

Washington Association of Conservation Districts

# **Employee Handbook**

Updated and Approved

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## **INTRODUCTION**

Welcome to the Washington Association of Conservation Districts' team. You have joined an organization that is committed to excellence. We operate with an emphasis on the importance of each employee's contribution to the total performance of WACD. From our employees at our premier native plant nursery to our executive staff, every member of our team plays a vital role in the work that we do. We have an open-door policy where questions about your employment are welcome. We hope you find your work here a source of pride and satisfaction.

All new employees will receive an orientation session, which will encompass an overview of general policies, procedures, and operations. Employees will be given a copy of the Employee Handbook – the information in this handbook applies to all employees of the Washington Association of Conservation Districts (WACD) unless otherwise approved by the board.

## **PURPOSE OF THIS HANDBOOK**

WACD believes it is important to keep employees fully informed of company policies. We want each employee to understand what they can expect from the organization, as well as the obligations assumed as an employee. The policies and practices described in this handbook reflect a great deal of care and concern for the people who make it possible for WACD to exist - our employees.

The intent of this handbook is to provide employees with a basic outline of some of the programs, policies, and benefits available to them. Nothing contained within this handbook is intended to create, or shall be construed as creating, an express or implied contract or guarantee for employment for any term.

These policies may change with time, or they may need to be clarified, amended, supplemented, or rescinded. Therefore, the employer reserves the right to modify, rescind, delete, or add to the provisions of this handbook as well as any of its other personnel policies and practices from time to time as the organization deems necessary or appropriate.

This handbook replaces previous employee handbooks. Employees will be notified of changes. After reviewing the Handbook, please sign the Receipt and Acknowledgment form included at the end of this document, confirming that you have received and understand the contents of the Handbook.

## **SECTION 1 – EMPLOYMENT PRACTICES AND EMPLOYEE RIGHTS**

### **Part 1. Equal Employment Opportunity**

The management of WACD believes that every employee has the right to work in surroundings that are free from unlawful discrimination. It is our policy, notwithstanding any requirements of affirmative action, to hire, compensate, promote, train, transfer, discipline, discharge, and make all other employment-related decisions without consideration of an employee's race, color, sex (including pregnancy, childbirth and pregnancy-related conditions), sexual orientation, gender identity and expression, religion, age, national origin, disability, honorably discharged veteran or military status, genetic information, or any other basis prohibited by local, state, or federal law. All employees of this company are prohibited from engaging in unlawful discrimination.

WACD complies with the Americans with Disabilities Act as amended by the ADA Amendments Act, Pregnant Workers Fairness Act (PWFA), and all applicable state and local laws. Consistent with those requirements, WACD will reasonably accommodate qualified individuals with disabilities or pregnancy if such an accommodation would allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship on the organization, taking into consideration the nature and cost of the accommodation needed, the employer's financial resources, and the impact of the needed accommodation on the operation and on other employees and our customers. When the disability and/or the need for accommodation are not obvious (and state law does not prohibit), the employer may ask the individual for reasonable documentation about their disability and/or functional limitations.

The employer is committed to providing equal employment opportunities to all individuals, regardless of their religious beliefs and practices or lack thereof. Consistent with this commitment, WACD will provide reasonable accommodation of an applicant or employee's sincerely held religious belief if the accommodation would resolve a conflict between the individual's religious beliefs or practices and a work requirement, unless doing so would create an undue hardship on the organization.

Individuals who believe they are in need of accommodation should contact either the Executive Director or the Nursery Manager. All requests for accommodation are treated confidentially and will only be disclosed to those individuals within the organization who are necessary to the accommodation process.

This policy applies to all aspects of the employment relationship from the hiring process through the employment relationship, including promotions, job assignments, compensation, provisions of leave, access to benefits, perquisites, discipline, discharge, lay-off, etc. If an employee or applicant feels they have not been treated fairly and equally as required by this policy, the individual should refer to the unlawful discrimination and harassment policy set forth below in this handbook.

## **Part 2. Employment At-Will**

Employment with WACD is at-will, which means that either the employee or the employer is free to terminate the employment relationship at any time with or without reason, advance notice, or warning. No representative of this organization has the authority to change the at-will employment relationship except in a specific written agreement declaring such intent and signed by the employee and the Executive Director or WACD's President. No employee of WACD has the authority to enter into any agreement of employment for any specified period of time, or to enter into an employment agreement that in any way modifies the at-will status of employment at WACD.

## **Part 3. Introductory Period**

The first six (6) months of employment are designated as an initial performance evaluation period. During this time, the employee's supervisor may assess the employee's ability to learn and perform the job. WACD uses this period to evaluate employee capabilities, work habits, and overall performance. If WACD determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended solely at the discretion of WACD.

During the introductory period, employees at WACD are entitled to access certain benefits mandated by law, as well as those outlined in the organization's benefit programs or plans. Employees should familiarize themselves with the details provided for each specific benefit program to understand the eligibility requirements fully. These benefits typically encompass essential areas such as health insurance, retirement plans, and other statutory entitlements.

## **Part 4. Nepotism**

No employee can be hired for a position in which they would report to or supervise a member of their immediate family. The term "immediate family" includes parents, children, spouses, siblings, significant others, and in-laws. This definition aims to encompass a wide range of familial relationships that could lead to favoritism, bias, or other ethical concerns in a professional setting.

WACD reserves the right to assess whether a close relationship exists that may prohibit a supervisory relationship, ensuring that all hiring decisions support a fair and equitable work environment.

## **Part 5. Immigration Law Compliance**

WACD complies with the Immigration Reform and Control Act of 1986 by employing only U.S. citizens or non-citizens who are authorized to work in the United States. As a condition of employment, every employee must properly complete, sign, and date the Employment Eligibility Verification Form. Re-hired employees must also complete the I-9 form if the previous I-9 is more than three (3) years old or if the previous I-9 is not valid. If you cannot verify your right to work in the United States within three (3) days of hire, WACD is required by law to terminate your employment.

## **Part 6. Prohibition Against Discrimination and Harassment**

WACD is committed to providing a work environment that is free of harassment based on any legally Protected Characteristics. As a result, WACD maintains a strict policy prohibiting sexual harassment and harassment against any applicant or employee based on any legally recognized status, including, but not limited to: race, color, religion, sex, pregnancy (including lactation, childbirth, or related medical conditions), sexual orientation, gender identity, age (40 and over), national origin or ancestry, physical or mental disability, genetic information (including testing and characteristics), veteran status, citizenship or immigration status, uniformed servicemember status or any other status protected by federal, state, or local law (collectively, “Protected Characteristics”).

This policy applies to conduct by any person involved in our operations, including employees, board members, managers, temporary or seasonal workers, agents, clients, vendors, customers, or any other third party involved in the WACD’s operations, and this policy specifically prohibits conduct that creates or contributes to a hostile or offensive working environment for any WACD employee or applicant based on Protected Characteristics. If such harassment occurs that an employee believes to be a violation of this policy, the process outlined in Reporting Procedures in this policy should be followed.

WACD prohibits unlawful harassment and sexual harassment, as well as proscribed conduct that does not rise to the level of being unlawful. This policy is not designed or intended to limit WACD’s authority to discipline or take remedial action for conduct that violates this policy that WACD deems unacceptable, regardless of whether that conduct satisfies the definition of unlawful harassment or sexual harassment.

### **Part 6.1. Sexual Harassment**

Sexual harassment is also unacceptable conduct, which violates this policy. Sexual harassment encompasses a wide range of unwanted, sexually directed behavior, and has been defined in the following manner: unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature constitute sexual harassment when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment.
- (b) Submission to or rejection of such conduct is used as the basis for employment decisions affecting the individual; or
- (c) Such conduct has the purpose or effect of unreasonable interference with an employee’s work performance or creating an intimidating, hostile, or offensive working environment, even if the individual making the report is not the intended target of such conduct.

Sexual harassment can occur regardless of the gender of the person committing it or the person who is exposed to it. Harassment on the basis of sexual orientation, self-identified gender, perceived gender, or transgender status are all forms of prohibited sexual harassment.

## Part 6.2. Other Types of Prohibited Harassment

Harassment on the basis of any Protected Characteristic is prohibited. Prohibited harassment may include behavior similar to the illustrations above and may also include, but is not limited to:

- (a) Verbal conduct including taunting, jokes, threats, epithets, derogatory comments or slurs based on an individual's protected characteristics.
- (b) Visual and/or written conduct including derogatory posters, photographs, calendars, cartoons, drawings, websites, social media, emails, text messages, or gestures based on an individual's Protected Characteristics; and
- (c) Physical conduct, including assault, unwanted touching, or blocking normal movement because of an individual's Protected Characteristics.

## **Part 7. Reporting Procedures**

Any individual who believes that they or another individual has been subjected to discrimination, sexual harassment, or any other form of prohibited harassment or retaliation should, as soon as possible, report it to the appropriate member of management or to any supervisor with whom the employee feels comfortable.

All allegations of harassment will be investigated thoroughly. Following the completion of the investigation, the Executive Director will review the findings of the investigation and determine whether disciplinary action should be taken. If it is determined that disciplinary action will not be taken, the complainant and the person accused will be so advised.

If disciplinary measures are imposed, WACD will advise the complainant that the investigation has been completed and disciplinary action has been taken. However, the complainant need not be advised of the specific nature or type of disciplinary action imposed by WACD. No reprisal or retaliation against the employee reporting the allegation of harassment will be tolerated.

## **Part 8. Open Communication and Grievance Procedure**

At our organization, open communication is essential for fostering a positive work environment. Employees are encouraged to share their concerns, seek information, provide input, and address work-related issues through professional discussions with their immediate supervisors. While it may not always be possible to achieve the results an employee desires, it is important for supervisors to provide clear explanations regarding their preferred courses of action.

If an issue remains unresolved at the supervisory level, employees have the option to escalate their concerns to the Executive Director or the Nursery Manager. It is important to note that the WACD Board does not engage in day-to-day personnel matters; hence, employees are expected to follow the outlined procedure to resolve their issues effectively.

- (a) Initial Notification: Employees should bring the grievance to their supervisor's attention within one week of becoming aware of the issue. Prompt communication is key to resolving concerns efficiently.



- (b) Whenever feasible, grievances should be addressed informally. Both the employee and the immediate supervisor should strive to reach an agreeable resolution within a reasonable timeframe of two weeks. It is imperative that all parties engage in good faith throughout this process to facilitate early resolution.
- (c) In instances where informal attempts are unsuccessful, employees must file a formal grievance within 14 working days. This requires submitting a written statement that outlines the grievance, details the desired remedial action, and includes all supporting information related to the complaint. The formal grievance must be directed to the Executive Director.
- (d) Upon receiving the formal grievance, the Executive Director will review the facts of the case and issue a written decision to both the employee and the employee's supervisor within 30 days.

If an employee has concerns related to discrimination and/or harassment, specific reporting procedures are in place. These are detailed in WACD's Reporting Procedures policy, ensuring that such serious matters are addressed with the appropriate urgency and sensitivity. By following these procedures, we aim to create a responsive and supportive work environment where all employees feel heard and valued.

## **Part 9. Discipline and Termination of Employment**

In any organization, maintaining a standard of work performance and quality is crucial for overall productivity and morale. The Washington Association of Conservation Districts (WACD) has established a clear framework for addressing issues related to unsatisfactory work performance, which includes inadequate quality or quantity of work and inefficient use of time. When such concerns are identified by the Executive Director or the Nursery Manager, steps will be taken to rectify the situation.

To address performance-related issues, WACD follows a progressive disciplinary process aimed at providing employees with opportunities to improve. The stages of disciplinary action may include the following:

- (a) Verbal Warning: Initial discussions will occur to inform the employee of the specific issues and expectations for improvement.
- (b) Written Warning: If problems persist, a formal written warning will be issued, detailing the nature of the performance issues and the expected corrective actions.
- (c) Probationary Period: In cases where adequate improvement has not been noted, the employee may be placed on a probationary period, during which their performance will be closely monitored.
- (d) Immediate Suspension Without Pay: For serious infractions, immediate suspension without pay may be implemented as a disciplinary measure.

- (e) Termination: If all corrective measures fail, or in cases of severe misconduct, termination of employment may be considered.
- (f) Criminal Charges Filed: In instances where the behavior violates laws or regulations, WACD reserves the right to pursue criminal charges.

It is important to note that WACD retains the authority to determine the appropriate disciplinary action based on the specific circumstances and severity of each violation. This approach ensures that all employee terminations, whether voluntary or involuntary, are handled in a professional manner, thus upholding the integrity of the organization and fostering a positive workplace culture.

#### Part 9.1. At-Will Employment

Employment with WACD is voluntary and subject to termination by the employee or WACD at will, with or without cause, and with or without notice, at any time. Nothing in these policies should be interpreted to be in conflict with or to eliminate or modify in any way the employment-at-will status of WACD.

#### Part 9.2. Voluntary Termination

Voluntary termination of employment occurs when an employee submits a written or verbal notice of resignation to his or her supervisor or when an employee is absent, unexcused, from work for three consecutive workdays and fails to contact his or her supervisor (job abandonment).

#### Part 9.3. Procedures

Employees are requested to provide a minimum of two weeks' notice of their intention to separate from the company to allow a reasonable amount of time to transfer ongoing workloads. The employee should provide a written resignation notification to their manager.

Upon receipt of an employee's resignation, the manager will notify the human resources (HR) department by sending a copy of the resignation letter and any other pertinent information (i.e., employee's reason for leaving, and last day of work). The HR department will coordinate the employees' out-processing. This process will include the employee returning all company property (computers, documentation, keys, etc.) and a review of the employee's benefits status.

The employee will receive their final paycheck, including any earned vacation pay and any holiday earned but not taken, if applicable, on their last day of employment. Employees will not receive reimbursement for any sick leave accumulated.

#### Part 9.4. Severance

WACD does not offer severance benefits for employees separating from service with WACD.

### **Part 10. Accommodation**

#### Part 10.1. Disability Accommodation

To comply with applicable laws ensuring equal employment opportunities for individuals with

disabilities, WACD will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee, unless undue hardship and/or a direct threat to the health and/or safety of the individual or others would result. Any employee who requires accommodation to perform the essential functions of their job, enjoy an equal employment opportunity, and/or obtain equal job benefits should contact the Executive Director or Nursery Manager to request such accommodation.

Employees who believe they need accommodation must specify, preferably in writing, what barriers or limitations prompted the request. The Executive Director or Nursery Manager will evaluate information obtained from the employee, and possibly the employee's health care provider or another appropriate health care provider, regarding any reported or apparent barriers or limitations, and will then work with the employee through an interactive process to identify possible accommodation, if any, that will help to eliminate or otherwise address the barrier(s) or limitation(s). If an identified accommodation is reasonable and will not impose an undue hardship on WACD and/or a direct threat to the health and/or safety of the individual or others, WACD will generally make the accommodation, or it may offer another reasonable accommodation which may also be effective. Employees are required to cooperate with this process by providing all necessary documentation supporting the need for accommodation and by being willing to consider alternative accommodation when applicable. In some cases, the above-described interactive process may be triggered without a request from the employee, such as when WACD receives notice from its own observation or another source that a medical impairment may be impacting the employee's ability to perform essential job functions.

Employees who wish to request unpaid time away from work to accommodate a disability should speak to the Executive Director or Nursery Manager.

#### Part 10.2. Religious Accommodation

WACD is committed to fostering an inclusive work environment that respects and accommodates employees' religious beliefs, observances, and practices. Understanding that conflicts may arise between these beliefs and job requirements, WACD has established a clear process to facilitate reasonable accommodation.

A reasonable accommodation is defined as any adjustment that effectively resolves a conflict between an employee's religious beliefs and the requirements of their job without imposing an undue hardship on WACD's operations. The aim is to ensure that all employees can perform their roles while observing their religious practices.

To ensure effective communication and resolution, WACD has developed a structured accommodation process:

- (a) Employees who perceive a conflict between their work responsibilities and their religious practices should bring their concerns directly to the Executive Director or the Nursery Manager. This step is vital to begin the accommodation process.

- (b) WACD requests that employees submit their accommodation requests in writing. This formal documentation helps clarify the specific needs of the employee.
- (c) For schedule adjustments or similar requests, employees should provide notice as far in advance as possible. This allows WACD to assess the situation and implement necessary changes without disrupting normal operations.

WACD promotes an atmosphere of open dialogue. Employees are encouraged to discuss their needs openly to seek solutions that align with both their religious observances and workplace responsibilities.

#### Part 10.3. Pregnancy and Lactation Accommodation

WACD is committed to maintaining a supportive work environment for employees who are pregnant or have pregnancy-related health conditions. In accordance with federal and state laws, including those pertaining to the necessity of expressing and storing breast milk, WACD will provide reasonable accommodations to employees who request them, provided such accommodations do not result in undue hardship for the organization.

Under this policy, reasonable accommodations may include, but are not limited to:

- (a) Restroom Breaks: More frequent, longer, or flexible restroom breaks.
- (b) Modification of Policies: Adjustments to no food or drink policies.
- (c) Job Adjustments: Job restructuring, part-time or modified work schedules, or reassignment to a vacant position when necessary.
- (d) Equipment Modifications: Acquisition or modification of equipment, devices, or workstations.
- (e) Seating Arrangements: Providing seating or allowing the employee to sit more frequently if their role requires standing.
- (f) Temporary Position Transfers: A temporary transfer to less strenuous or hazardous positions.
- (g) Labor Assistance: Providing assistance with manual labor and limiting lifting as required.
- (h) Flexible Scheduling: Schedule flexibility for prenatal visits.
- (i) Additional Accommodations: Consideration of further accommodation requests in consultation with the employee's healthcare provider or guidance from the Department of Labor and Industries.

Notably, accommodations for breastfeeding include reasonable break times for employees to express milk for up to two years after childbirth. WACD commits to providing private locations for expression that are free from public intrusion and not located in bathrooms.

#### Part 10.4. Procedure for Requesting Accommodations

Employees with inquiries regarding this policy or who wish to initiate a request for reasonable accommodation are encouraged to contact the Executive Director or Nursery Manager for assistance. This includes identifying a lactation area and discussing the storage of expressed milk. Employees should reach out during their pregnancy or prior to returning to work to facilitate these arrangements.

WACD recognizes that not all accommodations will require written certification from a healthcare professional, particularly for basic requests like restroom breaks, modified policies, seating provisions, lifting restrictions, and breast milk expression needs. However, for certain accommodations, WACD may ask for documentation substantiating the request. WACD strictly prohibits discrimination or retaliation against any employee who requests, declines, or utilizes accommodations under this policy. Additionally, WACD will not mandate leave if an alternative reasonable accommodation can be provided.

#### Part 10.5. Pregnancy Accommodations Under the Federal Pregnant Workers Fairness Act (FWFA)

WACD is committed to upholding the rights of employees and applicants under both state law and the federal Pregnant Workers Fairness Act (PWFA). This policy aims to ensure that reasonable accommodations are made for individuals experiencing physical or mental limitations related to pregnancy, childbirth, or related medical conditions.

Under this policy, "known physical or mental limitations" refer to those limitations that have been communicated to WACD by the employee or applicant, or their representative. Individuals wishing to disclose such limitations or request reasonable accommodations should reach out to the Executive Director or the Nursery Manager. It is advisable to make the request in writing, specifying the nature of the barriers or limitations that prompted the request.

WACD will conduct a thorough evaluation of the information presented regarding reported or apparent limitations. This will be followed by an interactive process to engage with the individual, facilitating a dialogue to understand the limitations better and identify possible reasonable accommodations. If WACD determines that an accommodation can be made without incurring undue hardship on its operations, the organization will implement that accommodation.

In the case that an employee needs time away from work to manage limitations related to pregnancy, childbirth, or any related medical condition, they are encouraged to contact the Executive Director or the Nursery Manager. Importantly, WACD will not require a qualified employee to take leave if alternative reasonable accommodations can be provided.

WACD is steadfast in its commitment to prohibiting discrimination based on pregnancy, childbirth, or related medical conditions. The organization affirms that it will not interfere with individuals' rights under the PWFA or retaliate against any qualified applicants or employees who request or utilize reasonable accommodations. Furthermore, WACD takes allegations of discrimination or retaliation seriously; individuals who believe they have experienced, or witnessed, such actions are urged to report them immediately to the Executive Director, Nursery Manager, or the Board of Supervisors.

In summary, WACD is dedicated to fostering an inclusive workplace that respects the rights of all employees, particularly in relation to pregnancy and related health matters, ensuring compliance with the PWFA while promoting the well-being of its workforce.

#### **Part 11. Commitment to Diversity and Inclusion at WACD**

At WACD, we firmly believe that our employees are our most valuable resource. The diverse backgrounds and unique perspectives that each individual brings to the table contribute

significantly to not only our organizational culture but also our reputation and overall success. We recognize that it is the collective sum of our employees' differences - encompassing their life experiences, creativity, skills, and talents - that drives innovation and excellence within our workplace.

We actively embrace and encourage the rich tapestry of differences among our employees, including but not limited to age, color, disability, ethnicity, family or marital status, gender identity or expression, language, national origin, physical and mental ability, political affiliation, race, religion, sexual orientation, socio-economic status, and veteran status.

This commitment to diversity is not only a fundamental aspect of our ethos but also integral to our hiring initiatives and organizational practices. WACD implements inclusive and transparent hiring initiatives that extend to all facets of our operations, including recruitment and selection, compensation and benefits, professional development and training, promotions and transfers, social and recreational programs, layoffs and terminations, and continuous development of an equitable work environment.

Our policies foster an atmosphere that prioritizes gender and diversity equity through several key principles:

- (a) **Respectful Communication:** We promote open dialogue and collaboration among all employees, ensuring that everyone's voice is heard and valued.
- (b) **Teamwork and Participation:** Our approach to teamwork encourages representation from all groups, allowing for a variety of perspectives in decision-making processes.
- (c) **Work/Life Balance:** We understand the importance of accommodating different needs through flexible work schedules, supporting employees in achieving a healthy balance between their professional and personal lives.
- (d) **Community Engagement:** Both employees and the organization contribute to the communities we serve, enhancing mutual understanding and respect for diversity.

All employees at WACD are expected to treat one another with dignity and respect. This expectation extends beyond the workplace, encompassing conduct during work-related functions and company-sponsored events. Inappropriate behavior or discrimination of any form is unacceptable and may lead to disciplinary action.

Employees who feel they have experienced discrimination contrary to our diversity policy are encouraged to seek assistance from either the Executive Director or the Nursery Manager. It is essential that we continually cultivate an inclusive workplace where every individual feels safe, respected, and empowered to contribute to our shared goals.

## **Part 12. Public Records Officer/Public Records Requests**

The Public Records Officer (PRO) at the Washington Association of Conservation Districts (WACD) plays a crucial role in managing public records requests, ensuring compliance with transparency laws while safeguarding sensitive information. The Executive Director fulfills this

role unless a different employee is designated.

When any employee or supervisor receives a public records request, it is their responsibility to direct the requestor to the PRO. Upon receiving a request, the PRO has five business days to respond. The response can take one of three forms:

- (a) Providing the Record: If the requested record is readily available and does not fall under any exemptions, the PRO will supply it to the requestor.
- (b) Acknowledgment of Request: If additional time is needed, the PRO will acknowledge receipt of the request and provide an estimated timeline for when a full response can be expected. This situation may arise from various factors, including the complexity of the request or the need to gather information.
- (c) Denial of Request: In instances where the request cannot be fulfilled, the PRO must issue a denial, accompanied by a written explanation detailing the specific reasons for the refusal.

If the initial request lacks clarity, WACD reserves the right to seek clarification from the requestor to better understand the information being sought. Should the requestor fail to provide this clarification, WACD is under no obligation to respond further. Additional time required for processing a request might be necessary due to factors such as clarifying the intent of the request, locating and assembling the necessary information, notifying affected third parties, or determining if any of the requested information is exempt from disclosure. This structured approach ensures that WACD remains compliant with public records laws while facilitating effective communication with the public.

## **SECTION 2. HOURS OF OPERATIONS**

### **Part 1. Executive Office**

- (a) The Executive Office is located in Olympia, Thurston County, with standard office hours from 8:00 AM to 5:00 PM, Monday through Friday. Access to the Executive Office is by appointment only.
- (b) The standard work week for executive management staff is 40 hours for full-time employment. Individual work schedules may vary due to funding requirements and/or WACD program needs. This may include evenings and weekends.

### **Part 2. Plant Materials Center**

- (a) The Plant Materials Center is located in Bow, Skagit County, with standard operating hours from 7:00 am to 3:30 pm, Monday through Friday.
- (b) Staffing needs and operational demands may, from time to time, necessitate variations in starting and ending times as well as variations in the total hours that may be scheduled each day and week. Individual work schedules may vary as determined by the Nursery Manager.

## **SECTION 3. EMPLOYEE CLASSIFICATIONS AND OVERTIME POLICIES**

### **Part 1. Employee Classifications**

Employee classifications play a crucial role in determining the rights, responsibilities, and benefits in the workplace. Employees are categorized as either Exempt or Non-Exempt based on their job roles and responsibilities, with each category subject to different regulations regarding pay, hours worked, and timekeeping requirements.

(a) **Exempt employees** are those who are not entitled to overtime pay under federal and state law. This classification includes bona fide executives, administrators, professionals, outside salespeople, and specific roles in computer-related fields. Key characteristics of exempt employees include:

- i. Timekeeping Requirements: Exempt employees must complete a timesheet that records actual hours worked, as well as vacation, holiday, and sick leave taken.
- ii. Breaks: Exempt Employees do not have specified break times mandated by law. Instead, they should manage their own scheduling of breaks and lunch periods while considering the needs of WACD.
- iii. Exchange Time: Employees are not entitled to overtime compensation. Exempt employees who work more than 40 hours in a work week have the opportunity to accrue exchange time, which serves as a form of compensation for additional hours worked. Important aspects include:

For every hour worked beyond 40 hours, exempt employees can accumulate one hour of exchange time. A maximum of 120 hours of exchange time can be accrued within a calendar year, and exchange time must be utilized within the calendar year it was accrued. Employees are limited to using no more than 40 hours in any single pay period.

(b) **Non-exempt employees** are entitled to overtime pay and must keep detailed records of hours worked to ensure compliance with wage and hour laws. Their responsibilities include:

- i. Timekeeping Requirements: Non-exempt employees must clock in and out using their assigned cards. Employees will be given thorough instructions on usage and instructions on what to do should a problem occur. Authorized personnel will review time records each week. Any changes to an employee's time record must be approved by his/her supervisor. Timekeeping fraud, such as one employee clocking in for another, is strictly prohibited and can result in disciplinary action, including termination.
- ii. Breaks: Non-exempt employees have specific rights regarding paid and unpaid breaks as per labor regulations. Non-exempt employees are entitled to two paid fifteen-minute rest breaks each workday. These breaks are typically scheduled for mid-morning and mid-afternoon. Additionally, non-exempt employees who work



for a minimum of five hours in a day are entitled to a thirty-minute unpaid lunch break.

- iii. Overtime Pay: Overtime compensation is paid to nonexempt employees in accordance with federal and state wage and hour restrictions. All overtime work must receive authorization from management. Employees are eligible for overtime pay, calculated at a rate of one and one-half times their regular hourly rate for any hours worked beyond 40 in a workweek. Personal time off, holidays, or vacation leave will not be considered hours worked when calculating overtime. Payment of overtime will be provided in the pay period in which it was earned.

## **Part 2. Employment Categories**

Within the exempt and non-exempt classifications, employees also fall into distinct employment categories:

- (a) Full-Time Employees: Full-time employees are those scheduled to work a standard 40 hours per week. Typically, full-time employees are eligible for the employer's benefit package, subject to the specific terms and conditions of each program.
- (b) Part-Time Employees: Part-time employees normally work less than 40 hours but at least 20 hours per week. Regular part-time employees may be eligible for some benefits, depending on the eligibility criteria set forth by the employer.
- (c) Temporary Employees: Temporary employees are hired for a defined period without the expectation of ongoing employment. Generally, they should not remain in this status for longer than 12 months and are usually ineligible for most benefits, except for specific sick leave provisions per the WAC Chapter 296-128.

## **Part 3. Cost of Living Adjustment**

A Cost-of-Living Adjustment (COLA) is a discretionary increase in employee wages, which is determined by the Board of Directors. Recommendations for COLA adjustments will be provided by the Finance Committee and the Executive Director.

- (a) COLAs will be allocated to both full-time and part-time employees, ensuring equitable treatment. Seasonal employees, however, will instead receive minimum wage increases starting in January each year.

The adjustment will be based on the Consumer Price Index (CPI) for All Urban Consumers within specific size classifications (B/C). The CPI will be assessed from April of the preceding year to March of the current year. Should significant economic changes occur in May ahead of the budget approval, a recalculation of the COLA may take place. In the absence of such changes, the initial COLA rate calculated in April will be proposed in the final budget.

- (b) All eligible employees, whether full-time or part-time, will receive the same dollar amount as their COLA.

- (c) Unless stated otherwise by the Board of Directors, COLAs will take effect on July 1st each year.

#### **Part 4. Performance Reviews and Salary-Based Increases**

Performance reviews serve as a key communication tool between supervisors and employees. For new hires, a performance review may be conducted after the initial six months of employment. Additionally, if an employee experiences a promotion, demotion, or any significant change in job responsibilities, a review can occur within the first 90 days of the new role.

It is important to note that completing a performance review does not alter the at-will status of employment. Each employee's work is assessed annually in conjunction with their manager to gauge performance effectively. This formal review process provides an opportunity for meaningful dialogue between managers and employees, allowing both parties to reflect on the past year and explore opportunities for professional development. During these reviews, managers communicate expectations for the upcoming year clearly.

The Executive Director is responsible for conducting annual reviews of executive staff and all managerial positions. Staff at the PMC will be reviewed by the Nursery Manager, while the Executive Committee of WACD will evaluate the Executive Director and present their findings to the Board.

Once completed, both the manager and the employee will sign the performance review form. This document will be retained in the employee's personnel file and utilized to monitor progress against previously agreed-upon objectives.

Any proposed salary increase stemming from performance reviews must align with the budget for the forthcoming year and receive approval from the WACD Board of Directors. Generally, performance-based salary increases are implemented on July 1st, barring exceptional circumstances that may warrant a mid-year adjustment.

#### **Part 5. Paydays**

Employees are compensated on a semi-monthly basis, specifically scheduled for the 15th and the end of each month.

- (a) Saturday Paydays: If a designated payday falls on a Saturday, employees will receive their paychecks on the preceding Friday.
- (b) Sunday Paydays: Conversely, if a payday occurs on a Sunday, checks will be distributed on the following Monday.
- (c) Holidays: In instances where a scheduled payroll date aligns with a recognized holiday, employees can expect to receive their paychecks on the last business day prior to the holiday whenever feasible. If this is not possible, payments will be made on the first business day after the originally planned payday.

Paychecks are issued strictly to employees; individuals cannot collect paychecks on behalf of another employee without documented authorization. Employees have the option to receive their paychecks either through postal mail at their home addresses or via direct deposit into their bank accounts upon request.

Payroll Change Verification: Employees who wish to make changes to their payroll details—such as modifying their bank account information or adjusting deductions must follow a verification process. Any changes requested must be verified through a method that is different from the medium used to make the original request. For example, if an employee submits a request via email, they must verify the change in person or via phone.

### **Part 6. Payroll Deductions**

WACD is mandated by federal and state legislation to implement specific deductions from every employee's wages. These deductions include Federal Income Tax, Social Security Tax, Medicare Tax, State Workers' Compensation, State Unemployment Insurance, state-paid Family and Medical Leave, and WA Cares contributions.

## **SECTION 4. EMPLOYEE BENEFIT OVERVIEW**

Employees are offered a comprehensive range of insurance benefit programs. Enrollment in these benefits begins on the employee's date of hire.

### **Part 1. Health Insurance**

This includes coverage for medical, dental, and vision services for full-time employees and their dependents. While WACD aims to maintain these benefits, it reserves the right to modify, alter, or discontinue any insurance program at its discretion and without obligation to maintain specific costs or benefits over the duration. Annually, each eligible employee will select either inclusion into the WACD Group Policy or a medical stipend valued at \$500 per month, prorated based on the percentage of time worked. The stipend is conditional on medical insurance coverage being provided elsewhere, subject to any legal requirements as identified by general counsel.

### **Part 2. Life Insurance**

A group term life insurance policy providing \$10,000 of coverage is available to all full-time employees.

### **Part 3. Simple IRA**

The Simple Investment Retirement Account allows employees to save for retirement with potential tax advantages. WACD matches contributions dollar-for-dollar up to 3% of an employee's salary. Employees interested in contributing additional funds to their Simple IRA should consult IRS Publication 560 for guidance on annual limits and should seek advice from their accountants regarding the tax implications of early withdrawals. Notably, employees are fully vested in their Simple IRA accounts.

### **Part 4. Workers' Compensation and Unemployment Insurance**

Coverage under the Workers' Compensation Law is provided for employees who experience job-related injuries or illnesses requiring medical attention. Importantly, any work-related accidents

must be reported to ensure compliance and adequate protection for both the employee and WACD, regardless of visible injuries at the time of reporting. Meanwhile, unemployment insurance offers temporary financial assistance to those unemployed through no fault of their own, contingent on meeting specific eligibility criteria set by Washington regulations.

## **SECTION 5. PAID and UNPAID LEAVE**

### **Part 1. Paid Holidays**

WACD recognizes the following specific paid holidays for all full-time and part-time employees.

New Year's Day	Labor Day
Martin Luther King Day <sup>1</sup>	Veterans Day
Presidents Day	Thanksgiving
Memorial Day	Friday After Thanksgiving
Independence Day	Christmas Day
Juneteenth	Personal Holiday <sup>2</sup>

If any of these holidays fall on a Saturday, the holiday will be taken on the Friday before the holiday. If any of these holidays fall on a Sunday, the holiday will be taken on the Monday after the holiday. Exempt employees who must work on a holiday may count the hours worked toward exchange time.

<sup>1</sup> Employees may choose to take this day off or use it as a paid personal day during the calendar year.

<sup>2</sup> A paid day off of the employee's choosing. Employees must request approval from their manager at least one week in advance of the desired date.

### **Part 2. Vacation**

Vacation time with pay is available to eligible full-time employees as set forth below. Part-time employees accrue vacation time on a prorated basis. The amount of vacation time employees receive each year increases with the length of the employee's continuous employment.

<u>Continuous Service</u>	<u>Monthly Rate</u>	<u>Annual Rate</u>
Less than 3 years	8 hours per month	96 hours
3 - 6 years	10 hours per month	120 hours
7 -10 years	12 hours per month	144 hours
11 -13 years	14 hours per month	168 hours
14 years or more	16 hours per month	192 hours

Vacation time can be utilized in one-hour increments. Employees are encouraged to use their vacation benefits within the calendar year. However, if they do not utilize all accrued vacation hours by December 31st, they may carry over a maximum of 240 hours into the following calendar year. Any vacation hours accrued beyond the 240-hour limit will be forfeited at the end of the calendar year.

Termination of Employment: Upon termination of employment, employees are entitled to receive compensation for any unused vacation leave that has been carried forward from the previous calendar year (up to the 240-hour limit) plus any vacation leave accrued during the current calendar year. Employees should keep track of their vacation hours and plan accordingly to maximize their benefits.

### **Part 3. Sick Leave**

WACD (Washington Association of Conservation Districts) provides a comprehensive sick leave policy designed to support employees during times of health-related needs. This document outlines the stipulations regarding paid sick leave, eligibility for usage, and processes related to both full-time and part-time employees, as well as temporary staff.

Employees are eligible for paid sick leave in various circumstances involving personal health and caregiving responsibilities:

- (a) Employees can take sick leave for absences due to their own mental or physical illness, injury, or health conditions, including preventive care.
- (b) Employees may use sick leave to care for family members facing similar health issues, which includes medical diagnosis, treatment, or preventive care.
- (c) If the employee's workplace is closed by a public official for health-related reasons, or if their child's school or care facility is closed under similar circumstances, sick leave is applicable.
- (d) Leave may also be utilized under the Washington Domestic Violence Leave Act, chapter 49.76 RCW.
- (e) Employees can use sick leave to care for individuals who rely on them for care, provided there is an established expectation of care.

For the purposes of this policy, "family member" includes:

- Children (biological, adopted, foster, stepchildren)
- Parents (biological, adoptive, stepparents, or legal guardians)
- Spouses or registered domestic partners
- Grandparents, grandchildren, and siblings.

Under the Washington Family Care Act (49.12.265 RCW), an employee may choose to use sick leave or other paid leave, such as vacation, to care for a qualifying family member.

Whenever possible, sick leave should ideally be approved in advance by a manager. In emergency situations where prior approval is not possible, employees must notify management as soon as feasible. For any absence exceeding three days, WACD reserves the right to request medical documentation from a healthcare provider.

If an employee separates from WACD, the employee will not be reimbursed for accrued, unused paid sick leave. If an employee is hurt on the job, State Industrial Insurance will cover the injury. In that case, sick leave cannot be used in conjunction or accumulated.

Full and Part-Time Employees: Sick leave is accrued at 8 hours per month for full-time employees. Part-time employees will accrue one hour of sick leave for every 40 hours worked. Unused sick leave will accumulate from year to year.

Temporary Employees: Beginning January 1, 2018, temporary employees will accrue 1 hour of paid sick leave for every 40 hours worked. Sick leave accrual shall begin on the first workday. Temporary employees are entitled to use their accrued, unused paid sick leave beginning on the 90<sup>th</sup> calendar day after the start of their employment.

#### Reinstatement of Sick Leave Hours Upon Rehire

The Washington Association of Conservation Districts (WACD) has outlined specific guidelines regarding the reinstatement of sick leave hours for employees who return after a separation period. These guidelines ensure a smooth transition for rehired employees and maintain clarity about their sick leave entitlements.

- (a) Reinstatement of Sick Leave: Employees who are rehired within 12 months of their separation from WACD will have their previously accrued and unused paid sick leave reinstated.
- (b) Upon rehire, employees will receive information concerning the amount of accrued, unused paid sick leave available for use.
- (c) For temporary employees rehired within 12 months after their separation, there is a notable benefit. They will not be required to wait an additional 90 calendar days to utilize their accrued, unused paid sick leave, provided they had previously met this eligibility requirement during their prior employment. In cases where a temporary employee did not satisfy the 90-day eligibility criterion before their departure, the time worked prior to separation will be counted toward meeting this requirement upon their rehire.

#### **Part 4. Voluntary Leave Transfer Policy**

The Voluntary Leave Transfer Policy implemented by WACD is designed to facilitate a supportive work environment where employees can assist their colleagues facing significant medical challenges. This policy outlines the guidelines and procedures for donating and receiving excess leave, including sick leave, annual leave, and floating holidays.

Throughout the process, WACD is committed to protecting the privacy of both donors and recipients. Employees can indicate how much information about their situation may be shared with staff. The policy emphasizes that no employee should face coercion, intimidation, or financial incentive to participate in leave donation.

- (a) Voluntary Participation: All contributions of leave are voluntary, and no employee should feel pressured or coerced to donate.

- (b) Donation Process: Employees can submit a written request at the beginning of each calendar year to donate leave in one-hour increments. Donors must maintain a minimum balance of 80 hours of sick leave and 40 hours of annual leave post-donation.
- (c) Eligibility Criteria: Recipients must deplete their sick leave balance to zero and reduce their annual leave to 40 hours or less before utilizing any donated leave. Recipients are not eligible to receive donations if they are already receiving time loss payments (for example, Washington Paid and Family Medical Leave) for an on-the-job injury or other similar circumstances.
- (d) Leave Accumulation and Utilization: Donations are transferred on an hour-for-hour basis; however, floating holidays will be converted into 8-hour increments. For the recipient, all donated hours will be treated as sick leave. If these hours are not used by the end of the year, the hours will revert to the donor's account in the form of sick leave. Donations will be reviewed and approved by the WACD Executive Director or the Nursery Manager to ensure fair usage and privacy.

All sick leave must be used for legitimate purposes as defined by WACD's policy on sick leave. There will be no retroactive application of donated leave, meaning it cannot be used to cover absences that occurred prior to the donation process.

- (e) Should a recipient discontinue employment before using the donated leave, those hours will not be compensated in any form.

## **Part 5. Paid Family and Medical Leave**

The Washington Paid Family and Medical Leave (PFML), established under RCW 50A, is a mandatory statewide insurance program designed to provide nearly all employees in Washington State with paid time off for caregiving and medical needs. This program is not administered by the Washington Association of Conservation Districts (WACD); rather, applications are handled by the Employment Security Department (ESD).

Eligibility Requirements - To qualify for monetary benefits through PFML, employees must meet specific conditions:

- (a) Employees must have worked a minimum of 820 hours in Washington within the year preceding their claim.
- (b) Benefits are not available during any period of employment suspension or while the employee is engaged in outside employment that generates profit.

Types of Leave - Eligible employees can take up to 12 weeks of paid leave under PFML, with the possibility of additional weeks under certain circumstances. The claim year commences when an employee files for benefits or upon the birth or placement of a child. The leaves under this program include:

- (a) Medical Leave - Available for the employee's serious health condition requiring inpatient care or ongoing treatment by a healthcare provider

- (b) Family Leave - Can be taken to care for a family member with a serious health condition, for bonding within the first year following the birth or placement of a child, or for qualifying military exigencies. Covered family members include children, parents, grandparents, siblings, and spouses.
- (c) Bereavement Leave: Eligible employees may take PFML for up to seven calendar days following the death of a qualifying family member if they would have otherwise qualified for family leave.

Employees may qualify for a maximum of 16 weeks of combined family and medical leave within a claim year, with the possibility of an additional two (2) weeks if they encounter a serious health condition during pregnancy that leads to incapacity.

- (a) Employer Notification - WACD will display the required PFML workplace poster and provide a Statement of Employee Rights to eligible employees within five business days of recognizing their need for leave.
- (b) Employee Notification. An employee is required to submit a written notice to WACD regarding their intention to take PFML leave. If the leave is foreseeable, notice must be provided at least thirty (30) days prior to the leave. For unforeseeable leave, notice should be given as soon as practicable. The employee's written notice must specify the type of leave being taken (family or medical), along with the expected timing and duration of the leave. Should an employee neglect to provide this necessary notice to WACD, ESD will temporarily withhold PFML benefits. Upon receiving the employee's notice of the need for leave, WACD will inform the employee of their eligibility for job protection under PFML, FMLA, or both.
  - i. If the leave is for the employee's or a family member's scheduled medical treatment, the employee must make a reasonable effort to arrange the treatment in a manner that does not significantly disrupt WACD operations.
  - ii. If taking leave intermittently, an employee must inform WACD each time PFML leave is utilized to ensure proper tracking of leave usage.
- (c) Supplemental Benefits: While on PFML, employees cannot use sick, vacation, or other accrued paid leave to supplement their wages.
- (d) Return to Work: Employees returning from leave are entitled to their former position or an equivalent role unless unusual circumstances arise.
- (e) Accrual of Benefits: During leave, accrual of benefits such as vacation and holiday pay will be suspended but will resume upon return.
- (f) Health Benefits: WACD will maintain existing health benefits throughout the duration of PFML leave, though employees who do not return may need to reimburse WACD for premiums. If an employee does not return to work, that employee will be responsible for reimbursing WACD for health insurance premiums paid during the absence and may be collected from unused annual leave.



## **Part 6. Maternity Leave**

In addition to PFML, employees are entitled to maternity leave due to illness or disability associated with pregnancy or childbirth. To initiate this leave, medical documentation is required. Once the maternity leave related to disability concludes, employees may return to a comparable position unless business exigencies prevent this return. However, if the employee extends the leave beyond the medically necessary period, the right to return to the same or a similar position is forfeited.

Maternity leave generally aligns with PFML regulations and is considered unpaid unless compensated under PFML. Any maternity leave not covered by PFML necessitates the use of all accrued paid leave before transitioning to unpaid leave.

For additional Information on PFML eligibility and compensation, employees and interested parties can visit the Washington State Employment Security Department's website at <http://www.esd.wa.gov>.

## **Part 7. Bereavement Leave**

Employees are permitted to take up to three (3) days of paid leave to attend funerals or make funeral arrangements in the event of a death in the immediate family. Should unique circumstances arise, additional time off might be granted at the discretion of the organization, either with or without pay. The term "immediate family member" includes the employee's spouse, child, parent, grandparent, or sibling, including those of the employee's spouse.

## **Part 8. Military Leave**

WACD acknowledges the service commitment of employees who serve in the United States military. In accordance with federal and state law, the organization provides a leave of absence for uniformed services. Employees can avail themselves of up to two (2) weeks of paid leave annually for military duties; any additional time needed will be unpaid.

Employees requiring military leave must notify the Human Resources Director as soon as possible to receive further guidance. If prior notification is not feasible, a family member is encouraged to inform HR at the earliest convenience. Upon returning from military service, employees are reemployed in the position they would have held had they remained employed or in a comparable role based on the duration of their military service. Furthermore, benefits accrued prior to the leave will be considered uninterrupted for the purpose of seniority and benefits determination, though accruals such as Paid Time Off (PTO) and holiday benefits will pause during the leave and resume upon return to employment.

## **Part 9. Jury Duty**

At WACD, we recognize the civic responsibility of our employees who are called to serve on jury duty. All employees summoned for this important duty are allowed the necessary time off without penalty. Employees must present a copy of the jury summons or subpoena to their immediate supervisor or manager upon notification of their responsibility. Importantly, any time spent serving on jury duty will not affect an employee's vacation or sick leave accruals.

While on jury duty, employees will continue to receive their regular pay and are permitted to retain any jury duty compensation received. In cases where employees are dismissed from jury duty

before the conclusion of the workday or are not required to stay in court, they are expected to return to work during their normal hours.

#### **Part 10. Administrative Leave**

Administrative leave may be granted to employees when unforeseen conditions necessitate the closure of the office. The authority to declare administrative leave resides with the WACD Board or designated representatives, who will determine the duration and necessity of such leave. During this time, employees will receive full compensation and benefit coverage, ensuring their financial stability amidst temporary disruptions.

#### **Part 11. Personal Leave of Absence**

In certain emergency situations, employees may be granted a leave of absence. Approval for this leave, which can extend up to ninety (90) days, is at the discretion of the Executive Director with a recommendation from the Executive Committee. This leave will be considered only when it does not negatively impact the organization's operations. Employees have the option to utilize their accrued vacation, personal leave, holiday time, sick leave, compensatory time, or elect to take leave without pay.

### **SECTION 6. THE WORKING ENVIRONMENT**

#### **Part 1. Health and Safety**

Ensuring a safe workplace is a shared responsibility between WACD and its employees. The organization is committed to adhering to all federal and state safety regulations designed to protect personnel. Employees are encouraged to voice any health or safety concerns and report potential hazards immediately to their supervisors, the Executive Director, or the Nursery Manager. Additionally, any maintenance issues or safety hazards should be reported without delay to uphold our commitment to workplace safety.

#### **Part 2. Workplace Violence**

Workplace violence encompasses any act or threat of aggression that could cause physical or psychological harm to an employee. This definition includes various forms of abuse: verbal, psychological, and sexual. Verbal abuse may involve offensive or degrading remarks, psychological abuse instills fear and undermines self-esteem, and sexual abuse pertains to non-consensual advances or inappropriate comments.

WACD maintains a strict zero-tolerance policy towards harassment and violence in the workplace. Any employee engaging in such behaviors will face disciplinary action, which may include termination. It is vital for employees to report incidents or threats of violence immediately to their supervisors, the Executive Director, or the Nursery Manager, promoting a safe and supportive working environment for all.

#### **Part 3. Whistleblower Policy and Procedures**

The Whistleblower Policy is designed to safeguard the integrity of WACD by encouraging employees to report any illegal activities or questionable conduct involving organizational assets. This document outlines the procedures for reporting such concerns, protections available to whistleblowers, and the subsequent investigative processes.

- (a) Making a Report - Employees who suspect illegal conduct, misuse of WACD assets, or violations of the law are urged to report their concerns. Reports can be made confidentially and anonymously to ensure the protection of the whistleblower. Employees are assured that they will not face harassment, intimidation, discrimination, or retaliation if they report in good faith.

Reports may be submitted at any time to the Executive Director, WACD President, or Nursery Manager. Upon receiving a report of suspected misconduct, the WACD Board will review the submission to determine its nature—whether it constitutes a complaint or a non-complaint. If retaliation is reported, it will be promptly investigated while maintaining confidentiality to the extent possible. The employee making the report will be informed of the investigation's outcome.

- (b) No Retaliation - WACD maintains a strict no-retaliation policy. Employees who believe they have experienced retaliation due to filing a report are instructed to inform the Executive Director, WACD President, or Nursery Manager immediately. WACD has a zero-tolerance stance on any form of retaliation against those who raise concerns in good faith. Employees engaging in retaliatory actions may face disciplinary measures, including termination.
- (c) WACD Reporting Procedures - Reports concerning the misuse of WACD assets should be made in person to one of the key officials mentioned above. The WACD Board will promptly assess the report to classify it as a complaint or a non-complaint.

Definition of a Complaint:

- i. Questionable accounting, auditing, financial reporting, or internal controls.
- ii. Suspected fraud, theft, or improper use of organizational assets.
- iii. Violations of WACD's conflict-of-interest policy (as outlined in Appendix A) that could financially harm WACD.
- iv. Claims of retaliation against any employee who has made a good-faith report regarding these issues.

Definition of Non-Complaint: A non-complaint encompasses reports that do not pertain to the misuse of WACD assets.

If the report is deemed to be a complaint, it will be promptly investigated and forwarded to the finance committee chair. If the report is deemed to be a non-complaint, it will be referred to the appropriate executive or manager for follow-up. Some non-complaints may involve serious matters and may require prompt investigation, but may nevertheless not involve misuse of WACD's assets.

Each complaint is fully investigated and handled as much as possible to protect the privacy of the employee making the complaint. A written report of the outcome of each investigation is prepared and delivered to the WACD President.

The finance committee chair decides whether the report involves a matter that is material. If it is deemed material, it is reviewed by the full committee, which may forward it for disposition to the board or may direct the Executive Director to take action to resolve the situation. If the report is deemed nonmaterial, it is not reviewed by the committee but is instead addressed by the Executive Director, as appropriate.

In conclusion, WACD is committed to fostering an environment of transparency and accountability through the establishment of this Whistleblower Policy and Procedures, ensuring that employees can report concerns without fear of repercussion.

#### **Part 4. Drug-Free Workplace**

The Washington Association of Conservation Districts (WACD) is committed to fostering a safe and healthy work environment. A critical aspect of this commitment is the establishment of a drug-free workplace, as we recognize that the use of alcohol or illegal drugs can significantly impair employee performance and jeopardize our operations.

To maintain a productive atmosphere, WACD will implement reasonable measures to prevent any instances of alcohol abuse or the use of illegal or unauthorized drugs among employees. It is strictly prohibited for any employee to consume alcohol or to be under the influence of illegal substances while on duty, within company premises, or while engaged in business activities related to the organization.

Engagement in illegal behaviors such as the use, sale, distribution, or possession of controlled substances will result in disciplinary action, which may include immediate termination of employment. Additionally, employees who engage in the illegal use of drugs or alcohol outside of working hours may also face disciplinary measures if such use adversely impacts the company or its operations.

Any illegal substances discovered in an employee's possession will be reported to law enforcement, which could lead to criminal prosecution. Moreover, employees convicted of drug-related offenses, whether occurring on or off company property, may face termination, consistent with the company's commitment to a drug-free environment.

While the use of prescribed medications is permissible, it must not impair an employee's ability to perform their job functions safely and effectively. Employees are required to disclose any medication that may affect their judgment or physical coordination. In such cases, WACD will collaborate with the employee to assess potential job-related limitations and make reasonable accommodations where feasible. Situations may arise where it becomes necessary to impose work restrictions or reassign duties to ensure safety within the workplace.

WACD follows federal law with respect to the use of marijuana and will not tolerate or accommodate its use unless affirmatively required to do so by law. In no case may an employee possess, use, distribute, or be under the influence of marijuana while performing any company-related duties or while on company property. This includes, but is not limited to, operating company vehicles or equipment, traveling for work, or attending work-related events.

## **Part 5: Smoking Policy**

In alignment with state regulations, all facilities operated by WACD shall be designated as smoke-free environments. This includes a prohibition on the use of smokeless tobacco products, further ensuring a healthy atmosphere for all employees and visitors.

## **Part 6. Travel and Other Expense Reimbursement**

This document outlines the guidelines for submitting an Expense Report and general travel requirements for individuals representing the Association. Adherence to these policies ensures efficient management of travel expenses and compliance with the Association's financial protocols.

### Part 6.1. Expense Report Submission Guidelines

Expenses shall not be reimbursed unless the individual requesting reimbursement submits a written Expense Report within 30 days of the completion of travel. Each report must include: the individual's name, trip details (date, origin, destination, and purpose), and names and affiliations of any individuals for whom expenses are claimed.

- (a) Receipts and Documentation: Receipts are mandatory for all expenses billed directly to the Association (e.g., airfare, lodging, registration fees).
- (b) Per Diem Rates: The Association will reimburse meals based on General Services Administration (GSA) rates at the time of travel. The Executive Director holds the authority to permit exceptions for actual meal costs if justified.
- (c) Mileage Reimbursement: Individuals will be reimbursed for mileage at the current Washington State rate. Mileage should be calculated from the assigned office, unless the employee's home is closer to the destination.
- (d) Review Process: The WACD Bookkeeper will review all submitted expense reports prior to issuing a reimbursement check.

### Part 6.2: General Travel Requirements.

- (a) Personal and Spousal Expenses: While individuals can combine personal travel with Association-related trips, they cannot arrange travel in a manner detrimental to the Association's interests. All extra expenses incurred due to personal travel are non-reimbursable, including those related to spouses, family, or friends.
- (b) Air Travel Reservations: Reservations should be made well in advance to ensure the lowest airfare. The Association covers only the lowest available coach fare for direct flights.
- (c) Saturday Stays: Staying over Saturday nights is not required. However, if chosen, reimbursement for related expenses will be considered if documentation proving the cost differential between ticket prices is provided.
- (d) Frequent Flyer Miles: Accumulating frequent flyer miles deliberately by using a single airline is prohibited if more economical options are available.

- (e) Lodging Costs: Reimbursement for lodging will be at the single room rate for reasonable accommodations, considering convenience, location, and available discounts. Luxury lodging rates are not covered, and travel must exceed 50 miles from home for reimbursement eligibility.
- (f) Meals and Incidentals: Per diem rates will apply for meals and incidental expenses based on GSA policies. Meals included in the registration fee are not eligible for reimbursement, whereas meals integral to a meeting may be reimbursed if approved in advance. The Executive Director can allow exceptions up to the reasonable and actual cost of meals, if needed. (*approved at the Board Meeting on February 27, 2023*). If a registration fee includes meals as part of the meeting, you may not ask to be reimbursed for those meals. Meals that are not included in the registration fee but are an integral part of the meeting or conference may be reimbursed at actual cost, provided the cost was approved on the travel request and is listed on the registration form.
- (g) Ground Transportation for Association Travel  
Economical Ground Transportation Requirements - Individuals traveling on behalf of the Association must utilize the most cost-effective ground transportation available, tailored to the circumstances of their travel.
- i. Courtesy Cars - Lodging venues offering courtesy cars that provide complimentary transport to and from the airport should be the primary choice for travel.
  - ii. Airport Shuttle or Bus - For a nominal fee, airport shuttles or buses service all major lodging locations. This option should be considered if it proves to be less expensive than alternatives like taxis.
  - iii. Taxis/Rideshare Services - When courtesy cars and shuttles are not accessible, taxis and rideshare services can be economical choices for local travel or airport transfers, particularly for short-duration trips with minimal mileage.
  - iv. Rental Cars - Rental cars are permissible for individuals traveling for Association business, provided that their costs are lower than other available modes of transportation.
  - v. Personal Cars - Individuals may use personal vehicles for Association-related travel and will be reimbursed based on the current mileage reimbursement rate set by the Washington State Office of Financial Management, covering trips to and from the airport.
- (h) Parking and Tolls: Reimbursement for parking and toll expenses incurred while on Association business will be granted. This includes charges for parking at lodging facilities. However, costs associated with parking fines, tickets, car washes, or valet services will not be reimbursed. For short Association-related trips, on-site airport parking is permitted. For longer excursions, off-airport parking facilities are recommended.

- (i) Special Considerations for Submission: Exceptions to the standard 30-day submission deadline for reimbursement Expense Reports include:
  - i. Delays in payment from another party (e.g., State Conservation Commission, local districts) that might offset costs for the Association.
  - ii. Timing issues related to credit card or personal billing cycles that do not align with travel dates.
  - iii. Circumstances involving illness or unavoidable personal delays.
- (j) Reimbursement Request Deadline: Travel expenses cannot be reimbursed if submitted more than 90 days after the completion of travel.
- (k) Lodging Reimbursement Exceptions: Exceptions to the 50-mile eligibility criterion for lodging reimbursement will be determined by the Executive Director.

Part 6.3. Non-Reimbursable Travel Expenditures: The Association maintains a strict policy against covering any expenses deemed lavish or excessive, as these are inappropriate for reimbursement within a nonprofit framework. The following expenditures are explicitly non-reimbursable:

- (a) Travel insurance
- (b) First-class tickets or upgrades
- (c) Lodging costs exceeding the rate arranged by the Association if alternate accommodation is chosen by the individual
- (d) Transportation costs between alternative lodging and meeting sites
- (e) Limousine services
- (f) Entertainment expenses such as movies or bar tabs
- (g) Membership fees for recreational clubs or organizations
- (h) Participation fees for sporting events (golf, tennis, etc.)
- (i) Spa or fitness center charges
- (j) Clothing purchases
- (k) Valet parking and vehicle cleaning services for non-Association owned cars
- (l) Expenses incurred for spouses, friends, or family members accompanying the individual, where the individual must account for any additional costs related to shared accommodations.

### **Part 7: Company Vehicles**

The use of vehicles owned or leased by WACD is strictly governed by the Executive Director or the Nursery Manager. It is essential to note that these vehicles are to be utilized solely for official business purposes. Employees are prohibited from using company vehicles for personal or recreational activities, ensuring that all vehicle use aligns with WACD's operational objectives. The Executive Director may temporarily allow the use of WACD vehicles outside of these restrictions in unusual circumstances.

### **Part 8: Cell Phones**

WACD is committed to providing employees with efficient and cost-effective communication tools. The purchase and usage of cellular phones must adhere to specific guidelines outlined in this policy. Approval from the Executive Director is required prior to acquiring any cellular devices.

### Part 8.1. Use of Cellular Phones

Employees must exercise discretion when discussing confidential information over cellular communication, as conversations can be overheard. Additionally, staff members are expected to take reasonable measures to safeguard cellular equipment against theft and vandalism.

### Part 8.2 Personal Use of Cellular Phones

While WACD acknowledges that personal calls may sometimes be necessary, such usage should remain incidental. Employees are not permitted to utilize company phones for:

- (a) Soliciting for non-WACD sponsored profit or non-profit ventures,
- (b) Engaging in religious or political campaigns,
- (c) Promoting non-affiliated organizations,
- (d) Conducting illegal activities,
- (e) Making international calls.
- (f) Calls made to family during extended work hours will be classified as business-related. WACD reserves the authority to monitor the usage and billing of all corporate cellular devices.

### Part 8.3. Termination of Use of WACD-Owned Cellular Phones

Any violations of this policy will result in the termination of an employee's access to WACD-owned cellular phones. Employees are required to return all devices in good condition upon leaving WACD or when they are no longer needed. Any damages beyond normal wear and tear will incur financial responsibility on the part of the employee.

### Part 8.4 Policy for Employee-Owned Cellular Phones

Employees wishing to use their personal phones for WACD business must obtain approval from the Executive Director. They may submit reimbursement requests for WACD-related calls or choose to receive a monthly stipend of \$50 for using their personal devices, which will be processed through payroll as a taxable benefit. Upon termination of employment, any cellular phone privileges will also cease.

### Part 8.5 Texting Protocols

Text messaging should be reserved for routine or transient communications that do not require retention. Suitable examples include meeting alerts, scheduling details, and informal communications. Sensitive information, such as social security numbers or passwords, must not be transmitted via text. If a text message needs to be retained, it should be forwarded to an official email account or agency network/device for compliance with retention policies.

### Part 8.6 Public Disclosure

All business communications conducted on mobile devices are subject to the Public Records Act. Emails exchanged on mobile devices are archived within WACD's system, while text messages are not stored in any formal manner. Employees must adhere to the texting policy, limiting messages to those that are routine or do not necessitate retention.

## **Part 9. Conflicts of Interest**

### Part 9.1. Definition of Conflict of Interest

This policy is adopted in compliance with IRS Form 990, Part VI, Line 12 (a & b), aimed at establishing procedures for addressing potential conflicts of interest. It is designed to



complement, not replace, existing federal and state laws concerning conflicts of interest applicable to nonprofit organizations. The provisions of this policy extend to WACD employees and their relatives and associates, collectively referred to as "interested parties."

A conflict of interest arises when an interested party's interests or concerns appear to compete with those of WACD, or when an interested party stands to gain, either directly or indirectly, from actions taken by WACD. Scenarios that may raise conflict of interest concerns encompass, but are not limited to, the following:

- (a) Financial Interests: A conflict may arise when an interested party benefits or profits from decisions, policies, or transactions made by WACD. Examples include:
  - (1) WACD contracts to purchase or lease goods, services, or property from an interested party.
  - (2) WACD offers employment to an interested party who is not currently employed by WACD.
  - (3) An interested party utilizes their relationship with a WACD client or contractor to secure employment, contracts, or other benefits.
  - (4) An interested party has access to WACD's facilities, property, or services in a manner unavailable to other community members.
  - (5) WACD passes a policy or resolution that creates a financial benefit for an interested party.
- (b) Other Interests: A conflict may also occur when an interested party receives a non-financial benefit or advantage not accessible in the absence of their relationship with WACD. For example:
  - (1) An interested party leverages confidential information obtained from WACD or its clients/contractors for personal gain (not necessarily financial).
  - (2) WACD enacts a policy or resolution that provides significant non-financial advantages to an interested party.
- (c) Prohibitions: Employees are forbidden from engaging in any work that could be perceived as a conflict of interest through the misuse of WACD's name, equipment, or facilities for personal profit. They are also prohibited from accepting any fees, commissions, or gifts in exchange for the awarding of bids, contracts, or subcontracts as outlined in the Anti-Kickback Act (18 U.S.C., 40 U.S.C., 276b, 276c, 41 U.S.C. 51-54).

#### Part 9.2. Disclosure of Potential Conflicts of Interest

- (a) Interested parties bear a continuous obligation to disclose any potential conflicts of interest as soon as they become known or should reasonably be known.

- (b) Each interested party must complete and submit a Conflict-of-Interest Disclosure Statement (Appendix 1) within fifteen (15) working days to report any potential conflicts.
- (c) The WACD Board of Directors designates the Executive Director as the reviewing official responsible for notifying the Board of any potential conflicts. All Disclosure Statements and Affirmations of Compliance forms are to be submitted to the Executive Director, who will maintain copies in the official corporate records of WACD.
- (d) In cases where the potential conflict concerns the WACD Executive Director, the WACD Executive Committee will assume the role of the reviewing official.

#### Part 9.3. Violations of Conflict-of-Interest Policy

- (a) If either the WACD Board of Directors or the Executive Director suspects that an interested party has failed to disclose a potential conflict of interest, the Executive Director will communicate the rationale for this belief and provide the opportunity for explanation. The interested party is required to submit the necessary disclosure documents within fifteen (15) days if it is agreed that such submittal is required.
- (b) Should the WACD Board of Directors determine that an interested party has indeed failed to disclose a conflict of interest, the board will take appropriate disciplinary action. Such actions may include a written warning, a formal reprimand, or termination.

## **SECTION 7. EMPLOYEE TRAINING AND DEVELOPMENT**

WACD acknowledges the significance of professional development and personal growth for its employees. As such, WACD encourages employees interested in continuing education and job-specific training to thoroughly research available options and obtain approval prior to registering for seminars or courses.

**Acknowledgment of Receipt of the  
Washington Association of Conservation Districts  
Employee Handbook**

I acknowledge that I have received a copy of the Washington Association of Conservation Districts (WACD) Employee Handbook. I understand that I am responsible for reading and abiding by all policies and procedures in this Handbook, as well as all other policies and procedures of the Association.

I also understand that the purpose of this Handbook is to inform me of the Association's policies and procedures and that it is not a contract of employment. Nothing in this Handbook provides any entitlement to me, nor is it intended to create contractual obligations of any kind.

This handbook supersedes all previous WACD Employee Handbooks and memos that may have been issued from time to time on subjects covered in this handbook. WACD reserves the right to modify any of our policies, procedures, or benefits. WACD will notify all employees of these changes, and the changes will be effective on the date determined by the Board of Directors.

After reviewing the handbook, please sign below that you have received and understand the contents of the WACD Employee Handbook.

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Signature

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Date

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Full Name (please print)

Appendix 1  
**Potential Conflict of Interest Disclosure Form**

If you have a potential conflict of interest, you are required to complete this form and submit it to the WACD Executive Director. Check the box next to the potential conflict and provide a written description of the details of the specific action, policy, or transaction in the space allowed. Attach additional sheets as needed.

A conflict may exist where an interested party directly or indirectly benefits or profits as a result of a decision, policy, or transaction made by the WACD. The interested party would not have obtained this benefit were it not for his/her relationship with the WACD.

- ☐ Has the WACD proposed to contract or contracted to purchase or lease goods, services, or property from you or from any of your relatives or associates?
- ☐ Have you used your relationship with the WACD to obtain a contract, or employment for yourself or any of your relatives or associates, from a person or entity that does business with the WACD?
- ☐ Have you or any of your relatives been provided use of the facilities, property, or services of the WACD in a way that is not available to others who benefit from the organization's services?
- ☐ Have you, a relative, or an associate been in a position to benefit financially from an action, policy, or transaction made by the WACD?

Other issues or situations not addressed above:

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Signature of Employee

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Date