees may be paid on an hourly or salary basis.

6. Exempt Employee: An employee who is paid a fixed salary on a weekly, monthly, and annual basis and whose duties meet the criteria for exclusion from the overtime pay requirements under applicable federal and state wage and hour laws, including but not limited to, executive, administrative, or professional employees. An exempt employee is not eligible to receive overtime pay.

6. Probationary Periods

New-Hire Probationary Periods. Upon hire, new employees of the Operator are subject to an initial probationary period of employment. This new-hire probationary period is intended to provide both the Operator and the employee time to evaluate whether the working relationship is mutually beneficial. The new-hire probationary period is normally the first six (6) months of employment, subject to extension up to twelve (12) months at the discretion of the Operator. During the new-hire probationary period, employees have the opportunity to demonstrate satisfactory technical qualifications, performance of daily job duties, and personal conduct in the workplace. Employees will also have the opportunity to evaluate the Operator's suitability as an ongoing employer. During the new-hire probationary period, employees may be terminated without cause or advance notice.

Near the end of an employee's new-hire probationary period, an employee will have his/her performance evaluated. Employees with satisfactory performance will move into regular employee status. Please note that status as a regular employee does not modify the "at-will" nature of employment with the Operator, which the employee or the Operator may terminate at any time, with or without cause, following successful completion of the probationary period.

Promotional Probationary Periods. Regular employees who are promoted into a new, higher-paying or higher-level role at the Operator are subject to a six (6) month promotional probationary period. During this time, if an employee is not meeting performance expectations or the business needs of the Operator, the Operator retains the discretion to return the employee back to his/her previously held position. During the promotional probationary period, employees remain subject to performance management, up to and including termination, for violations of this Handbook independent from their performance in the promotional role.

7. Personnel Evaluations

The Operator seeks to provide goal-setting and ongoing feedback to improve and maintain employee performance, and for purposes of providing career direction and advancement. The Operator's supervisors and managers are expected to provide

regular feedback to employees throughout the year, and to provide a formal performance evaluation on an annual basis, either on a calendar year or anniversary year basis (subject to needs of specific divisions). Employees who receive an unsatisfactory performance evaluation are subject to additional mid-year performance evaluations, performance management, training, and/or suspension of a pay step or wage increase. Employees who do not believe they are receiving adequate feedback should speak with their supervisor or Human Resources.

8. Personnel Records

The Operator maintains personnel files for each employee. The personnel file may include, but is not limited to, an employee's application and résumé, performance evaluations, commendations, disciplinary records, as well as benefits and payroll information. Upon request and reasonable notice, employees may review and inspect the contents of their personnel file. Employees who believe their personnel file contains incorrect or improper information may petition the Operator for review, with final discretion reserved to the Operator. Employees who disagree with the contents of their personnel file may submit a rebuttal or correction notice to include in their file.

To ensure benefits and records are current, employees are expected to notify Human Resources of any changes in name, address, telephone number, email address, marital or dependent status, tax exemptions, beneficiaries/dependents, changes to immigration status that may impact employment, or related information as soon as possible after such changes occur. Employees have a responsibility to ensure the information retained by the Operator is accurate and current.

The Operator reserves the right to maintain personnel records in other sources, including, but not limited to, confidential medical files, benefits files, I-9 verification files, and supervisor working files.

All personnel records maintained by the Operator will be retained in accordance with Washington law and administrative retention guidelines.

9. Personnel and Employment References

All inquiries from prospective employers or other third-parties regarding current or former employees should be referred to the Operator's Executive Director or Human Resources. The Operator will coordinate with the appropriate supervisor or management team to discuss an appropriate response, if any. Depending on the circumstance, the Operator may agree to provide a reference, may decline to do so, or may condition a reference on a signed liability waiver from the current or former

employee. Employees, including supervisors and managers, should not provide a reference unless expressly authorized by the Executive Director or Human Resources.

10. Wage Steps and Classification Pay System

The Operator's employees are paid based on their position classification, which is graded and based on a series of wage steps. Please review the Operator's salary and classification system for more information. Upon hire, an employee will be placed on the step best reflecting their experience, training, and qualifications. The Operator retains the discretion to deviate from this system, in whole or in part, on a case-by-case basis, taking into consideration recruitment and retention needs, business needs, and an employee's unique duties, training, and experience. This may include, for example, prior credit for relevant experience earned at a prior employer.

WORKPLACE ACCOMMODATIONS

11. Reasonable Accommodation of Disabilities

The Operator prohibits discrimination on the basis of a disability, and is committed to providing reasonable workplace accommodation to any qualified individual with a disability who needs an accommodation to perform the essential functions of the job. Any employee who has a disability and wishes reasonable accommodation should promptly contact Human Resources. The Operator will work with the individual and, if necessary, their health care provider(s), to explore the extent to which reasonable accommodation can be provided without undue hardship.

12. Pregnancy Accommodation

The Operator provides reasonable accommodations for pregnant employees. An employee who needs accommodation due to pregnancy may be afforded the following accommodations, with or without medical certification: (1) frequent, longer, or flexible restroom breaks; (2) seating or allowing the employee to sit more frequently; (3) and limiting lifting to 17 pounds or less. Beyond these baseline accommodations, a pregnant employee may be entitled to additional accommodations, subject to interactive discussions with Human Resources, medical certification from a healthcare provider, and provided the request does not cause a significant difficulty or expense to the Operator and its operations. Pregnant employees also have additional accommodation and leave benefits, as discussed elsewhere in this Handbook. Pregnant

employees with questions or concerns about the workplace or their accommodation options are free to consult with Human Resources.

13. Lactation and Breastfeeding Accommodation

For two (2) years following childbirth, employees who are nursing mothers are entitled to reasonable breaks during their workday for purposes of expressing breast milk. The Operator will provide a suitable, private location for nursing breaks outside of the Operator's bathrooms.

For non-exempt employees, the nursing breaks will be paid to the extent they run concurrently with an employee's regularly scheduled break periods. Non-exempt employees may take additional nursing breaks as reasonably necessary, however, these additional breaks are unpaid. For exempt employees, all nursing breaks are paid, and exempt employees are expected to manage their schedules around their need for lactation breaks. Employees in need of nursing breaks should consult Human Resources to make the appropriate arrangements.

14. Accommodation of Religious Beliefs

The Operator provides reasonable accommodations for the sincerely held religious beliefs of employees, unless the accommodation would result in undue hardship. Employees whose religious beliefs or practices conflict with their job, work schedule, Operator uniform/appearance standards, or other aspects of employment, may submit a written request for accommodation to Human Resources. The written request should include an explanation of the religious conflict and the employee's suggested accommodation(s). Human Resources and the employee's supervisor may request a meeting with the employee to learn more. The Operator will review the request and evaluate whether there are viable options for reasonable accommodation.

HOURS OF WORK, WORK SCHEDULES, AND OVERTIME

15. Attendance and Punctuality

The Operator provides and supports mission-critical emergency communication infrastructure, and relies heavily on its employees in support of this mission. The Operator therefore expects regular, reliable, and punctual attendance as an essential function of employment. On a regular basis, employees are expected to work the hours scheduled by their supervisor. Employees who need leave must follow the scheduling

and notification requirements established elsewhere in this Handbook. Employees who fail to do so are subject to disciplinary action, up to and including termination, for a repeated pattern of unexcused tardiness or absences. Absent extenuating circumstances, in the event the Operator has not heard from an employee for three (3) consecutive scheduled workdays, the employee may be considered to have resigned from his/her position.

16. Overtime

Non-Exempt Employees. Non-exempt employees are not exempt from the overtime requirements of state and federal wage and hour laws. These laws generally require non-exempt employees be paid overtime wages, equal to time and one-half times (1.5x) the regular rate of pay, for any hours worked beyond 40 hours in a designated workweek. Dependent on the position held, non-exempt employees may be paid on either an hourly or salary basis. When paid a salary, the Operator calculates a “regular” hourly rate of pay which is used to determine the overtime due when an employee works more than 40 hours in a workweek. Regardless of hourly or salary status, the “regular” rate of pay generally includes all forms of compensation paid to an employee in a particular workweek (with limited exceptions). For purposes of calculating overtime, the usage of accrued paid leave (vacation, sick, holiday) does not constitute “hours worked” towards 40 in a workweek.

To the extent possible, non-exempt employees should complete work tasks during their normal workday, without regularly incurring overtime. However, situations may arise in which overtime is required as a condition of employment, either through an extension of the workday, time spent in the evenings, or during a regular day off. Absent an emergency, employees are required to obtain supervisor approval before working overtime (this includes, for example, spending time in the evening checking email or completing work tasks). All overtime should be documented and entered into the Operator’s timekeeping system.

Exempt Employees. Exempt employees are exempt from the overtime requirements of state and federal wage and hour laws. Exempt status may be established where a position is paid on a salary basis (rather than hourly) and where the duties of the position satisfy one or more of the legal tests for exempt status. Generally, exempt status applies to management, supervisory, and professional positions. Exempt employees are paid a fixed salary that compensates them for all hours worked in a workweek, without regard to the actual hours worked (subject to limited exceptions). Exempt employees are paid for the work they perform, not for the time it takes them to perform it. Accordingly, exempt employees are not eligible for overtime and will occasionally be required to work more than 40 hours in a workweek.

17. FLSA Workweek Designation

In accordance with state and federal law, the Operator has established a workweek for the purpose of tracking and paying overtime. A workweek is a fixed and reoccurring period of seven (7) consecutive 24-hour periods. The standard workweek at the Operator begins Sunday at 12:01 a.m. and ends the following Saturday at 12:00 a.m. (midnight). The Operator may establish a different workweek for particular groups of employees, where supported by business and scheduling needs.

18. Work Schedules

The Operator's regular business hours are 8:00 a.m. until 5:00 p.m. Monday through Friday. Employees may be assigned work schedules outside of these times and days based upon the needs of the Operator. All employees at the Operator will be assigned to a standard work schedule by their supervisor. Unless otherwise specified, the work schedule for all full-time employees is 40 hours per week.

Non-Exempt Employees. Non-exempt employees will be assigned to a specific work schedule, taking into consideration the business needs of the Operator and the position held. A typical schedule at the Operator is Monday through Friday, starting at 8:00 a.m. and ending at 5:00 p.m. Dependent on business needs, employees may be assigned to work different schedules, including varying shifts, weekends, and/or overtime. Where possible, the Operator attempts to provide as much advance notice as reasonably possible. Alternative work schedules will be considered by the Operator on a case-by-case basis, taking into consideration the nature of the position, the business needs of the Operator, and the preferences of the employee. In addition, the Operator recognizes occasions may arise where an employee requests to "flex" their daily schedule to account for personal commitments or appointments. Any such requests to "flex" a schedule should be communicated to a supervisor and approved in advance.

Exempt Employees. Exempt employees are expected to work the hours needed to perform the duties of their respective positions. Full-time positions have been established with the expectation it will take most employees approximately 40 hours per week to complete assigned duties, although the actual time needed to complete the job may vary from week to week depending on operational needs, an employee's efficiency, and other factors. Working irregular hours, evenings, and/or weekends may be required as a condition of employment. Exempt employees are afforded discretion over their specific working hours, but are generally expected to closely align their schedules with the Operator's daily business hours. In addition, certain positions may require adherence to fixed scheduling expectations (for example, pre-scheduled client visits, supervisory duties, attendance at Board meetings, etc.). Exempt employees are

expected to use good judgment in managing their workloads, meeting customer service needs, and providing supervisory responsibilities. Any substantial or recurring variations from the Operator's daily business hours should be discussed with and approved by the exempt employee's supervisor or Executive Director.

Attendance at PSERN Operator Board Meetings. As a public agency, the Operator is subject to recurring public meetings of the PSERN Operator Board of Directors. Board meetings are typically conducted in afternoon or evening hours. Dependent on business needs, employees may be expected to attend these meetings as part of their ongoing or regular work schedule.

19. On-Call and Call-Back Duties

Thanks to the critical nature of PSERN operations, certain categories of employees, including Radio Technicians, are subject to on-call and call-back duties as a condition of employment. When placed on-call, an employee is subject to return to work ("called back") outside of the employee's regular work shift. When assigned on-call duties, an employee is relieved of duties and is not required to restrict his/her personal activities. However, an on-call employee must remain fit-for-duty and free from the influence of alcohol or drugs that might adversely impact his/her ability to safely and effectively perform job duties. When contacted, an on-call employee is expected to respond to any missed messages or calls within [redacted] minutes. If an on-call employee is required to return to work, the employee must maintain a [redacted] hour response time to the worksite. The other terms and conditions of on-call and call-back duties, including on-call pay, are stated in the Operator's on-call standard operating procedure (SOP) and on-call schedule.

20. Timekeeping

Non-Exempt Employees. To ensure the Operator has complete and accurate time records, and to ensure employees are fairly paid for all hours worked, non-exempt employees are required to accurately record all hours worked on the timekeeping systems maintained by the Operator. Non-exempt employees are also expected to record any usage of paid leave (vacation, sick, and holiday) and any periods of unpaid time, including meal periods and approved unpaid leaves of absence.

Non-exempt employees may be expected to review and verify their timekeeping records on a regular cadence. Employees are strictly prohibited from working "off the clock" and have an obligation to record all time worked, including any overtime, regardless of whether the overtime was preapproved. Employees with questions or concerns about

their timekeeping obligations or the accuracy of their timekeeping records should immediately notify their supervisor or Human Resources.

Exempt Employees. Normally, absent performance concerns, exempt employees have discretion over their work schedules and therefore are not expected to record their daily hours worked, with any hours automatically tracked by the Operator's timekeeping systems (with rules for exception reporting and absences). However, exempt employees are expected to record and deduct their usage of all forms of paid leave (vacation, sick, holiday, and executive leave). Exempt employees who work four (4) or more hours during a workday are not required to deduct from their paid leave balances. Paid leave deductions are required only if an employee works less than (4) hours during a workday, including full-day absences. Provided below are examples for an exempt employee normally working an eight (8) hour workday:

- Partial Day Absence, Deduction Not Required – The employee works four (4) hours and then leaves for a personal appointment for the remainder of the day. No deduction from paid leave is required.
- Partial Day Absence Deduction Required – The employee works two (2) hours and then leaves for a personal appointment for the remainder of the day. A deduction of six (6) hours of paid leave is required.
- Full Day Absence, Deduction Required – The employee takes the entire day off. A deduction of eight (8) hours of paid leave is required.

21. Meal and Break Periods

Non-Exempt Employees. Non-exempt employees are expected to observe daily meal and break periods. Employees are entitled to a paid break of 10 minutes for every four (4) hours of working time. Employees are entitled to an unpaid meal period for every five (5) hours of working time. The length of the meal period shall be either 30 or 60 minutes, depending on the position held by the employee and the business needs of the Operator. Employees will have their specific meal and break schedule assigned by their supervisor. For employees assigned to a typical eight (8) hour workday, breaks and meal periods should follow this regular cadence:

- 10-minute paid break – First half of the shift, no later than the end of the third hour of work.
- Unpaid meal period – Middle of the day, between the third and fifth hour of work.

- 10-minute paid break – Second half of the shift, no later than three hours following the meal period.

During meal and break periods, employees are fully relieved of their duties. Employees who are unable to take a scheduled meal or break period, or who are interrupted during a meal or break period, must promptly notify their supervisor.

In limited situations, where the nature of an employee's job affords daily intervals of sufficient free time in which the employee is allowed to rest, relax, and engage in brief personal activities, then the employee is permitted to take "intermittent" rest periods without needing to observe scheduled daily breaks. Intermittent rest periods require approval from an employee's supervisor.

Employees may not schedule their meals or breaks for the purpose of arriving late or leaving early.

Should an employee be required to stay late and work overtime lasting three (3) or more hours beyond the regular workday, the employee is afforded an additional 30-minute unpaid meal period.

Meal Waivers for Non-Exempt Employees. A meal period provides employees with time to rest, take in nutrition, and recharge. Thus, in most situations, the Operator expects non-exempt employees to observe their daily meal periods. In limited circumstances, when requested by an employee, the Operator has the discretion to waive the daily meal period. When granted, the waiver is optional and must be documented in writing and signed by the employee.

Exempt Employees. Exempt employees are not required to adhere to any specific meal and rest breaks. Assuming work and business needs are met, exempt employees have discretion over the timing and frequency of their meals and breaks.

22. Executive Leave for Exempt Employees

Exempt employees may occasionally be required to work more than 40 hours per workweek. Such extended working hours may be attributed to special projects, coverage for an absent coworker or during a job vacancy, in response to an emergency, or for other necessary business purposes.

Where a supervisor observes an exempt employee has been required to perform duties substantially beyond a normal full-time schedule, the supervisor may recommend a

discretionary allotment of executive leave. This may include, as examples, additional personal days off or a reduced work schedule for a specific period to offset extended hours. All allotments of executive leave or reduced work schedules are approved at the discretion of the Executive Director or designee. When granted, executive leave has no cash value upon separation and must be scheduled and used within the timeframe established by the Executive Director or designee (normally within the same calendar year). Absent exceptional circumstances, exempt employees are limited to a maximum of 80 hours of executive leave per calendar year.

23. Telecommuting and Hybrid Workplaces

As a normal expectation, most roles at the Operator require daily in-person attendance and interactions. This includes, as examples, essential job duties related to team meetings and collaboration, customer interactions, and fieldwork. However, *ad hoc* and/or temporary telecommuting and hybrid work arrangements may be authorized for circumstances such as extreme weather, special projects, health-related accommodations, and other unexpected issues. Employees requesting a telecommuting or hybrid work arrangement shall consult with their supervisor, and all such requests are evaluated on a case-by-case basis, taking into consideration the needs of both the Operator and the employee.

Employees approved for telecommuting or hybrid work arrangements should continue to reside in Washington and must have a safe and suitable workspace, including reliable broadband internet coverage. Arrangements for telecommuting or hybrid work out-of-state require explicit approval by the Executive Director. A telecommuting or hybrid work arrangement is not a substitute for other caregiver or childcare arrangements.

During periods of extreme weather, natural disasters, or other emergencies, the Operator may require employees to telecommute and/or temporarily work a hybrid work schedule.

INSURANCE AND LEAVE BENEFITS

24. Health and Welfare Benefits

The Operator offers health, dental, and vision insurance coverage through the Association of Washington Cities (AWC). Enrollment options included both a preferred provider organization (PPO) and a health maintenance organization (HMO). To help pay for healthcare costs, employees are offered enrollment in Flexible Spending Accounts (FSAs), which serve as a vehicle to pay out-of-pocket costs using pre-tax dollars.

Through various carriers, the Operator also offers life insurance, long-term disability, and accidental death and dismemberment insurance.

Health and welfare benefits coverage becomes effective the first day of employment, and applies to all regular full-time and regular part-time employees regularly scheduled to work 30 or more hours per week. When covered, employees may also enroll their eligible dependents, such as spouse and children.

Terms and conditions regarding plan benefits, enrollment, and coverage are established by the applicable insurance carrier and will be communicated to employees upon hire or prior to open enrollment. Information is also available in plan documents maintained by Human Resources.

Benefits programs and coverage, insurance carriers, and cost-sharing (if any) are subject to change from time-to-time based on market conditions and the directives from the Operator's Board of Directors. Absent unusual circumstances, any changes to benefits will be applied on a calendar year basis, with information communicated to employees on or before open enrollment.

25. Employee Assistance Program (EAP)

The Operator recognizes personal difficulties may adversely affect an employee's job performance. Accordingly, the Operator offers an Employee Assistance Program (EAP) through the Association of Washington Cities. The EAP is intended to help ensure the health, safety, and wellbeing of employees, and includes confidential assessments, treatment, referrals, and short-term counseling. Employees experiencing personal challenges are encouraged to seek assistance through the EAP. Any requests submitted to the EAP are held strictly confidential. Employees with questions concerning EAP benefits may consult Human Resources, and all such inquiries are kept confidential.

26. COBRA Coverage

Upon an employee's separation from the Operator, an unpaid leave of absence, or other qualifying event, the employee may be eligible to maintain health insurance benefits through the federal Consolidated Omnibus Budget Reconciliation Act (COBRA). COBRA benefits include both the employee and any enrolled dependents. Once elected, COBRA benefits are the sole expense of the employee, including the cost of a COBRA administrative fee. Upon a qualifying event, employees will be provided a notice of their COBRA rights by Human Resources.

27. Washington's Long-Term "Cares" Act

The Operator complies with the Washington Long-Term "Cares" Act. Consistent with the law, the Operator deducts premiums from employee pay and submits them to Washington's Employment Security Department (ESD). At present, premiums are valued at 0.58% of employee gross wages, subject to adjustment in subsequent years. Upon proof of official documentation from ESD, the Operator will honor private insurance coverage opt-out exemptions held by employees. All other exemptions will be administered based on the requirements of the law.

28. PERS Coverage, Retirement Accounts, and Social Security

PERS Accounts. Eligible employees are enrolled in the Washington State Public Employees' Retirement System (PERS), administered by Washington's Department of Retirement Systems (DRS). Eligible employees pay any required amounts towards PERS benefits through reoccurring payroll deductions. The terms and conditions of participation, enrollment, and benefits are established by DRS in accordance with state law.

Deferred Compensation Accounts. The Operator offers voluntary participation in deferred compensation retirement accounts through DRS. Once enrolled, an employee's voluntary contributions are made through reoccurring payroll deductions.

Social Security and Medicare. The Operator participates in Social Security and Medicare. All employees are enrolled as participants in Social Security and Medicare, with payroll deductions required by law under the Federal Insurance Contributions Act (FICA).

All terms and conditions regarding PERS, deferred compensation, and FICA accounts are established by law and/or applicable plan documentation. Employees with questions should consult the plan materials maintained by Human Resources, DRS, or the Social Security Administration.

29. Workers' Compensation (L&I) Insurance and Workplace Injuries

All Operator employees are covered by Washington's workers' compensation (industrial insurance) program, as administered by Washington's Department of Labor and Industries (L&I). For qualifying job-related workplace injuries and illnesses, L&I will pay an employee for lost working time and associated medical costs.

Employees shall immediately report all job-related accidents or illnesses to their supervisor, department director, or the Executive Director or designee. An injured

employee will be provided instructions for seeking medical treatment and completing the necessary L&I paperwork. For injuries or accidents involving serious bodily harm, employees should immediately dial 911.

30. Vacation Leave

The Operator provides paid vacation leave to all regular full-time employees and any regular part-time employees scheduled to work 30 or more hours per week. Employees accrue vacation based on their completed years of service with the Operator:

Completed Years of Service	Annual Vacation Days
Upon hire through end of Year 5	12
Beginning of Year 6	15
Beginning of Year 9	16
Beginning of Year 11	20
Beginning of Year 17	21
Beginning of Year 18	22
Beginning of Year 19	23
Beginning of Year 20	24
Beginning of Year 21	25
Beginning of Year 22	26
Beginning of Year 23	27
Beginning of Year 24	28
Beginning of Year 25	29
Beginning of Year 26 and beyond	30

Vacation leave begins accruing on an employee’s first day of employment with the Operator and is available for use in the pay period after it is earned. Each vacation day is equivalent to eight (8) hours of paid leave. Vacation leave is accrued on a per pay period basis, as reflected on employee paystubs. Vacation leave does not accrue during any period of unpaid leave. Vacation accruals are pro-rated for part-time employees.

Scheduling and Usage. The Operator encourages employees to use their vacation leave during the calendar year to achieve work-life balance. Vacation leave should be scheduled at times mutually agreeable to the employee and the Operator. Employees are encouraged to request vacation leave as far in advance as possible by submitting the request with their supervisor. The Operator approves requests based on business needs, the availability of other personnel, the timeliness of the request, and the length of service of the requesting employee. The Operator reserves the right to deny vacation leave requests when the absence would interfere with business needs. Employees

generally are not permitted to take vacation leave until the time has been approved, with exceptions evaluated on a case-by-case basis.

Vacation Deductions and Time-Tracking. Non-exempt employees are expected to deduct vacation leave based on actual leave used, in increments of 15 minutes, consistent with the Operator's timekeeping system. For example, a non-exempt employee who is permitted to take a partial-day absence of 4 hours and 15 minutes should deduct this same amount from his/her vacation balance.

Exempt employees who are absent for four (4) or more hours during a workday are required to deduct vacation leave based on actual leave used, in increments of one (1) hour, rounded to the nearest hour. For example, an exempt employee who works for two (2) hours, and then takes six (6) hours, should deduct six (6) from the employee's vacation balance. Exempt employees who are absent for less than four (4) hours during a workday are not required to deduct from their vacation leave balances.

Accrual Balances and Carry-Over. At the end of each year, employees may carryover a certain portion of their unused vacation leave into the new year, up to a carryover cap of 40 days.

Employees are expected to responsibly manage and schedule their vacation leave to remain within the annual carry-over limits. At the end of a calendar year, any vacation accruals beyond the carry-over maximum will be forfeited. In limited situations, where the Operator's business needs make it impossible for an employee to schedule and use vacation leave, the Executive Director or designee may authorize a temporary exception to the accrual and carry-over limits. Employees requesting an exception should submit their request to the Executive Director before reaching the maximum limits. If employees do not request approval to carry over excess vacation leave or the request is denied, employees forfeit the excess leave.

Credit and Frontloading for Prior Industry Service. As a new public agency, the Operator recognizes a large portion of its workforce may have substantial industry experience with other public agencies in Washington. In recognition of this, the Operator retains the discretion to credit new-hires with prior years of service for their initial placement on the Operator's vacation accrual schedule, and to frontload new-hires with an initial allotment of vacation leave. Such credit and frontloading are at the discretion of the Executive Director, and the specific terms and conditions will be stated in new-hire offer letters. Any frontloaded vacation leave is not eligible for cash-out until the leave would have otherwise been accrued based on the timelines established in this policy.

Cash-Out Upon Separation. Accrued but unused vacation leave will be paid to an employee upon separation from employment with the Operator at the employee's final rate of pay and included in an employee's final paycheck.

31. Holiday Leave

All regular employees of the Operator will receive paid time off for the following recognized holidays:

Holiday	Date
New Year's Day	January 1
Martin Luther King Jr. Day	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	First Monday in September
Indigenous Peoples' Day	Second Monday in October
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day After Thanksgiving	Fourth Friday in November
Christmas Day	December 25
Floating Holidays (2 per calendar year)	Dates Selected by the Employee

For regular full-time employees, each holiday is eight (8) hours of paid leave. Regular part-time employees are eligible for pro-rated holiday leave and floating holidays. To be eligible for holiday pay, an employee must be in a paid status on the day before and day after the observed holiday.

Observance and Scheduling. Holidays are normally observed on their actual date. However, should a holiday fall on a Saturday, it will be observed by the Operator on the preceding Friday. Should a holiday fall on a Sunday, it will be observed by the Operator on the following Monday.

In certain situations, employees may be assigned alternative work schedules, with regular days off falling Monday through Friday, as opposed to Saturday and Sunday. In such situations, should the Operator observe a holiday on an employee's regular day off, the employee and the employee's supervisor will schedule an alternative day off that same workweek.

Floating Holidays. Each employee shall receive two (2) floating holidays per calendar year. Floating holiday leave requests are approved by supervisors, taking into consideration the preferences of employees and the business needs of the Operator. Floating holidays must be scheduled and used in full-day increments, have no cash value upon separation, and must be used in the calendar year they are accrued.

Newly-Hired Employees. Employees hired before May 1 receive two (2) floating holidays for the calendar year. Employees hired on or between May 1 and September 30 are eligible for one (1) floating holiday for the calendar year. Employees hired after September 30 do not receive floating holidays for the calendar year. Newly-hired employees are permitted to use floating holidays during their probationary periods.

32. Sick Leave

The Operator provides all employees with paid sick leave, as required by law, and based on the terms and conditions stated below.

Sick Leave Accruals. Sick leave accruals begin upon hire, eligible for use in the pay period following accrual. Regular full-time, regular part-time, and temporary employees accrue sick leave at the rate of 0.04616 hours for each hour in a paid status, up to a maximum of eight (8) hours per calendar month. In no instance will any Operator employee earn less than one (1) hour of sick leave for every 40 hours worked.

Authorized Purposes. Sick leave may be used for the following authorized purposes:

1. An absence resulting from an employee's mental or physical illness, injury, or health condition; to accommodate an employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an employee's need for preventive medical care.
2. To allow an employee to provide care for a "family member" with a mental or physical illness, injury, or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or care for a family member who needs preventive medical care.
3. When an employee's place of business (for example, the Operator) has been closed by order of a public official for any health-related reason, or when the school or place of care of an employee's child has been closed for such reason.
4. When an employee's absence qualifies for leave under Washington's domestic violence, sexual assault, or stalking leave act, RCW 49.76.

Definition of Family Member. For purposes of this sick leave policy, “family member” is defined as follows:

1. Children, including a biological, adopted, or foster child, stepchild, or a child to whom the employee stands *in loco parentis*, is a legal guardian, or is a de facto parent, regardless of age or dependency status of the child.
2. Parents, including a biological, adoptive, *de facto*, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood *in loco parentis* when the employee was a minor child.
3. Legal spouse.
4. Registered domestic partner.
5. Grandparents.
6. Grandchildren.
7. Siblings.

Scheduling and Absences.

Foreseeable and Pre-Scheduled Absences. When the need for sick leave is foreseeable, such as pre-scheduled medical appointments, employees should submit a written request for leave to their supervisor at least 10 days in advance of the absence, or as much advance notice as otherwise possible under the circumstances.

Unforeseeable Absences. When the need for sick leave is unforeseeable, including emergencies and last-minute illnesses, employees must provide notice to their supervisor as soon as possible before the start of their scheduled workday. If it is not possible or practicable for an employee to provide notice before his/her workday, then the employee should still provide notice as soon as possible after the workday has begun. If necessary, employees may have a friend, family member, or other trusted resource provide notice to their supervisor on their behalf.

Employees who fail to provide notice in accordance with the terms above are subject to denial of the sick leave and/or discipline. If sick leave usage is denied, the time will be returned to an employee’s sick leave balance.

Verification.

Verification for Non-Exempt Employees. The Operator may require documentation regarding the use of sick leave when a non-exempt employee has been absent for more than three (3) consecutive workdays. When requested by the Operator, the documentation must confirm the absence was for an authorized purpose under this policy. However, the documentation need not disclose any private medical information unless the employee is requesting a workplace accommodation, or when otherwise authorized by law. When requested, documentation must be provided within 10 calendar days from the date the employee first took sick leave. Employees who experience an unreasonable burden, hardship, or expense in connection with a request to provide documentation shall consult with Human Resources for alternative verification options.

Verification for Exempt Employees. Exempt employees have greater flexibility over their daily work schedules, and therefore are subject to different rules regarding sick leave verification. Generally speaking, exempt employees are expected to responsibly manage their work commitments around any necessary sick leave absences. However, the Operator retains the discretion to request documentation or medical verification anytime the Operator has concerns an exempt employee is not responsibly using sick leave in accordance with this policy.

Deductions and Time-Tracking.

Deductions and Time-Tracking, Non-Exempt Employees. For non-exempt employees, sick leave may be used in increments of 15 minutes. Non-exempt employees are expected to track and deduct their usage of sick leave in accordance with this policy.

Deductions and Time-Tracking, Exempt Employees. Exempt employees absent for four (4) or more hours during a workday are required to deduct sick leave based on actual leave used, in increments of one (1) hour. Exempt employees who are absent for less than four (4) hours during a workday are not required to deduct from their sick leave balances.

Annual Carry-Over. Employees may carry-over a maximum of 1,040 hours of accrued sick leave from one calendar year to the next. Any hours beyond 1,040 are surrendered at the end of each calendar year.

Cash-Out Upon Separation. Upon full PERS-eligible retirement age (normally age 65), employees who separate from the Operator are eligible for cash-out of up to 25% of their unused sick leave, up to a maximum of 1,040 hours. For example, an employee who retires with 1,040 unused hours will be eligible for cash-out of 260 hours. The cash-out value of each hour is based on the employee's base rate of pay as of the separation date. The cash-out will be deposited into a tax-advantaged, post-separation VEBA account. Should an employee be rehired within 12 months, his/her sick leave balance will be reinstated upon rehire, less the hours previously cashed-out.

Anti-Retaliation. The Operator does not tolerate discrimination or retaliation against any employee who uses sick leave in accordance with this policy and state law. To the extent any sick leave issue is not addressed in this policy, sick leave will be administered in accordance with applicable law and regulations. Employees who have concerns about their lawful ability to accrue and use sick leave shall immediately report their concerns to their supervisor or Human Resources.

Credit and Frontloading for Prior Industry Service. As a new public agency, the Operator recognizes a large portion of its workforce will include employees with substantial industry experience at other public agencies in Washington. In recognition of this, the Operator retains the discretion to frontload new-hires with an initial allotment of sick leave, for usage immediately upon hire. Such credit and frontloading are at the discretion of the Executive Director, and the specific terms and conditions will be stated in new-hire offer letters. Frontloaded sick leave hours are not eligible for cash-out until they would have been otherwise accrued based on the timelines established in this policy.

33. Federal Family and Medical Leave Act (FMLA)

As a public employer, the Operator is covered by the federal Family and Medical Leave Act (FMLA). However, as a small public employer with under 50 employees, the Operator's employees are not eligible for FMLA leave benefits or protections. Instead, the Operator provides comparable leave benefits through Washington's Paid Family and Medical Leave program, as discussed below.

34. Washington Paid Family and Medical Leave (PFML)

Summary. Washington's Paid Family and Medical Leave (PFML) program, as administered by Washington's Employment Security Department (ESD), provides paid leave benefits and job protections to eligible employees who need leave for approved family and medical reasons. This policy provides a summary of the PFML program. Employees may obtain additional information at www.paidleave.wa.gov. To the extent an issue is not addressed in this policy, the Operator will administer this benefit program consistent with applicable statutes and regulations.

Payroll Deductions. The PFML program is funded through premiums collected by ESD. The premium rate is established by law and is subject to annual change. Through a payroll deduction, employees shall pay the full portion of the PFML premium that is authorized by law. In the future, should ESD modify the PFML premium rate or the percentage of premiums subject to collection through payroll deduction, the Operator will modify payroll practices to reflect those statutory changes.

Eligibility. Employees may be eligible for PFML monetary benefits and job protections when taking leave for covered reasons. Eligibility requirements are as follows:

Monetary Benefits. In order to be eligible for monetary benefits from ESD, an employee must have worked 820 hours in Washington, for any employer or combination of employers, during the year preceding the claim.

Job Protections. To qualify for job protections, an employee must work for an employer with 50+ employees, must have worked for that employer for at least 12 months, and must have worked 1,250 hours in the last year. The Operator currently has fewer than 50 employees, therefore the PFML program does not require the Operator to provide job-protected leave. However, the Operator will honor an employee's request for PFML leave, with job protection, where the Operator is able to grant the leave without negatively impacting daily operations. In addition, employees may be eligible for job protections under another section of this Handbook (for example, pregnancy leave).

An employee is ineligible for PFML benefits during any period of suspension from employment, such as a layoff or unpaid leave, or when the employee receives wages or profits from an outside source (for example, authorized outside employment or L&I time-loss compensation).

Leave Entitlement. Eligible employees may be entitled to receive PFML benefits for up to 12 weeks when taking medical or family leave, or for a combined total of 16 weeks of family and medical leave per claim year, or up to a maximum of 18 weeks in the event an employee's leave involves incapacity due to pregnancy. The claim year begins when the employee files a claim for PFML benefits or upon the birth/placement of the employee's child. PFML benefits may be available in connection with leave taken for the following reasons:

Medical Leave: Medical leave may be taken due to the employee's own serious health condition, which is an illness, injury, impairment or physical or mental condition that involves inpatient care or continuing treatment by a health care provider, as those terms are defined under the FMLA and RCW 50A.05.010. However, an employee is not eligible for PFML benefits if the employee is receiving time-loss benefits under the workers' compensation system.

Family Leave: Family leave may be taken to care for a covered family member with a serious health condition; for bonding during the first 12 months following the birth of the employee's child or placement of a child under age 18 with the employee (through adoption or foster care); or for qualifying military exigencies as defined under the FMLA. For purposes of family leave, covered family members include the employee's child, grandchild, parent (including in-laws), grandparent (including in-laws), sibling, or spouse.

PFML leave may be taken intermittently, provided that there is a minimum claim requirement of eight (8) consecutive hours of leave in a week for which benefits are sought.

PFML Application Process. An employee must submit an application to ESD in order to seek PFML benefits. For guidance on the application process, please refer to the ESD website (www.paidleave.wa.gov). Eligibility determinations will be made by ESD. If approved, the employee will need to file weekly benefit claims with ESD to continue receiving benefits.

Application Notification Requirements to the Operator. An employee applying for PFML benefits must provide written notice to the Operator's Human Resources Department. If the need for leave is foreseeable, notice must be given at least 30 days in advance of the leave. For unforeseeable leave, including emergencies, notice must be given as soon as possible under the circumstances. The employee's written notice must include the type of leave taken (family or medical), as well as the anticipated timing and duration of the leave. If an employee fails to provide this required notice to the Operator, ESD may

temporarily deny PFML benefits. After receiving the employee's notice of the need for leave and PFML benefits, the Operator will advise the employee whether the employee is eligible for job protection, either under this policy or another section of this Handbook.

When ESD approves an employee's PFML application, the employee must promptly submit a copy of the ESD approval paperwork to Human Resources.

If leave is being taken for the employee's or family member's planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt the Operator's daily operations.

If taking leave intermittently, an employee must notify the Operator each time PFML leave is taken so that Human Resources may properly track leave usage.

Weekly Notification Requirements. After an employee is approved by ESD for PFML benefits, the employee must promptly provide Human Resources with a copy of the employee's weekly PFML claim and weekly approval paperwork.

PFML Monetary Benefits. If ESD approves a claim for PFML benefits, partial wage replacement benefits will be paid by ESD directly to the employee. The amount of the benefit is based on a statutory formula, which generally results in a benefit in the range of 75-90 percent of an employee's average weekly wage, subject to maximum amounts established annually by law. With limited exceptions, PFML benefits are subject to waiting periods, up to a maximum of seven (7) days. When applicable, the waiting period begins on the Sunday of the week in which PFML leave is first taken. During the waiting period, no monetary benefits are paid by ESD. Employees may use available accrued leave to cover any absences during the waiting period. Outside of the waiting period, however, paid leave accruals (vacation, sick, floating holidays, and executive leave) are not supplemental to monetary PFML benefits provided by ESD. Thus, although an employee may elect to use such accrued leave during a PFML-covered absence, the employee's receipt of accrued leave from the Operator must be reported to ESD as part of the PFML claims process and will result in a reduced weekly PFML benefit. Failure to report the receipt of accrued leave may result in an overpayment by ESD, which ESD may recoup from the employee.

Coordination with Other Benefit Programs. When an employee is on leave and only receiving PFML benefits, the employee is deemed to be in unpaid status for purposes of the Operator's policies and benefit programs. Insurance coverage will be handled in the

same manner as other unpaid leaves of absence, pursuant to the Operator's policy and subject to any FMLA or other legal requirements requiring continuation of coverage.

Job Restoration; Return to Work Recertification. As a small employer under the PFML regulations, the Operator is not required to grant job-protected leave. All PFML leave requests will be considered on a case-by-case basis, taking into account the operational needs of the Operator and any other leave entitlements available under other law or policy. In situations where a leave is approved, the Operator may require a return-to-work certification from a health care provider before restoring the employee to work following PFML leave. Such certification, when requested, is applicable only when the employee has taken PFML leave for the employee's own serious health condition. If an employee taking PFML leave chooses not to return to work for any reason, the employee should notify the Employer as soon as possible.

35. Pregnancy, Childbirth, and Related Disability Leave

The Operator complies with state law governing pregnancy and childbirth disability leave. Even where an employee does not meet the eligibility requirements for FMLA and/or PFML, the Operator will grant job-protected leave for the period the employee is temporarily disabled because of pregnancy or childbirth. Medical certification may be required to confirm the need for leave. If the employee is eligible for FMLA leave and/or PFML leave, the pregnancy/childbirth disability leave will run concurrently with such leaves.

While on approved pregnancy/childbirth disability leave, the employee may elect whether to use accrued sick leave. However, all other forms of paid leave (vacation, floating holiday, and executive leave) must be exhausted before the employee moves into unpaid status. Once in an unpaid status, health benefits are not continued unless the employee elects COBRA coverage.

36. Washington Family Care Act

Employees may use their choice of any available accrued leave (sick, vacation, floating holiday, and executive leave) to care for their child, spouse, registered domestic partner, parent, parent-in-law or grandparent as described below.

An employee may use available accrued leave to care for their child where the child has a health condition requiring treatment or supervision, or where the child needs preventative care (such as medical, dental, optical, or immunization services).

An employee may use available accrued leave when a spouse, registered domestic partner, parent, parent-in-law, or grandparent has a "serious or emergency health condition" which are conditions:

- Requiring an overnight stay in a hospital or other medical care facility.
- Resulting in any period of incapacity or treatment or recovery following inpatient care.
- Involving continuing treatment under the care of a health services provider that includes any period of incapacity to work or attend to regular daily activities; or
- Involving an emergency (*i.e.*, demanding immediate action or medical attention).

Where the need for family care leave is unexpected, the Operator understands advance approval of the use of leave (as is required for certain kinds of accrued leave) may not be possible. Employees are required, however, to notify their supervisor of the need to take time off to care for a family member as soon as the need for leave becomes known. The Operator reserves the right to require verification or documentation confirming a family member has or has had a "serious or emergency" health condition when available leave is used to care for that family member.

37. Military Leave

Uniformed Services Employment and Reemployment Rights Act (USERRA). Every Operator employee who is a member of the National Guard or the U.S. Army, Navy, Air Force, Coast Guard or Marine Corps, or of any organized reserve of the United States, will be granted military leave in accordance with state and federal law. Employees who take military leave will have whatever rights to reinstatement, seniority, vacation, layoffs, and compensation as are provided by applicable law.

Washington Paid Military Leave. All Operator employees are entitled to a paid military leave of absence, for a period not to exceed 21 working days during each year, beginning October 1 and ending the following September 30. Military leave beyond the 21 days of paid time off will be unpaid unless the employee elects to use accrued vacation, floating holiday, or executive leave. An employee is required to provide the Operator with copies of their military orders as soon as possible after they are received.

Washington Military Leave for Spouses and Registered Domestic Partners. The Operator provides military leave for spouses and registered domestic partners of members of the U.S. armed forces in accordance with state law. An employee must work an average of 20 hours per week to be eligible for leave under this policy. Such leave may also be

covered under the FMLA or PFML, although an employee qualifies for this separate military leave entitlement even if the employee does not qualify for FMLA or PFML.

During a period of military conflict, Operator employees who are military spouses and registered domestic partners are entitled up to a total of fifteen (15) days of unpaid leave per deployment. The leave may be taken:

- When the soldier is on leave from their deployment; or
- After the soldier learns of the deployment, but before they commence active duty.

While on leave, the employee must exhaust all accrued vacation, floating holiday, and executive leave before moving into unpaid status. While on an unpaid status, the employee may elect COBRA coverage for continuing insurance benefits.

Employees requesting leave under this policy must provide notice to their supervisor, Human Resources, or Executive Director or designee within five (5) business days of the soldier receiving official notice of the order to active duty, or official notice of receiving leave from active duty. Upon returning from leave, the employee will be restored to their original job, or to another job with equivalent pay, benefits, and other employment terms and conditions.

38. Leave for Domestic Violence, Sexual Assault, or Stalking

In accordance with state law, the Operator provides reasonable leave away from work, either in a continuous block of time or intermittently, or continued employment on a reduced work schedule, when the reason for the leave is one or more of the following:

- An employee seeks assistance from a lawyer or law enforcement to prepare for or participate in a civil or criminal proceeding related to incidents of domestic violence, sexual assault, or stalking involving either the employee or a "family member" of the employee.
- An employee seeks or attends treatment for physical or mental injuries of the employee, or a family member caused by domestic violence, sexual assault, or stalking.
- An employee obtains services from a domestic violence shelter, rape crisis center, or similar facility for the employee or a family member.
- An employee obtains mental health counseling for domestic violence, sexual assault, or stalking for the employee or family member of the employee who has been a victim.

- An employee participates in safety planning or relocation for the employee or a family member.

For purposes of this policy, “family member” includes a child, spouse, registered domestic partner, parent, parent-in-law, grandparent, or anyone with whom the employee has a dating relationship. The Operator may require proof of a family relationship, such as a birth certificate, a court document, a signed statement from the employee, or other similar documentation.

When an employee needs leave under this policy, the Operator may request the following documentation to substantiate the need for leave:

- Police report.
- Court order of protection.
- Documents supporting a court appearance.
- Statement from a domestic violence advocate, attorney, clergy member, or medical or other related professional.
- An employee’s signed written statement.

Employees must use accrued vacation, floating holiday, and executive leave before taking unpaid leave. Sick leave must also be used before moving into an unpaid status, assuming the reason for leave constitutes an “authorized purpose” under the sick leave policy of this Handbook.

If possible, employees are required to give advance notice of their need for leave. If the situation does not allow for advance notice, the employee must notify their supervisor, Human Resources, or Executive Director or designee no later than the end of the first day the employee takes leave.

The Operator will maintain the confidentiality of all documents associated with leave requested or taken under this policy. These documents may be disclosed only with the consent of the employee, by order of a court or administrative agency, or otherwise required by federal or state law. Upon returning from leave, the employee will be restored to their original job, or to another job with equivalent pay, benefits, and other employment terms and conditions.

39. Unpaid Religious Holidays

Employees are entitled to two (2) unpaid religious holidays per calendar year for reasons of faith or conscience, or organized activities conducted under the auspices of a religious denomination, church, or religious organization. Where possible, employees

requesting to take an unpaid religious holiday shall provide notice to their supervisor at least two (2) weeks prior to the requested absence. Approval will be granted provided the absence does not cause an “undue hardship,” meaning significant difficulty or expense, taking into account factors such as the Operator’s work needs, staffing levels, other employees previously approved for leave, and the impact of the absence on daily operations. Unpaid religious days are provided only in full-day increments and do not carry over from one calendar year to the next.

40. Bereavement Leave

In the event of the death of an employee’s family member, an employee may receive up to five (5) days of paid bereavement leave. All bereavement leave is approved by the Executive Director or designee. Once approved, bereavement leave must be used within six (6) months from the date of death. The Executive Director or designee may approve additional bereavement leave through the usage of sick, vacation, floating holiday, or executive leave.

For purposes of this policy, “family member” shall include a spouse, domestic partner, child, parent, grandparent, grandchild, and sibling. In addition, the Executive Director retains the discretion to approve additional close familial relationships existing between an employee and a deceased relative (for example, where an employee had a close relationship with an aunt, uncle, cousin, in-law, romantic partner, or other individual residing with the employee). The Operator retains the discretion to request verification of the family relationship or death.

41. Jury Duty

The Operator provides employees with reasonable leave for jury service. An employee must provide the Operator with a copy of the jury duty summons as soon as possible after receiving it. For each summons, employees are eligible to receive up to ten (10) business days of paid jury duty leave. For extended jury service beyond ten (10) business days, additional paid jury duty leave is subject to approval by the Executive Director or designee. As a small employer, if an employee is summoned during a critical work period, the Operator may request the employee to request a waiver from duty.

To be eligible for jury duty pay under this policy, an employee must surrender payment provided by the court, excluding expense reimbursement (such as mileage). Upon completion of jury duty, an employee is required to promptly contact his/her supervisor for instructions regarding reporting to work, and must provide the Operator with proof of completed jury service.

42. Other Unpaid Leaves of Absence

Subject to operational and other considerations, the Operator may grant an unpaid leave of absence for an absence not covered by any other type of leave or policy. Any available accrued paid leave must be exhausted before an unpaid leave will be approved. An example of an absence that may qualify for unpaid leave is a prolonged illness or medical condition for which an employee needs reasonable accommodation. An unpaid leave of absence may be taken only when authorized by the Executive Director or designee. While on an approved unpaid leave of absence, all benefits shall cease, although an employee may elect to maintain insurance benefits through COBRA.

43. Administrative Leave; Fitness-for-Duty Examinations.

Administrative Leave. When supported by safety, performance, or behavior concerns, or to minimize workplace disruption during an investigation, the Operator may place an employee on administrative leave, including a full suspension of duties, pending a review of the employee's performance, an investigation into allegations of misconduct, or other remedial action. As deemed appropriate by the Operator, an employee on administrative leave shall be available to the Operator as needed during regular work hours, turn over all Operator property (cell phone, ID cards, etc.), and remain away from the Operator's facilities without prior permission.

Fitness for Duty Examinations; Reasonable Accommodation Analysis. Consistent with applicable law, the Operator may require medical certification or evaluation when the Operator has a reasonable basis to question whether an employee is fit-for-duty, to assist in the workplace accommodation process, or when an employee may pose a danger to workplace health and safety. On a case-by-case basis, the Operator may require an employee to obtain medical certification from the employee's own medical provider. Alternatively, consistent with state and federal law, the Operator may require an examination at an independent doctor, selected and paid for by the Operator, with any such examination limited to a job-related analysis.

GENERAL EMPLOYMENT POLICIES

44. Pay Periods and Payroll Procedures

Employees are paid every other Thursday (26 pay periods per calendar year). If a Thursday payday falls on a holiday, the Operator will pay employees the day prior. The Operator pays employees through direct deposit, with employees enrolling through Human Resources.

The Operator will withhold from an employee's paycheck those deductions required by law (payroll taxes and withholdings, court-ordered garnishments, etc.), as well as any voluntary deductions authorized by the employee and approved by Human Resources. Should an employee inadvertently be overpaid, the Operator will follow the standard procedure established in RCW 49.48.200 and RCW 49.48.210. Finally, the Operator may make deductions from an employee's final paycheck when consistent with state law (WAC 296-126-025).

Complaints or Concerns. Employees have an ongoing responsibility to review their paychecks to ensure accuracy. Employees who believe there are errors on their paycheck, including underpayments, overpayments, improper deductions, or misreported hours or overtime, must immediately report their concerns to Human Resources. The Operator will promptly investigate all reported complaints and, if appropriate, take corrective action. The Operator prohibits and will not tolerate retaliation against any employee for submitting a good faith complaint under this policy.

45. Vehicles and Safe Driving Practices

Driver's License Requirements. Many roles at the Operator require employees to hold a valid Washington driver's license and/or drive for business-related purposes. As such, any employee who operates a motor vehicle while conducting Operator business is required to hold a valid Washington driver's license. This includes Operator vehicles, personal vehicles, and rental or rideshare vehicles. Temporary exemptions may be granted where an employee holds a valid driver's license from another state.

Reporting Loss of License. Employees must promptly report to their supervisor any loss, revocation, or suspension (temporary or permanent) of their driver's license or lawful ability to operate a motor vehicle. The employee will be immediately suspended from driving duties and may be subject to additional disciplinary action.

Reporting Traffic Tickets and Accidents. Employees who, in connection with Operator business, receive a traffic ticket or infraction (including parking tickets), or who are involved in a motor vehicle accident (regardless of fault) shall immediately notify their supervisor. Any accident involving property damage or injuries shall also be reported to law enforcement. These reporting requirements apply to any motor vehicle, including personal vehicles, driven during paid working hours or used in connection with Operator business. Employees are responsible for any driving infractions, fines, or penalties received as a result of their driving, and may be subject to disciplinary action.

Use of Operator Vehicles. As part of daily business, the Operator's employees may be assigned an Operator-owned vehicle, or may be granted access to such a vehicle. Usage of the Operator's vehicles shall be limited to legitimate business purposes, although incidental personal usage is permitted, such as stopping for meals. All Operator vehicles must be maintained in good working order and kept clean. Employees with concerns about the condition of an assigned Operator vehicle shall immediately report their concerns to a supervisor. Any employee driving an Operator vehicle must observe all traffic laws and rules of the road while driving.

- Employees may be directed to park their Operator-owned vehicles on the Operator's premises or offsite lots authorized by the Operator.
- On occasion, employees may be provided a take home Operator-owned vehicle. Employees may be issued a take home vehicle, as examples, where it is inefficient for an employee to pick-up a vehicle before starting his/her work duties, or when an employee is subject to on-call and callback duties. Employees must have a safe and suitable space for securing their vehicle at home. Employees are responsible for routine inspections of their vehicle, with any required maintenance scheduled during on-duty time. Employees may be asked to complete a daily at-home vehicle trip log form. When issued a take home vehicle, employees are not paid for regular commuting time. Take home vehicles are subject to discontinuation based on changing Operator business needs and resources. All other terms and conditions of this Handbook shall apply.

Use of Personal Vehicles. Employees may be authorized or required to use their personal vehicles in connection with Operator business. Employees using their personal vehicle are eligible for mileage reimbursement in connection with Section 46 of this Handbook. Any personal vehicles used for Operator business must be in good working order and safe to drive. Employees using a personal vehicle must have a valid Washington driver's license and personal automotive insurance at or above the legally required coverage levels.

Vehicle Passengers. Unless authorized by the Operator, employees should not have passengers in their vehicles when conducting Operator business unless the passenger has a legitimate work purpose (coworker, vendor, customer, etc.).

Zero Tolerance Policy for Unsafe or Illegal Driving Practices. The Operator has a zero tolerance policy for unlawful driving, distracted driving, texting while driving, or the consumption or usage of any drugs or alcohol that could affect an employee's ability to

safely drive. Violations of this policy may result in discipline, up to and including termination.

46. Reimbursable Expenses and Mileage

The Operator's employees are eligible for reimbursement of reasonable and customary expenses incurred while performing business on behalf of the Operator. Such reimbursable expenses may include, but are not necessarily limited to, the following:

- Mileage in connection with work-related business travel, at rates set annually by the federal government.
- Reasonable travel expenses, including airfare, hotel, meals, parking, and rental cars.
- Office supplies and equipment.
- Training, enrollment, conference, or certification costs.

Employees should consult with their supervisor for approval before incurring expenses. The Operator will not reimburse expenses that have already been paid by another program or organization, or if reimbursement is available through another program or organization. Employees requesting reimbursement must keep receipts and documentation and must timely submit their requests to the Finance Department for review and payment and must follow the Operator's procurement policy.

47. Uniforms and Equipment

Uniforms. The Operator may assign uniforms and identification tags to employees providing public-facing or customer duties. Upon issue, uniforms are the responsibility of the employee for maintenance and care. Normal wear and tear is expected, with replacements issued by the Operator on an as-needed basis. Employees are free to change into their work uniforms while at home, or they may store their uniforms at the Operator. The uniforms remain the property of the Operator and must be returned to the Operator at the end of employment.

Tools, Equipment, and PPE. The Operator will provide employees with all required tools, equipment, and personal protective equipment (PPE) necessary to complete the job. Employees who do not believe they have the proper tools and equipment to safely perform a work assignment shall immediately notify a supervisor. Employees are responsible for the reasonable care of all tools and equipment issued to them. The Operator will repair or replace any tools or equipment that have become worn-out or

damaged in connection with work duties. All tools and equipment remain the property of the Operator and shall be returned at the end of employment.

Protective Footwear. Certain positions at the Operator, including Radio Technicians, are required to wear protective boots, which must meet L&I safety standards (WAC 296-800-16060 and ASTM F-2412-2005). On an annual basis, employees required to wear protective boots are eligible for reimbursement of an approved pair of boots, with the reimbursement rate set annually by the Executive Director or designee. Employees with questions about approved footwear shall consult with their supervisor before making a purchase. Employees requesting reimbursement will be required to submit proof of purchase. Any unused boot allowance does not rollover from one calendar year to the next.

48. Outside Employment

Operator employees may hold outside employment, including their own personal businesses, provided that such outside employment does not interfere with an employee's assigned duties at the Operator (including on-call and overtime requirements), does not create an actual or apparent conflict of interest, and does not involve the use of any Operator property, facilities, or equipment. All outside employment is subject to review and approval by the Executive Director or designee.

New-hires with pre-existing outside employment shall notify the Operator during the hiring process, or promptly after being hired, for review of the arrangement. Existing employees who are considering outside employment shall notify the Executive Director for review before accepting the outside employment. Once approved, an employee's outside employment is subject to continued compliance with these policy expectations.

49. Resignations and Retirement

Employees are encouraged to provide at least two (2) weeks' advance notice of a planned resignation or retirement. All resignations and retirements shall be provided to in writing to a supervisor, Human Resources, or the Executive Director or designee. In lieu of continued employment after notice is provided, the Operator reserves the right to provide the employee with a maximum of two (2) weeks' pay and immediately discontinue the employment relationship. Unless the two (2) week notice period is waived by the Executive Director based on a personal emergency, employees who fail to provide the requested two (2) weeks' advance notice are subject to a deduction of their final vacation cash-out equal to days in which notice was not provided.

Employees who resign or retire are expected to return all Operator property and equipment (for example, keycards, ID badges, laptops, etc.) on or before their final day of employment. The Operator will provide departing employees with their final paycheck, benefits, and accrued leave cash-out in accordance with the Operator's payroll procedures and the minimum requirements of state law.

50. Layoffs, Furloughs, and Reductions in Force

At times, economic conditions and/or business needs may make it necessary for the Operator to conduct layoffs, furloughs, or workforce reductions. The Executive Director or designee may authorize such actions based on budget constraints, changing business directives, lack of work, or any other related business needs. Decisions regarding impacted employees include consideration of business needs, roles held, performance, seniority, and the qualifications required for the remaining jobs.

51. Training and Development

Mandatory Training and Certifications. In certain situations, the Operator may require attendance at a training, seminar, course, or similar program, including attendance at training necessary to maintain minimum licensing or certification requirements. In such instances, the Operator will pay the entire expense, including the cost of attendance and the employee's working time spent in attendance (non-exempt employees).

Optional Training and Career Development. The Operator recognizes the mutual benefits derived from personal growth and career development, and thereby encourages employees to pursue job-related training opportunities. Employees requesting training or certification should first discuss the matter with their supervisor. Approval for training is based upon budget resources, business needs, and available personnel. For non-exempt employees, the compensability of time spent in training, including associated travel time, will be determined in accordance with state and federal law.

52. Workplace Privacy Disclaimer

The Operator's employees have no expectation of privacy concerning any Operator-owned property or equipment, including their assigned workspaces. The Operator's property and equipment, including vehicles, are subject to access and inspection, without notice, as required by legitimate daily business. Any employee-owned personal property brought onto the Operator's premises (for example, a personal backpack or purse) is subject to search where the Operator has reasonable cause to suspect theft, possession of drugs, or any other violations of this Handbook.

53. Solicitation

The Operator prohibits the solicitation, distribution, and posting of materials on the Operator's property or premises by any employee or non-employee. The sole exceptions to this policy are (1) charitable and community activities supported by the Operator, (2) Operator-sponsored programs, benefits, and services, and (3) reasonable personal postings by employees in their assigned workspaces, provided the personal postings do not violate any other sections of this Handbook.

Outside third parties may not solicit employees or distribute literature of any kind on the Operator's property or premises at any time. Employees may only admit non-employees to work areas only with supervisor approval.

Employees may not solicit other employees during work times, except in connection with an Operator-approved or sponsored event. Employees may not distribute literature of any kind during work times, or in any work area at any time, including through email, except in connection with an Operator-sponsored program or event. Any other postings, whether physical or electronic, require prior approval by Human Resources.

54. Political Activities

The Operator's employees, in their personal capacities, have the same rights as other citizens to campaign in support of, or in opposition to, any candidate, ballot proposition, or political measure. However, employees are prohibited from using any Operator facilities, paid working time, property, equipment, or assets in support of, or in opposition to, any candidate, ballot proposition, or political measure except as authorized under RCW 42.17A.555 or otherwise required by law. When engaging in political activities in their personal capacities, employees should refrain from making any statements suggesting the employee is speaking on behalf of the Operator, and should likewise refrain from wearing Operator uniforms or logos. As part of legitimate work functions, the Executive Director may authorize employees to attend meetings or hearings to present the Operator's position regarding political or legislative issues under consideration.

55. Media Statements and Public Relations Communications

The Operator's Executive Director has overall authority and discretion over the dissemination of information to the public. Employees shall refer members of the media, citizens, and any outside parties requesting a public statement to the Executive

Director or designee. Any and all media statements, press releases, and PR communications must be approved in advance by the Executive Director or designee.

56. Inclement Weather, Natural Disasters, and Emergencies.

Given the critical nature of its public mission, the Operator attempts to offer continued public service during inclement weather, natural disasters, and emergencies (“events”). However, the Operator also recognizes the need for employee safety when navigating adverse conditions.

On days when inclement weather, natural disasters, or other emergencies exist, the Executive Director or designee may close the Operator’s offices and/or limit the hours when the Operator is open for business. To be notified about these decisions, employees are responsible for contacting their supervisor and/or checking their Operator email prior to the start of their regular workday.

During an event that forces the Operator to close its operations, where possible, employees will be assigned to telecommuting and hybrid work arrangements. When that is not possible, employees who are told not to report to work, or who are sent home, will be compensated for the day. However, if an employee chooses not to report to the Operator (either before a decision is made to close the Operator, or when the Operator remains open for business), then accrued leave (vacation, floating holiday, or executive leave) must be used to account for the time. For events lasting more than three business days, the Operator will provide instructions to employees regarding alternative work arrangements and/or the requirement to use accrued paid leave to cover the time.

STANDARDS OF CONDUCT AND COMPLAINT PROCEDURE

57. Standards of Conduct

The Operator strives to provide outstanding service to the public and expects excellence from each and every employee. Each employee was selected to work for the Operator based on the belief that he/she would be able to fulfill this expectation. Certain expectations have been established regarding employee conduct to ensure efficient daily operations, and for the benefit and safety of all employees.

As a general matter, employees should conduct themselves in a professional manner and use good judgment when performing their job duties. Conduct that interferes with daily operations, is detrimental to the Operator, and/or is offensive to coworkers or the public will not be tolerated.

It is not possible to list all the forms of behavior considered unacceptable in the workplace. The following are examples of behavior that is against Operator policy and that will result in disciplinary action, up to and including termination of employment:

- Failure to treat coworkers, constituents, vendors, contractors, members of the public, and others in a courteous and respectful manner;
- Failure to perform assigned duties, or performance of duties in an unsatisfactory manner;
- Dressing or grooming in an unprofessional manner, and/or failing to dress appropriately and safely for daily work tasks;
- Unauthorized absences, or excessive tardiness or absences;
- Misusing, taking for personal use, destroying, damaging or wasting property, supplies, or equipment belonging to the Operator, another employee, a contractor, or another employer;
- Assaulting, threatening, bullying, or intimidating supervisors or any coworker, constituent, member of the public, or any other person;
- Violation of Operator policy regarding workplace violence;
- Engaging in any form of sexual or other unlawful harassment of, or discrimination or retaliation towards, another coworker, a client, a constituent, member of the public, or any other person;
- Falsifying or altering any Operator record or report, such as employment applications, medical reports, production records, timekeeping records, expense records, absentee reports, financial documents, or the like;
- Misusing Operator communication systems, including email, computers, Internet access, and telephones;
- Refusing to follow management or supervisory instructions concerning a job-related matter, or otherwise being disrespectful or insubordinate;
- Smoking or vaping where prohibited by Operator policy or local ordinance;
- Using profanity or abusive or offensive language;
- Sleeping on the job;
- Disclosing confidential information regarding the Operator or Operator coworkers or constituent(s);
- Negligence, recklessness, or improper conduct resulting in injury or damage to Operator property or equipment;

- Failure to fully cooperate with an Operator workplace investigation;
- Violating safety procedures or policies , or otherwise endangering the safety of coworkers, member of the public, or any other person;
- Making, publishing or repeating false, vicious, or malicious statements concerning a coworker or client;
- Reporting to work under the influence of alcohol, illegal drugs, controlled substances, or narcotics, or using, selling, dispensing, or possessing illegal drugs or narcotics on Operator premises;
- Dishonesty;
- Fighting; or
- Engaging in off-duty misconduct that interferes with an employee’s ability to do their job or reflects negatively on the Operator.

The above list contains examples only, and is not exhaustive. At the Operator’s discretion, any violation of Operator policies, or any conduct considered inappropriate or unsatisfactory, may subject an employee to disciplinary action. Disciplinary action may include, but is not limited to, verbal warning, written warning, suspension, demotion, or termination. The Operator, in its sole discretion, will determine the appropriate disciplinary response to misconduct or unsatisfactory performance. While the Operator supports the concept of progressive discipline, use of progressive discipline should not be construed to modify an employee’s at-will status.

Depending on the nature of the behavior or misconduct at issue, the Operator may place an employee on administrative leave pending an investigation and determination regarding discipline. As deemed appropriate by the Operator based on the particular circumstances, an employee on administrative leave shall be available to the Operator as needed during regular work hours, turn over all Operator property (cell phone, security cards, etc.), and/or remain away from the Operator’s facilities without prior permission.

Should the Operator decide to suspend an exempt employee as a disciplinary measure, any unpaid suspension must be in increments of a full workweek, unless the suspension is imposed for violating a major safety rule.

58. Workplace Violence and Weapons

Prohibition Against Workplace Violence. The Operator has a zero tolerance policy for any acts or threats of violence by any employee, contractor, or guest on Operator facilities or property, or while conducting business on behalf of the Operator.

Employees who observe any acts or threats of violence, or have any related safety concerns or suspicions, have a duty to immediately notify a supervisor. Examples include, but are not limited to, threats, acts of physical violence, threatening remarks, displaying a weapon, etc. If the act or threat involves bodily harm or damage to property, the employee should first immediately dial 911. Violation of this policy may be grounds for disciplinary action, up to and including termination.

Firearms and Weapons in the Workplace. The Operator strictly prohibits firearms, knives, and other dangerous weapons on Operator premises. Unless otherwise required by law, no employee is authorized to carry a weapon, concealed or not, on Operator premises, in Operator vehicles, or while representing the Operator or conducting business on behalf of the Operator. An employee carrying a weapon in violation of this policy is subject to disciplinary action, up to and including termination.

59. Nepotism, Dating, and Romantic Relationships

Nepotism. The Operator does not prohibit or discriminate against family relatives, and thus permits the employment of two or more family relatives. However, the Operator does not permit the employment of family relatives where any of the following situations exist:

- One family member would have the authority, or be in a practical position, to supervise, hire, promote, remove, or discipline the other individual.
- One family member would be responsible for auditing or evaluating the work or performance of the other individual.
- One family member would have access to confidential material of the other individual.
- Other circumstances exist which would place the two individuals in an actual, perceived, or reasonably foreseeable conflict between the Operator's interests and the interests of the two family members.
- One family member serves as a Board member, with the other serving as an employee, unless steps can be reasonably taken to recuse the Board member from any Board action reasonably implicating the employee.

For purposes of this policy, "family relative" includes any of the following:

- Parents or stepparents
- Children or stepchildren
- Parents-in-law

- Children-in-law
- Grandparents
- Grandchildren
- Spouses and domestic partners
- Siblings
- Aunts and uncles
- Cousins

If circumstances exist that create a conflict or potential conflict with any of the above, the Operator, acting through the Executive Director or Board Chair, reserves the right to act as necessary to resolve the conflict, including reassignment, resignation, or separation. Notwithstanding any of the above, the Operator will permit the employment of family relatives, even where any of the above-cited concerns exist, where (1) a business necessity exists; and/or (2) the working relationship is temporary or limited-term and is supported by adequate safeguards.

Dating and Romantic Relationships. Dating, romantic, or other sexual relationships between coworkers, including the Operator's Board members, where one individual has influence or control over the other's conditions of employment, can create a range of potential issues, including actual or perceived favoritism, bias, conflicts of interest, and harassment. Given these concerns, supervisory employees are strictly prohibited from having a dating, romantic, or other sexual relationship with any subordinate employees with whom the supervisory employee has a direct supervisory responsibility. In addition, all employees, regardless of a supervisory relationship, are required to disclose any new or ongoing dating, romantic, or sexual relationship to Human Resources to ensure compliance with this policy. And finally, dating, romantic, or other sexual relationships between the Operator's employees and Board members are prohibited. Upon notice to Human Resources of a dating, romantic, or other sexual relationship, the Operator will evaluate whether changes in reporting structures or other modifications are necessary to avoid actual or potential problems. Where a conflict of interest cannot be addressed through reassignment or other effective means, one of the employees may resign or be discharged from employment.

60. Conflicts of Interest and Code of Ethics

As a public agency, the Operator strives for honesty and integrity, open and accessible government, fiscal responsibility, and fair treatment of employees, customers, and the public. All of the Operator's employees are responsible, through their actions and

statements, for the perception of the Operator as an ethical public agency. Employees at all levels should avoid both real and perceived conflicts of interest when performing their duties on behalf of the Operator. Where applicable, the Operator's officers and employees are bound by the terms of Washington's Code of Ethics for Municipal Officers, Chapter 42.23 RCW. In addition, the following are prohibited conflicts of interest:

- Having a beneficial interest in any contract made by the employee or the employee's subordinates.
- Accepting any compensation, gratuity, gift, or reward from a source other than the Operator for the performance of job duties. However, for purposes of this policy, reasonable meal expenses provided in connection with legitimate business purposes and *de minimis* and infrequent gifts at or below \$50 are permissible.
- Using the affiliation with the Operator to secure special privileges or exemptions for the employee or others.
- Disclosing or using the Operator's confidential information for personal gain.
- Using the Operator's property, facilities, or equipment for purposes outside of legitimate business needs.
- Taking any acts that would violate the terms of a contract entered into by the Operator.
- Taking any other acts that would violate the ethical standards required by local, state, or federal law.

Employees with any concerns regarding actual, anticipated, or perceived conflicts of interest shall report their concerns to the Executive Director or designee and await a determination before taking action. Where deemed necessary, the Operator shall investigate and issue a determination regarding the conflict. Violations of this policy are subject to disciplinary action, up to and including termination.

61. Drug and Alcohol-Free Workplace and Testing

Prohibition Against Drug and Alcohol Use. The use of alcohol or any drug that is illegal under state or federal law is a serious threat to personal health, workplace safety, and job performance. Employees are strictly prohibited from possessing, selling, consuming, or being under any influence (defined as having any detectable amount in his/her body) of alcohol or illegal drugs while on the job, or in any other manner that may affect the employee's work performance or the Operator's interests or reputation. This prohibition also extends to legal drugs for which an employee does not have a valid prescription, or

that are not used in a manner consistent with accepted frequency or dosage requirements.

Any employee who is taking medication that may be lawfully prescribed under both state and federal law should determine from his or her physician or pharmacist whether the prescription drug could impair his/her ability to perform the job safely and effectively. If the employee's safe performance of essential job functions may be functionally limited at work by use of a legal drug, he/she must promptly advise his/her manager and Human Resources so that reasonable accommodations can be considered.

Any employee experiencing difficulties with drugs or alcohol is encouraged to contact the Operator's Employee Assistance Program (EAP) before the drug or alcohol issue affects his/her work performance.

Disclaimer for Marijuana or Cannabis. Although cannabis is lawful under Washington law, the Operator strictly prohibits the usage or possession of cannabis or marijuana on the Operator's premises or facilities, in Operator vehicles, or while employees are performing any duties on behalf of the Operator. Employees are likewise prohibited from reporting to work or performing any duties on behalf of the Operator while under the influence of cannabis or marijuana. These prohibitions apply to both recreational and medical marijuana.

Drug and Alcohol Testing, Pre-Employment. Depending upon the position held, job applicants at the Operator may be subject to pre-employment drug and alcohol testing. Where required, testing will be uniformly required of all job applicants applying for the same position. Testing shall be conducted in accordance with local, state, and federal law. As a matter of policy, and consistent with state law, the Operator will not consider pre-employment marijuana usage by an employee unless otherwise permitted by federal law, or when the employee is hired into a safety-sensitive position, meaning a position for which impairment while working presents a substantial risk of death or serious bodily injury.

Drug and Alcohol Testing, Ongoing Employment. To ensure compliance with this policy, the Operator may require drug and alcohol testing of employees based upon reasonable suspicion, where the Operator reasonably suspects an employee may be under any influence of drugs or alcohol, or any other situation suggesting an employee is otherwise violating this policy. The Operator also may require drug and alcohol testing where employees are involved in a work-related accident involving serious bodily injury or significant property damage. Finally, the Operator also reserves the right to search employee desks, lockers, work areas and personal property brought into the workplace where there is a reasonable basis to suspect a violation of this policy.

When required, alcohol and drug test results are maintained as employee medical records in an employee's separate medical personnel file. The Operator limits access to employee medical personnel files in accordance with applicable law, which generally means that test results are shared only with those who have a need to know the information.

Discipline Action. The Operator will impose disciplinary action, up to and including termination of employment, in the event of any of the following: (1) violation of this policy; (2) a positive test result; (3) refusal or failure to submit to testing when requested to do so; (4) refusal to cooperate in the testing process; or (5) adulteration of any sample or tampering with any part of the testing process.

Commercial Driver's License. Should an employee be required to hold a commercial driver's license (CDL) in connection with a job, the employee will be subject to additional drug and alcohol testing and policy requirements based on the terms of federal regulations.

Questions concerning the Operator's drug and alcohol policy, including any drug or alcohol testing, should be directed to Human Resources.

62. Smoking and Vaping

In order to maintain a healthy and comfortable work environment, the Operator prohibits the use of all tobacco products, including smoking, vaping, and smokeless tobacco, within all Operator properties, vehicles, and work locations. Outside of these areas, smoking and vaping is prohibited within 25 feet of all building entrances, exits, windows, and ventilation intakes. Employees who elect to smoke or vape while outside are responsible for the safe and sanitary disposal of all waste. Violation of this policy may be grounds for disciplinary action, up to and including termination.

63. Open Door Policy and Dispute Resolution Procedure.

The Operator recognizes situations may arise in which an employee feels he/she has not been treated in a manner consistent with the expectations of this Handbook. For this reason, the Operator provides employees with the complaint procedure outlined below.

Open Door Policy. The Operator values its employees, and therefore has an open-door policy. Employees with any type of concern or complaint are invited to schedule a meeting with their supervisor, Human Resources, and/or the Executive Director for the purpose of discussing the concerns and potential resolutions.

Step 1 – Informal Resolution. An employee is invited to first resolve any problems or concerns through informal discussions with his/her supervisor and/or Human Resources.

Step 2 – Written Complaint. If the problem is not resolved at Step 1, or an employee is not comfortable with an informal discussion, the employee may submit a written complaint to his/her supervisor and/or Human Resources. The written complaint should include a written description of the facts, the relevant dates, any applicable witnesses, the section of the Handbook thought to be violated, and the resolution sought by the employee. Upon receipt, the Operator will receive the written complaint and will respond in a timely manner.

Step 3 – Appeal to Executive Director or Board Chair – If the problem is not resolved at Step 2, the employee may submit his/her written complaint with the Executive Director. If the complaint pertains to the Executive Director, then the complaint may be submitted to the Chair of the Board. As necessary, the Executive Director and/or Board may investigate the concerns and/or meet with the employee. At the conclusion of the review process, the Operator will submit a written response to the employee, either granting the complaint, denying the complaint, or taking other action.

64. Reporting Improper Governmental Action

The Operator, in compliance with the Local Government Employee Whistleblower Protection Act, RCW 42.41, encourages employees to disclose any improper governmental action taken by Operator officials or employees without fear of retaliation. This policy also safeguards legitimate Operator interests by encouraging complaints to be made first to the Operation, with a process provided for speedy review and dispute resolution.

Definitions. “Improper Governmental Action” is any action by an Operator official or employee that is undertaken in the performance of the official’s or employee’s official duties, whether or not the action is within the scope of the officer’s or employee’s employment, and that is any of the following:

- (a) in violation of any federal, state or local law or rule;
- (b) an abuse of authority;
- (c) of substantial and specific danger to the public health or safety; or
- (d) a gross waste of public funds.

“Improper Governmental Action” does not include personnel actions including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, re-employment, performance evaluations,

reductions in pay, dismissals, suspensions, demotions, or other personnel actions defined by RCW 41.41.020.

“Retaliatory action” means any adverse change in the terms and conditions of employment, or other hostile actions by another employee towards an Operator employee, which are encouraged by a supervisor or senior manager or official.

“Emergency” means a circumstance that if not immediately changed may cause damage to persons or property.

Procedure for Reporting Improper Government Action. Employees who become aware of improper governmental action should first raise the issue with their supervisor. If requested by the supervisor, the employee shall submit a written report to the supervisor, or a third-party designated by the supervisor, stating in detail the basis for the employee’s belief that an improper governmental action has occurred. Where the employee reasonably believes the improper governmental action involves the employee’s supervisor, the employee may raise the issue directly with Human Resources, the Executive Director, or Chair of the Board of Directors. This should be done as soon as the employee becomes aware of the improper action. In the event a particular complaint involves allegations of criminal behavior, the Operator may refer the matter to the appropriate law enforcement authorities. If the complaint involves allegations of criminal behavior that may cause immediate harm to an individual or to property, the complaining employee may first report the matter to law enforcement before initiating the procedures described in this policy. The Executive Director (or designee) shall take prompt action to assist the Operator in properly investigating the report of improper governmental action. Officials and employees involved in the investigation shall keep the identity of reporting employees confidential, to the extent possible under the law, unless the employee authorizes in writing the disclosure of the employee’s identity. After an investigation has been completed, the employee reporting the improper governmental action shall be advised of a summary of the results of the investigation, except the personnel actions taken as a result of the investigation may be kept confidential (to the extent permitted by law).

In an emergency, where the employee believes that personal injury or property damage may result if action is not taken immediately, the employee may report the improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action, such as:

King County Prosecuting Attorney
King County Courthouse

516 Third Avenue, W400
Seattle, WA 98104
(206) 477-1120 (civil division)
(206) 296-9000 (criminal division)

Attorney General, State of Washington
1125 Washington Steet SE
P.O. Box 40100
Olympia, WA 98504
(306) 753-6200

U.S. Attorney (Western District of Washington)
700 Stewart Street, #5220
Seattle, WA 98101
(206) 553-7970

Washington State Auditor
Insurance Building
Capitol Campus
302 Sid Snyder Ave. SW
Olympia, WA 98504
(360) 902-0370

As noted above, an employee may also report an emergency criminal matter to law enforcement. Potential law enforcement agencies include the Seattle Police Department, the Kent Police Department, the King County Sheriff's Department, the Washington State Patrol, or any other applicable law enforcement agency.

Employees may report information about improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action if the employee reasonably believes that an adequate investigation was not undertaken by the Operator; to determine whether an improper governmental action occurred; or that insufficient action was taken by the Operator to address the improper action; or that for other reasons the improper action is likely to recur.

Employees who fail to make a good faith attempt to follow the Operator's procedures in reporting improper governmental action shall not be entitled to the protection of this policy against retaliation, pursuant to RCW 42.41.030.

Protection Against Retaliatory Actions: Officials and employees are prohibited from taking retaliatory action against an employee because the employee has in good faith reported an improper governmental action in accordance with these policies and procedures.

An employee who believes they have been retaliated against for reporting an improper governmental action must provide written notice to his/her supervisor within 30 days of the alleged retaliatory action. If the supervisor is allegedly involved in the retaliation, the written notice should be provided to Human Resources, the Executive Director, or Chair of the Board of Directors. The written notice must specify the alleged retaliatory action and the relief requested. Officials, supervisors, and managers shall take appropriate action to investigate and assess complaints of retaliation. Represented employees of the Operator, if any, may elect to pursue such issues through the labor agreement grievance process, in which case the procedures that follow below would not apply.

After receiving the Operator's response to the retaliation complaint, or 30 working days after the delivery of the complaint to the Operator, the employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing should deliver the request for hearing to Human Resources, the Executive Director, or Chair of the Board of Directors within the earlier of either 15 working days after delivery of the Operator's response to the complaint of retaliation, or 45 working days after delivery of the employee's complaint of retaliation to the Operator. Upon receipt of the request for hearing, the Operator shall apply within five (5) working days to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge.

Management Responsibilities: The Executive Director is responsible for implementing Operator policies and procedures, for reporting improper governmental action and for protecting employees against retaliatory actions. This includes ensuring that this policy and these procedures are:

- Permanently posted where employees will have reasonable access to them;
- Made available to any employee upon request; and
- Provided to all newly hired employees.

Officers, managers, and supervisors are responsible for ensuring the procedures of this policy are fully implemented within their areas of responsibility. Violations of this policy

and these procedures may result in appropriate disciplinary action, up to and including discharge.

TECHNOLOGY AND ELECTRONIC RESOURCES

65. Electronic Communications, Devices, and Technology Resources

The Operator provides electronic communications equipment, devices, and technology resources to facilitate Operator business and communications. The resources include, but are not limited to, computers, laptops, servers, cellphones, tablets, email, and internet/intranet networks and devices (collectively referred to as "Tech Resources"). The primary purpose of the Operator's Tech Resources is to provide service to the public as part of the Operator's business, in a manner consistent with the Operator's vision, values, and policy expectations. *De minimis*, incidental personal use of the Operator's Tech Resources by employees is permitted, if otherwise in compliance with the provisions of this policy, as set forth below.

This policy does not address all required, allowed, or prohibited behaviors by employees, but covers common examples. In general, the Operator relies on the good judgment of its employees to ensure that the Operator's Tech Resources are used in the public's best interest and the legitimate business needs of the Operator.

No Expectation of Privacy. By using the Operator's Tech Resources, employees acknowledge and agree they have no expectation of privacy or confidentiality in their use of these systems or in any data that they create, store, or transmit on or over the systems, including any data created, stored, or transmitted during an employee's incidental personal use of the Operator's Tech Resources as permitted under this policy. Employees further agree that they are aware of, understand, and will comply with the provisions of this policy, and that their use of the Operator's Tech Resources can and will be monitored and any data that they create, store, or transmit on or over Operator electronic systems may be inspected by Operator management at any time. Employees should understand that certain email messages, other electronic communications, and documents created on Operator systems and devices may be considered a public record subject to disclosure and/or subject to discovery in the event of litigation.

Standardized Software and Hardware. The Operator has established standard software and hardware for commonly used applications. The use of unauthorized, non-standard software or hardware, including personally owned software or hardware, on the Operator's Tech Resources without approval of the Operator's IT specialists is prohibited.

Installation of Software and Hardware. Improper installation of software or hardware can damage a computer system, cause system malfunction, create a security concern, or conflict with system configuration. All standardized software and hardware are to be installed and managed by the Operator's IT specialists. Specialized software and hardware technologies exclusive to individual departments may be managed within the appropriate department, in coordination with the Operator's IT specialists. Any moving, relocating, or rearranging of computer software or hardware should also be coordinated with the Operator's IT specialists.

Ownership and Confidentiality. All software, programs, applications, templates, data, data files, emails, messages, and web pages residing on the Operator's computer systems, networks, servers, or storage media, or developed on Operator computer systems, are the property of the Operator. The Operator retains the right to access, copy, modify, destroy, or delete this property without notice. Data files containing confidential or sensitive data must be treated accordingly and must not be removed from the workplace without proper authorization.

Retention Obligations. As a public agency, the Operator has certain data preservation and retention obligations, imposed either by law or by best practices. Employees shall follow all published Operator retention guidelines, shall not intentionally delete data in violation of these policies, and shall immediately notify the Operator's IT specialists with any questions or concerns about data preservation and retention issues that may arise in connection with daily work duties.

Copying Software, Programs, Applications, Templates, etc. Employees must notify the Operator's IT specialists and receive proper authorization before attempting to copy software, applications, programs, or templates. In many cases, copyright laws and/or licenses for commercial software, programs, applications and templates used by the Operator prohibit the making of multiple copies. The Operator and its employees are required to abide by the federal copyright laws and to abide by all licensing agreements.

Passwords, Authentication, and Security. Employees must take steps to ensure the security of the Operator's Tech Resources, including adherence to the password, authentication, and security standards established by the Operator's IT specialists. In addition, employees must ensure their devices and computer are both physically and digitally secured when they are away.

Acceptable Uses of the Operator's Tech Resources. The Operator's Tech Resources are to be used by employees, contractors, or volunteers for Operator business. *De minimis*,

incidental personal use may be permitted where, in the judgment of the supervising manager, such use does not interfere with department productivity, nor distract/take time away from the worker or co-workers assigned work. *De minimis*, incidental personal use means: (1) it is occasional and of short duration; (2) it is done on a worker's personal time, such as on a lunch break; (3) it does not interfere with job responsibilities; (4) it does not result in any expense to Operator; (5) it does not solicit for or promote commercial ventures; (6) it does not utilize excessive network resources; and (7) it does not constitute any prohibited use, as discussed below.

Prohibited Uses of the Operator's Tech Resources. Use of the Operator's Tech Resources to engage in any communication that violates federal, state, or local laws or regulations, or any Operator policy, is strictly prohibited at all times. In addition, the following uses of Operator's Tech Resources are inappropriate and are prohibited at all times, unless specifically exempted below:

1. Personal commercial use (meaning use that benefits an employee's outside employment or commercial business);
2. Accessing, receiving, or sending pornographic, sexually explicit, or indecent materials, including materials of an offensive nature;
3. Usage for any type of unlawful harassment or discrimination, including the transmission of obscene or harassing messages to any individual or group because of their sex, race, religion, sexual orientation, national origin, age, disability, or other protected status;
4. Gambling or sports betting;
5. Cryptocurrency mining or trading;
6. Usage for recreational purposes including the loading of computer games or playing online games;
7. Usage that precludes or hampers Operator network performance; such as viewing or listening to streaming audio and/or video unless for Operator business, such as for online training;
8. Unauthorized copying or downloading of copyrighted material;
9. Usage that violates software license agreements;
10. Downloading of software programs unless specifically approved by applicable supervisors and coordinated with the Operator's IT specialists;
11. Usage for political purposes, including partisan campaigning;
12. Sending anonymous messages and/or misrepresenting an employee's name, position, or job description;

13. Deliberately propagating any virus, worm, trojan horse, malware, spyware, or other code or file designed to disrupt, disable, impair, or otherwise harm either the Operator's networks or systems, or those of any other individual or entity;
14. Releasing misleading, distorted, untrue or confidential materials regarding Operator business, views or actions;
15. Using abusive, profane, threatening, racist, sexist, or otherwise objectionable language in either public or private messages;
16. Use of the Operator's Tech Resources for personal use beyond a *de minimis* amount, or in any manner so as to deprive others of system use or resources, including, but not limited to, the sending of bulk email for other than official business or forwarding "chain letter" emails of any kind;
17. Connecting to the Operator's network, or any specific software package, utilizing somebody else's security identification login information to gain alternate security permissions;
18. Any personal use, even if incidental, which results in expense to the Operator;
19. Usage that violates the guidelines set forth in the Standards of Conduct described in this Handbook.

Any employee who violates these policies could be subject to disciplinary action, up to and including termination. In addition, employees may be held personally liable for damages incurred as a result of copyright and licensing requirements.

Downloading Files from the Internet or Opening Email Attachments. Downloading files from the internet or opening email attachments from sources outside the Operator can lead to spyware, hacking, and/or virus attacks that can severely damage or degrade the Operator's network, equipment, and/or data. The Operator's IT specialists have installed anti-virus and anti-spyware software on all Operator computers and continuously updates signature definition files. However, that does not guarantee that all spyware is blocked, or that all viruses are caught.

Employees who have concerns about hacking, fraudulent access, or virus/spyware infection should immediately notify the Operator's IT specialists for assistance. Similarly, employees who receive an email with a suspicious attachment, or from an unusual source, should notify the Operator's IT specialists before opening or responding. Employees who notice their computer is behaving strangely should likewise notify the Operator's IT specialists. From time to time, Operator personnel will be provided training on the detection and avoidance of fraudulent or harmful hacking attempts and related IT security policies and practices.

Return of Operator Property. Upon separation of employment for any reason, employees must promptly return all Operator-owned devices, equipment, and other Tech Resources. Failure to promptly return such property shall be grounds for legal action and/or deduction from an employee's final paycheck, to the extent authorized by law.

Usage of Personal Devices. Employees should not use personal cell phones, personal data devices, smartphones, laptops, tablets, or similar devices during working time for personal reasons, with exception for *de minimis* usage that does not interfere with daily work business. Employees are similarly expressly prohibited from using personal cell phones or other personal devices for work-related business purposes (for example, drafting Operator documents or responding to Operator email on a personal device) unless expressly authorized by a supervisor.

66. Social Media Use

The Operator recognizes social media is an effective way to communicate with the public and community we serve. The Operator also recognizes that employees use social media for their own personal reasons. However, the use of social media, for both professional and personal reasons, presents certain risks and carries with it certain responsibilities. This policy therefore establishes rules and expectations for the appropriate use of social media, whether for personal use or in connection with the Operator's business.

"Social media" includes all means of communicating or posting information or content of any sort on the Internet, including blogs, journals, personal websites, website forums and electronic messaging boards, chat rooms, professional networking, and social networking platforms. Examples include, but are not limited to, Facebook, Twitter, Instagram, Threads, TikTok, BeReal, LinkedIn, Tumblr, YouTube, etc. "Social media" applies to any such platform, regardless of whether the platform is associated or maintained by the Operator.

Use of Social Media in Connection with the PSERN Operator. The Operator may authorize the use of social media to enhance public awareness, distribute information to the public, and increase community engagement. Professional use of social media is subject to the following guidelines:

1. All Operator social media sites, accounts, services, or pages ("social media platforms") shall be approved by the Executive Director or designee.

2. Where possible, social media platforms shall clearly indicate they are maintained by the Operator and shall have Operator contact information prominently displayed.
3. Social media content shall adhere to applicable laws, regulations, and policies, including information technology and records management and retention policies. Content is subject to public records disclosure laws and should be preserved in accordance with the Operator's retention policies. Before moving forward with the creation of a social media platform, protocols must be in place to ensure the content is managed, stored, and retrieved to comply with open records laws and discovery laws and policies.
4. Where possible, social media platforms should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the Operator. Pages shall clearly indicate that posted comments will be monitored; that the Operator reserves the right to remove obscenities, off-topic comments, and personal attacks; and that any content posted is subject to public disclosure laws.

Personal Use of Social Media at Work.

The Operator's employees are provided Internet access at work for the purpose of facilitating Operator business, provided that *de minimis*, incidental personal use is permissible. With respect to social media, employees may not use work time for posting, checking, or otherwise participating in social media. Occasional access to social media on meal periods or rest breaks may be permissible, provided that such access is out of public view, does not involve any obscene or profane content, and conforms to the guidelines stated below.

Personal Use of Social Media Away From Work.

The Operator does not seek to censor employees who are active on social media on their own time and using their own computer resources. However, situations exist in which employees may be held accountable or disciplined for their social media activity, even when that activity occurs on the employee's own time and involves a personal social media platform. The following guidelines apply to employees' personal use of social media:

1. Even when a communication occurs on personal time and/or away from work, employees should carefully distinguish between postings or comments made in their personal capacity versus their capacity as a person who is professionally affiliated with the Operator. If any confusion is reasonably likely, the employee should expressly state with a disclaimer that he/she is speaking in his/her

personal capacity, and not for or on behalf of the Operator. For example, if an employee identifies himself/herself as an Operator employee as part of the posting, the employee should disclaim any inference the employee is speaking in his/her capacity as an Operator representative.

2. Employees must adhere to the same ethical obligations that govern their behavior while on the job. For example, confidential Operator information or documents must not be disclosed, shared, or discussed.
3. Employees must exercise discretion and good judgment when commenting upon colleagues or coworkers, either professionally or personally. This is particularly true when the comments are derogatory and derisive, involve name calling or slurs, or constitute harassment. This is also true when the comments are on publicly available social media sites likely to be seen by other coworkers or the target of the comments.
4. Employees shall not post, share, or support comments or other content that negatively affects the Operator's operations or ability to serve the public. Prohibited content includes:
 - Any posting that includes harassment, threats of violence, or similar inappropriate conduct;
 - Any posting that ridicules, maligns, disparages, expresses bias, negative connotations, or disrespect toward any race, religion, sex, gender, sexual orientation, nationality, or any other protected class of individuals;
 - Any posting that suggests that Operator personnel are engaged in behavior reasonably considered to be unlawful or reckless toward public interests;
 - Any posting that otherwise violates any law or Operator policy.
5. Public employers, such as PSERN Operator, may lawfully impose disciplinary action for speech, even when such speech touches on a matter of public concern, when such speech also impairs discipline or control by supervisors; disrupts coworker relations; erodes close working relationships premised on personal loyalty and confidentiality; interferes with the speaker's performance of duties; or obstructs operations. The Operator's employees may be subject to discipline up to and including discharge for social media activity that violates these standards or otherwise violates this policy.

6. The Operator maintains various policies intended to encourage employees to report workplace concerns, including but not limited to, policies addressing unlawful harassment and whistleblower protections. Employees with concerns about a workplace issue are encouraged to present such concerns through the appropriate reporting channels. Regardless, employees who elect to post complaints or criticism on social media platforms should avoid using statements or content that reasonably could be viewed as malicious, obscene, threatening or intimidating, that defames or disparages others, or that might constitute harassment. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or Operator policy.

Employees with questions regarding their social media obligations should consult Human Resources.

EMPLOYEE ACKNOWLEDGEMENT FORM

I, _____, acknowledge that I have received, read, and understand the PSERN Operator Employee Handbook, dated _____.

I also acknowledge the Handbook’s purpose and content have been explained to me and I have been offered an opportunity to ask questions regarding it. I understand the Handbook summarizes various employment policies and procedures applicable to my employment with the PSERN Operator. If at any point during my employment I have questions about this Handbook or its individual policies, I will contact Human Resources.

I further understand the Handbook is not an employment agreement, nor contract for employment, and does not promise specific treatment in specific situations. I have been told and I understand that my employment with the Operator is “at-will,” which means it may be terminated at any time, with or without cause, with or without notice, by either me or the Operator. I also understand that I may be demoted, my job responsibilities may change, or my benefits altered after I accept employment with the Operator, with or without cause and with or without notice. I further understand that no Operator representative has the authority to modify my “at-will” status unless such modification is in writing and approved by the Executive Director.

I understand that this Handbook supersedes any prior handbooks or policy manuals regarding employment with the Operator.

I understand that the Operator may add to, modify, delete or make exceptions to any of the policies and procedures contained in the Handbook from time to time, and I am responsible for being familiar with any new, modified, or updated policies.

I agree to perform my job and otherwise act in a manner consistent with the Handbook and any subsequent additions, modification, or deletions, which may be implemented by the Operator during my employment.

(Employee Signature)

(Print Name)

Date: _____

[Insert any necessary appendixes or attachments.]

PSERN Board of Directors Staff Report

Agenda Item #9



Title: Operator Benefits – Additional Options
Meeting Date: August 24, 2023
PSERN Staff Contact: Mike Webb, Executive Director
Action: Discussion

SUMMARY:

This report provides a summary of additional options to provide a Healthcare Reimbursement Arrangement (HRA) as part of the Operator’s benefits package.

BACKGROUND

At its July 2023 meeting the Board approved the Operator’s participation in the Association of Washington Cities (AWC) insurance benefits plans. Staff presented information on the similarities and differences between the King County plans and the AWC plans. The Board requested further information on establishing an HRA for transitioning employees to help offset the increased deductible and/or out-of-pocket maximum (OOPM) costs to the employee.

The IRS defines an HRA as a type of account-based health plan that employers can use to reimburse employees for their medical care expenses. The arrangement reimburses employees (and sometimes their family members’ medical care expenses), up to a maximum dollar amount that the employer makes available each year. The employer can allow unused amounts in any year to roll over from year to year.¹

Operator staff contacted AWC’s benefits representative after the July meeting and confirmed that the Operator is eligible to offer an HRA as part of its benefits package. AWC could administer the HRA using the same provider that administers the FSA program.

ISSUES:

The following issues need to be discussed and direction given to PSERN Operator staff:

- **Should the Operator provide an HRA to employees as part of its benefits package?**
 - **If yes, should it fund the HRA for only the 2024 calendar year and not subsequent years?**
 - **If only for the 2024 calendar year, should the Operator provide HRA funds for employees that are employed later in the year?**
 - **If yes, what portion of the increased costs to the employee should the Operator contribute to the HRA?**

¹ https://www.irs.gov/pub/irs-utl/health_reimbursement_arrangements_faqs.pdf

ANALYSIS:

The maximum yearly cost to the Operator of funding an HRA for each employee is based on the following assumptions:

- Employee and any dependents covered under the plan incur expenses equal to the entire deductible amount.
- Employee and any dependents covered under the plan incur expenses equal to the entire OOPM amount.
- The total estimated cost to the Operator assumes 10% of employees would choose the Kaiser plan and 90% of employees would choose the Regence plan.
- The total estimated cost to the Operator assumes 24 employees:
 - Four employees with no dependents
 - Six employees with 1 dependent
 - Fourteen employees with 2 or more dependents

Table 1 summarizes the maximum additional yearly cost to employees under the AWC plans based on the above assumptions. Table 2 summarizes the estimated cost to the Operator based on the above assumptions and provides 3 possible funding scenarios (100%, 75% and 50%). It is important to note that the actual amount of additional cost that would be incurred by employees is not known at this point (how many employees would consistently hit their OOPM).

Table 1 - Maximum Increased Cost to Employee (per year)

	KC Regence PPO		AWC Regence 250		Total Increased Cost to Employee	KC Kaiser		AWC Kaiser		Total Increased Cost to Employee
	Deductible	OOPM	Deductible	OOPM		Deductible	OOPM	Deductible	OOPM	
Employee	\$ 300	\$ 1,100	\$ 250	\$ 3,000	\$ 1,850	\$ -	\$ 1,000	\$ 250	\$ 1,500	\$ 1,750
Employee +1 Dependent	\$ 600	\$2,200	\$ 500	\$ 6,000	\$ 3,700	\$ -	\$ 2,000	\$ 750	\$ 5,000	\$ 3,750
Employee +2 or more dependents	\$ 900	\$ 2,500	\$ 750	\$ 6,000	\$ 3,350	\$ -	\$ 2,000	\$ 750	\$ 5,000	\$ 3,750

Table 2 - Maximum Cost to PSERN Operator for 3 HRA Scenarios (per year)

	Option 1: Fund 100% of increased cost to employee	Option 2: Fund 75% of increased cost to employee	Option 3: Fund 50% of increased cost to employee
Estimated annual cost to Operator	\$ 77,050	\$ 57,788	\$ 38,525

Note that under the AWC benefits program, the employer can determine what carryover from year-to-year would apply to HRA funds (how much can be carried over for how long).

As outlined in the Issues above, there are multiple approaches that could be taken to providing a contribution to staff. The following represents a proposed set of principles to be applied:

- Given the requirements in ILA Section 8.2², the Operator should consider providing employees transitioning from King County some

² 8.2.1.2 – “The Board of Directors shall require the PSERN Operator to use its best efforts to offer the Transferring Employees opportunities for professional advancement and a package of employee benefits that are similar to the opportunities and benefits available to the Transferring Employees at their current agency at the time of transition to PSERN employment.”

amount of contribution for the primary purpose of offsetting the difference in deductibles and OOPM.

- This contribution should not be provided to employees hired by the PSERN Operator that are not transferring from King County, i.e. not employed by the County in the same or similar role associated with the PSERN Project or KCERCS.
- This contribution should be viewed as one-time, transitional benefit for a specific group of employees that would not continue indefinitely. However, the one-time benefit/contribution could be used by employees over multiple years if the carryover provisions enable that.

With these principles in mind, the remaining question is what portion of the increased costs to the employee should the Operator contribute to an HRA? The amounts shown in Table 2 above (up to 100%) can be accommodated within the existing 2024 PSERN Operator budget. A reasonable approach would be to establish a one-time contribution up to 100% (or some lower amount) of the annual maximum for each employee shown in Table 1 above for 2024 only. Carryover provisions should be established to ensure that employees can use it over multiple years until exhausted.

RECOMMENDATION AND NEXT STEPS

This report has presented information about the increased deductible and OOPM costs to employees under the AWC benefits plans. This information is provided for the Board's review and feedback.

At this time, staff believe that a reasonable approach would be to establish a one-time contribution for transitioning employees equal to 100%, or some lower percentage, of the maximum additional yearly cost to employees. Carryover provisions would be set to allow employees to carryover those funds until they are exhausted.

If the Board requires additional information or directs staff to research further, that information will be presented at the September 2023 meeting.

SUPPORTING DOCUMENTATION: None

PSERN Board of Directors Staff Report

Agenda Item #10



Title: Stakeholder Engagement and Website Initiative
Meeting Date: August 24, 2023
PSERN Staff Contact: Michael Webb, Executive Director
Action: Discussion & Decision

SUMMARY:

This report provides an overview of a planned initiative to develop a stakeholder communication strategy and plan for the PSERN Operator, followed by the development of a new website and crisis communication plan. Fearey has been selected to undertake this work as a result of an RFP conducted by the PSERN Operator. Board approval to expend up to \$115,500 from Operator startup funds is requested.

BACKGROUND:

Throughout the PSERN Project, resources have been assigned to manage ongoing stakeholder communications needs. A variety of activities have been undertaken throughout the Project involving many different Project stakeholders, including user agencies, City governments, DAS property owners, vendors, and other interested members of the public at-large.

A variety of communications methods and channels have been developed and utilized throughout the Project, including:

- PSERN.org website
- Regular newsletters and other directed communications.
- Comprehensive outreach program related to Distributed Antenna System (DAS) migration.
- Comprehensive outreach program related to radio deployment.
- Project staff attendance and briefing at a variety of stakeholder managed events (Police/Fire Chiefs meetings, public safety partner board and committee meetings, City Council meetings, etc.).
- Communications via the Project governance structure (Joint Board, Operations Board, etc.).
- Topic-specific proactive and reactive communications (e.g. related to tower development, impact of digital technology on scanning community).
- Other topic-specific events and working groups (e.g. Transition Working Groups).

With the completion of end user radio deployment and transition, along with the upcoming transition of operational responsibility to the PSERN Operator, it is time to define the requirements and approach for PSERN stakeholder communications during ongoing operations, including the development of a new digital media platform (i.e. website).

PSERN Operator staff developed a Request for Proposal and issued it to 6 local firms specializing in digital public relations. The requested scope of work is provided in Attachment A. Fearey was selected to undertake this work as a result of their proposal in response to the RFP.

ANALYSIS/DISCUSSION:

PSERN Operator staff met with Fearey in July to review their proposed work plan, which resulted in several updates relative to their proposal. The project will continue to be undertaken in 3 phases with not-to-exceed costs as outlined below (taxes excluded):

1. Stakeholder Communications Strategy and Plan - \$31,500
2. Digital Media Presence (i.e. website) - \$63,000
3. Crisis Communication Plan – \$21,000

The total cost is \$115,500 plus tax. These three scopes of work are provided in Attachment B.

A master services agreement has already been executed and the the first phase has been authorized. The first phase will commence during the last week of August and be complete by the end of October. The consultant will conduct 3 stakeholder workshops - staff, board members/alternates, and operational stakeholders - and a series of one-on-one interviews with key individuals and as part of developing the stakeholder engagement strategy.

The next phase of work (digital media presence/website development) will start in September and be complete by the end of 2023. The final phase is expected to be completed in 1Q 2024.

The go-live of the new PSERN.org website will be targeted to occur coincident with Full System Acceptance in early December 2023.

The full amount of this work is included in the PSERN Operator startup spending budget. The Board has previously directed that significant expenditures in excess of \$50,000 require further, explicit Board approval. As indicated, the first phase has already been authorized but because the full amount is in excess of \$50,000, board approval is required to authorize subsequent phases.

Feedback from board members on the proposed scopes of work is also requested.

RECOMMENDATION

It is recommended that the Board approve the Stakeholder Communications Strategy/Plan, Digital Media Presence and Crisis Communications Plan at the August 2023 meeting.

In order to move forward with the second and third phases of work discussed above, it is requested that the Board of Directors approve the following motion:

- **MOTION:** That the PSERN Operator Board authorize the Executive Director to expend up to \$115,500 in professional services with Fearey to develop a Stakeholder Communications Strategy/Plan, Digital Media Presence and Crisis Communications Plan.

CONCLUSION

This report provided an overview of a planned initiative to develop a stakeholder communication strategy and plan for the PSERN Operator, followed by the development of a new website and crisis communication plan. Board approval to expend up to \$115,500 from Operator startup funds is requested.

ATTACHMENTS:

- A. PSERN Digital PR Services Draft RFP
- B. Fearey Work Plan



PSERN Operator
19717 62nd Ave S
Suite E-102
Kent, WA 98032

Subject: Inquiry for a digital public engagement firm or consultant

Dear Mr./Mrs. Name:

The Puget Sound Emergency Radio Network (PSERN) Operator is requesting bids from qualified suppliers to develop a digital public relations strategy and plan, develop a website and digital media presence/platform, and develop crisis communication plans.

This work will include engaging and interacting with PSERN Operator stakeholders which include end users, Cities, funders, staff and other government entities. Development of tailored strategies for engagement with some segments of the public and the media should also be included.

Background:

In 2015, King County began a project called the Puget Sound Emergency Radio Network Project (“Project”) to build a new emergency radio communications system to be used by agencies in King County. The network primarily serves fire/EMS, police and 9-1-1 dispatch agencies, but will also be used by hospitals, public transportation providers, utilities, schools and other general governmental agencies to support their operations.

Not only is the Project building this important network, but it also has created a new governmental non-profit organization called the Puget Sound Emergency Radio Network Operator (“PSERN Operator” or “Operator”). The Operator will own, operate, maintain, update, upgrade and repair the infrastructure that has been developed during the project, which includes land mobile radio equipment at over 60 locations across King County, dispatch console equipment at ~20 sites, numerous radio towers, shelters and diesel generators.

The Operator formed in March 2021 after 11 partner cities and King County executed an interlocal cooperation agreement (“Operator ILA”) and appointed directors to the Board of Directors who will govern the Operator. More information about the Operator and the Project can be found at www.psern.org.

Scope of services:

- 1) Develop a digital public relations strategy and plan for the PSERN Operator, a non-profit government agency.
 - a. Interview PSERN Operator staff and key stakeholders (board members, committees, certain agency representatives) to determine their views on how PSERN Operator should engage with its various stakeholders using digital and traditional methods.

- b. Map out stakeholders and work with the PSERN Operator to determine what the PSERN Operator goals and objectives should be for each group (how to engage, what information needs to be shared with each and how).
 - c. Identify key issues for each stakeholder group (e.g., for user agencies, it will be about reliability and performance of the radio service, for Cities it will be service fees and related matters).
 - d. Define an action plan for the PSERN Operator and a mapping of stakeholder to method of engagement (face to face meetings/presentations, digital engagement of various kinds, including websites, possibly social media, etc.)
- 2) Develop a new website and overall digital media presence/platform.
- a. The first goal will be to replace the current PSERN.org website, currently maintained by King County. This may include some technical work.
 - b. Define the structure and organization of a new website, develop visual branding and look-and-feel, followed by content development.
 - c. Determine if the Contractor or the PSERN Operator will host the website, if the PSERN Operator hosts the content must be received in an appropriate format to be determined.
- 3) Develop a crisis communication plan or plans.
- a. Work with the PSERN Operator to define likely crisis scenarios and assist with the development of action plans for each.
 - i. Example – major system outage/service disruption, event that damages infrastructure, event in which the radio system may have contributed to injury/loss of life due to system failure, etc.
 - ii. Example - The planned introduction of encryption on the radio system.
 - b. Determine what the tasks are and who is responsible for those tasks for each scenario and develop standing or key messages.
 - c. The Contractor should be available on retainer to assist the PSERN Operator in applying the crisis communication plan as circumstances dictate.
- 4) Provide support, on an ongoing basis, for the PSERN Operator’s activities related to the work items listed in 1) – 3) above. The initial support agreement should specify hourly rates by resource type for at least one year after completion of the deliverables in the scope of work.

Schedule:

Scope of services items 1) and 2) above should be completed first, before the end of 2023. Item 3) should follow and may be in 2024.

Contractor to provide ongoing support for 1 year, with the option to extend yearly.

Contractor to be available on an ad hoc basis to support applying the crisis plan, if needed.

Required Experience and Qualifications:

Firms shall have extensive experience working with the issues contained in the scope above and knowledge, familiarity and experience related to:

- Experience working with regional government agencies and the public.
- Experience working with non-profit organizations.
- Familiar with Public Records act.
- Experience working with sensitive and/or confidential information.
- Comfortable with upper levels of government employees including elected and appointed positions.

In addition, experience with emergency management, emergency radio/dispatch services and/or first responder agencies is a plus.

Submittal Response:

The Operator is seeking proposals from firms willing and able to provide services described in this letter. If you are interested in submitting for this work, please reply with a letter that addresses the envisioned services and experience detailed above and includes hourly rates.

Interested firms are requested to provide a costed proposal for the services described above. The proposal should include the following:

- Schedule, workplan and methodology;
- Resumes and qualifications of personnel to be assigned to the work;
- Estimate of time and costs by resource type

Interested firms should identify if they believe that additional or related work items are required to achieve the services above. The PSERN Operator will use the costed proposals to develop a budget and schedule for the work but is not requesting firm, "not-to-exceed" pricing as the scope of work is subject to change.

Evaluation and Selection:

The Operator will evaluate proposals using the criteria set forth in this letter. The Operator reserves the right to request clarification or further information from any of the proposers.

The Operator is not required to award a Contract to the proposer offering the lowest price and/or fees. The Operator will select a preferred proposer based on a weighted assessment of proposals according to the following:

- Firm experience, qualifications and capabilities - 40%
- Completeness of response - 30%
- Service fees and rates – 30%

The Operator will invite the preferred proposer to enter negotiations for contract terms and conditions, which will be based on the Operator's standard professional services agreement. In the event negotiations are not

successful, the Operator may terminate such negotiations and enter into the negotiations with the next highest-scored proposer.

The Operator shall have no obligations until a Contract is signed between the proposer and the Operator. The Operator reserves the right to (a) award one or more contracts as it determines to be in its best interest; (b) reject any and all proposals; and/or (c) cancel this solicitation at any time.

Public Disclosure of Proposals:

This procurement is subject to the Public Records Act, Chapter 42.56 RCW. Proposals submitted in response to this procurement shall be considered public documents unless the documents are exempt under the public disclosure laws.

Due Date:

Responses should be submitted by email to TPlouse@Kingcounty.gov no later than 4PM on June 9th, 2023. Questions can be sent to the same contact.

Sincerely,

Michael Webb
PSERN Operator, Executive Director

Date



PSERN – ADDENDUM #2023-01

Public Relations/Communications	
Digital Strategy & PR Plan	
<ul style="list-style-type: none"> • Development and management of a brief online survey to gather initial details and information from stakeholders, informing subsequent discovery sessions and interviews • Host up to three Discovery Sessions with key partners and stakeholders to understand partnership goals, needs, history, upcoming announcements, priorities, etc. Discovery sessions with the following: <ul style="list-style-type: none"> ○ Employees ○ Board of Director Members and Alternates ○ Operational Stakeholders, Ops Board members • Conduct additional 1-on-1 stakeholder interviews as needed, and from a subset of those participating in the Discovery sessions. • Development of a high-level communications plan that will serve as a roadmap for our work together, covering thought leadership, key messages, objectives, sample project timeline and more. <ul style="list-style-type: none"> ○ Communication Plan: <ul style="list-style-type: none"> ▪ Who do we need to communicate with and for what purpose? ▪ What are we going to communicate? ▪ How are we going to communicate? • Development of 5 thought leadership pieces such as guest bylines and articles to be published through the PSERN Operator website or other social media channels. • Development of social media strategy that will best inform key users of network, other stakeholders including City staff, DAS property owners, DAS vendors and other suppliers/vendors, and other interested parties. • Additional support and guidance on social media content for areas such as hiring, as needed 	
Fee Estimate	\$30,000
5% Expense Fee	\$ 1,500
TOTAL PROJECT ESTIMATE	\$31,500

BUDGET ESTIMATE

Fees for services will be billed hourly according to Fearey's 2023 Fee Schedule below:

CEO/ President	\$425
Sr. Vice President / Sr. Consultant	\$400
Vice President	\$360
Director	\$300
Account Supervisor / Consultant	\$270
Senior Account Executive	\$230
Social Media Strategist	\$200
Digital Designer	\$200
Account Executive	\$200
Account Coordinator	\$170
Production	\$110



Fees for services outlined in this scope of work will be billed monthly and shall not exceed \$31,500 without prior written approval and will be effective August 1, 2023, through January 1, 2024. Estimate is for fees only and does not include third-party expenses which will be billed separately. Fearey charges a 5% expense fee for out-of-pocket expenses including access to TV and radio clips, online/offline monitoring services, various PR tools including Muck Rack, Sprout Social, mileage, parking, etc. All other terms and conditions apply as defined in the Master Agreement dated July 28, 2023.

Please review, sign and send a copy of this document to Fearey. Once signed, a fully executed copy will be sent to you for your files.

Thank you.

Aaron Blank, President & CEO
Fearey

Tracy Plouse, Finance & Admin. Services Mgr.
for Mike Webb, Executive Director
Puget Sound Emergency Radio Network Operator

Date

Date



PSERN – ADDENDUM #2023-02

Public Relations/Communications	
Digital Media Presence	
<ul style="list-style-type: none"> • Visual branding development, including logo development, support around other visual and branding areas such as brand guidelines, typography, etc. • “Responsive” website design and development, including: <ul style="list-style-type: none"> ○ strategy and specifications ○ development of timely content ○ content modeling and implementation ○ QC testing ○ design refinement ○ basic SEO ○ development of PSERN intranet, a protected area of the website for distribution and sharing of key information with users to be a confidential resource. ○ Support and training provided for those administering content. • Support with newsletter, including template creation and copywriting 	
Fee Estimate	\$60,000
5% Expense Fee	\$ 3,000
TOTAL PROJECT ESTIMATE	\$63,000

BUDGET ESTIMATE

Fees for services will be billed hourly according to Fearey’s 2023 Fee Schedule below:

CEO/ President	\$425
Sr. Vice President / Sr. Consultant	\$400
Vice President	\$360
Director	\$300
Account Supervisor / Consultant	\$270
Senior Account Executive	\$230
Social Media Strategist	\$200
Digital Designer	\$200
Account Executive	\$200
Account Coordinator	\$170
Production	\$110

Fees for services outlined in this scope of work will be billed monthly and shall not exceed \$63,000 without prior written approval and will be effective August 1, 2023, through March 1, 2024. Estimate is for fees only and does not include third-party expenses which will be billed separately. Fearey charges a 5% expense fee for out-of-pocket expenses including access to TV and radio clips, online/offline monitoring services, various PR tools including Muck Rack, Sprout Social, mileage, parking, etc. All other terms and conditions apply as defined in the Master Agreement dated July 28, 2023.



Please review, sign and send a copy of this document to Fearey. Once signed, a fully executed copy will be sent to you for your files.

Thank you.

Aaron Blank, President & CEO
Fearey

Tracy Plouse, Finance & Admin. Services Mgr.
for Mike Webb, Executive Director
Puget Sound Emergency Radio Network Operator

Date

Date



Public Relations/Communications	
Crisis Strategy	
<ul style="list-style-type: none"> • Development of crisis strategy that will outline key messages, clear chain-of-command and workflow guidance, potential scenarios and placeholder responses to them, and more • Management of media training session and materials for key executives • Additional crisis-specific media training as needed 	
Fee Estimate	\$20,000
5% Expense Fee	\$ 1,000
TOTAL PROJECT ESTIMATE	\$21,000

BUDGET ESTIMATE

Fees for services will be billed hourly according to Fearey's 2023 Fee Schedule below:

CEO/ President	\$425
Sr. Vice President / Sr. Consultant	\$400
Vice President	\$360
Director	\$300
Account Supervisor / Consultant	\$270
Senior Account Executive	\$230
Social Media Strategist	\$200
Digital Designer	\$200
Account Executive	\$200
Account Coordinator	\$170
Production	\$110

Fees for services outlined in this scope of work will be billed monthly and shall not exceed \$21,000 without prior written approval and will be effective August 1, 2023, through March 1, 2024. Estimate is for fees only and does not include third-party expenses which will be billed separately. Fearey charges a 5% expense fee for out-of-pocket expenses including access to TV and radio clips, online/offline monitoring services, various PR tools including Muck Rack, Sprout Social, mileage, parking, etc. All other terms and conditions apply as defined in the Master Agreement dated July 28, 2023.

Please review, sign and send a copy of this document to Fearey. Once signed, a fully executed copy will be sent to you for your files.

Thank you.

 Aaron Blank, President & CEO
 Fearey

 Tracy Plouse, Finance & Admin. Services Mgr.
 for Mike Webb, Executive Director
 Puget Sound Emergency Radio Network Operator

 Date

 Date