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RESOLUTION NO. 300

A RESOLUTION OF THE CITY COUNCIL, CITY OF SHORELINE, WASHINGTON, AMENDING THE EMPLOYEE HANDBOOK POLICIES REGARDING SICK LEAVE, FAMILY MEDICAL LEAVE, SMOKING AND DRUG AND ALCOHOL SCREENING

WHEREAS, periodic review and updates to the Shoreline Employee Handbook are needed to keep policies in compliance with State and Federal Law; now therefore

THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES:

1. The Shoreline Employee Handbook sick leave policy is amended as follows:

   6.04 Sick Leave

   Policy: The purpose of sick leave is to provide an "insurance policy" of a bank of paid leave to be used in the event that an employee or immediate family member experiences an illness or disability that requires an employee to be absent from work. Employees who are ill or disabled are expected to use sick leave to recover and to not report to work when they could expose co-workers to illness. <u>All regular employees shall use leave to account for any sick leave related absence whether full or partial day.</u> Sick leave is earned and to be used under the following conditions:

   [Subsections A-J unchanged]

2. The Shoreline Employee Handbook relating to family medical leave is amended as follows:

   6.06 B. Reasons for Taking Leave: Family leave is provided for any of the following reasons:

   1. To care for an employee's child after birth or placement for adoption or foster care. Leave to care for a child after birth or placement for adoption or foster care must be concluded within 12 months of the birth or placement.
   2. To care for an employee's spouse, child, or parent who has a serious health condition.
   3. To care for a spouse, son, daughter, parent or next of kin who has a serious health condition as a result of military service ("military family care").
   4. <u>If a serious health condition makes an employee unable to perform the functions of his or her job.</u>

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~~Leave to care for a child after birth or placement for adoption or foster care must be concluded within 12 months of the birth or placement.~~

6.06 D. Definitions. For the purposes of this policy, the following definitions apply:

. . .

(4) Serious Health Condition: An injury, illness, impairment or physical or mental condition that involves:

. . .

b) absences plus treatment: any period of incapacity of more than three consecutive calendar days including any subsequent treatment or period of incapacity relating to the same condition that also involves 1) treatment 2 or more times by a health care provider within 30 days, by a nurse or physician's assistant under direct supervision of a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider; or 2) treatment by a health care provider on at least 1 occasion which results in a regimen of continuing treatment under the supervision of a health care provider;

. . .

. . .

H. Medical Certification. The City requires the provision of a medical certification to support a request for leave because of a ~~serious health condition (the employee's, or that of a child, spouse or parent)~~ qualifying event whenever the leave is expected to extend beyond ~~five~~ three consecutive working days or will involve intermittent or part-time leave. The City may require second or third opinions, at its option, at City expense.

The City may require an employee on family leave due to the employee's serious health condition or due to the birth of a child to provide a medical certification of fitness for duty prior to return to work after a medical leave, ~~that extends beyond 10 consecutive working days.~~ dependant on the circumstance as it relates to the employees duties.

6.16 Exigency Leave

An eligible employee may take up to a total of 12 workweeks of unpaid leave during the normal 12-month period for FMLA leave for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. Qualifying exigency leave is available to a

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family member of a military member in the National Guard, Reserves and the Regular Armed Forces. Qualifying exigency leave may be taken intermittently or on a reduced leave schedule.

3. The Shoreline Employee Handbook relating to a drug-free workplace is amended as follows:

8.05 Drug-Free Workplace

. . .

B. The unlawful manufacture, distribution, dispensation, possession, sale, or use of a controlled substance, alcohol or other intoxicant in the workplace or while engaged in City business on or off the premises or in a City vehicle is strictly prohibited. Such conduct is also prohibited to the extent that in the opinion of the City, it impairs an employee's ability to perform on the job or threatens the reputation or integrity of the City. Therefore:

. . .

5. Employees may be required to submit to alcohol, drug or controlled substance testing when: an employee's work performance causes reasonable suspicion that the employee is impaired due to current intoxication, drug or controlled substance use; testing is required prior to appointment to a position; as a result of a job related accident when reasonable cause exits or if required by the Department of Transportation; or in cases where employment has been conditioned, in a return to work agreement, upon remaining alcohol, drug or controlled substance free following treatment. Refusal to submit to testing when requested may result in immediate disciplinary action up to and including termination. Testing information shall be confidential unless used in an employer action with regard to the employee.

. . .

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

4. The Shoreline Employee Handbook relating to the City smoking policy is amended as follows:

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3.___ City Hall Campus
The property including City Hall, the City Parking Garage and all adjacent City owned grounds not subject to lease.

8.09 Smoking Policy

In order to maintain a safe and comfortable working environment and to ensure compliance with applicable laws, smoking is prohibited on the City Hall Campus, in City offices and work ~~places~~spaces, in City owned vehicles, ~~is prohibited~~. ~~Employees should avoid smoking near~~ - and within 25 feet of all building entrances, ~~and any open~~ windows that open and ventilation intakes. Violation of this policy may be grounds for disciplinary action, up to and including termination.

ADOPTED BY THE CITY COUNCIL ON MAY 10, 2010.

Keith A. McGlashan, Mayor

ATTEST:

Scott Passey, City Clerk