2.5 SEXUAL HARASSMENT PROHIBITED

Sexual harassment is a form of sex discrimination and is illegal. Sexual harassment is also inappropriate and offensive and will not be tolerated by the City.

Sexual harassment is behavior of a sexual nature which is unwelcome. Examples of sexual harassment include verbal behavior such as unwanted sexual comments, suggestions, jokes, or pressure for sexual favors; non-verbal behavior such as suggestive looks and leering; and physical behavior such as pats or squeezes, or repeatedly brushing against someone's body. Other conduct also may constitute sexual harassment depending upon given facts and circumstances.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct constitute sexual harassment when:

- It is part of a manager's or supervisor's decision to hire or fire;
- It is used to make other employment decisions like pay, promotion, or job assignments;
- It creates an intimidating, hostile, or offensive work environment.

Employees engaging in improper harassment are subject to discipline, including termination. See Discrimination Complaint Procedure, Policy 2.6, for guidance on what to do if you experience sexual harassment.

2.6 DISCRIMINATION COMPLAINT PROCEDURE

Each member of management is responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees are responsible for respecting the rights of their co-workers and others, including the citizens they serve. The following procedure outlines the steps to follow if you believe you have experienced harassment or discrimination on the job.

Should you believe that you have been harassed or are the victim of discrimination, you should try, if possible, to identify the offensive behavior to the harasser and request that it stop. In the event such informal direct communication is either ineffective or impossible, you should discuss your concern immediately with the Mayor or a supervisor. No employee will suffer retaliation for reporting such concern. To the extent possible, complaints will be handled confidentially.

If an investigation shows the accused employee did engage in improper harassment or discrimination, appropriate action will be taken, as in the case of any other serious employee misconduct. Such actions may include warnings, verbal and/or written reprimands, a letter to the employee's file or, an employee transfer, demotion, suspension or termination.

2.7 EMPLOYEE PERSONNEL RECORDS

A personnel file for each employee is kept in the Mayor's office. An employee's personnel file contains the employee's name, title and/or position held, job description, department to which the employee reports, and the confidential meeting room number of the city in a locked file cabinet.
That outside agency may be:

The Washington State Auditor’s Office:
Insurance Building
Capitol Campus
302 Sid Snyder Avenue SW
Olympia, Washington 98504-0021
(360) 902-0370
https://www.sao.wa.gov/EN/Audits/Whistleblower/Pages/default.aspx

Or

The Island County Prosecuting Attorney:
Law and Justice Building
101 NE Sixth Street
Coupeville, Washington, 98239

P.O. Box 5000
Coupeville, WA 98239

Telephone: 360.679.7363 | Fax: 360.240.5566

Protection Against Retaliation: It is unlawful for a local government to take retaliatory action because an employee, in good faith, provided information that improper government action occurred. Employees who believe they have been retaliated against for reporting an improper government action should follow this procedure:

Procedure for Seeking Relief Against Retaliation:

1. Employees must provide a written complaint to the supervisor within thirty (30) days of the occurrence of the alleged retaliatory action. If the supervisor is involved, the notice should go to the Mayor. If the Mayor is involved, the notice should go to the Mayor Pro Tem for the Council. The written charge shall specify the alleged retaliatory action and the relief requested.

2. In all cases wherein a claim of retaliation is filed, the Mayor (or Mayor Pro Tem) shall promptly so advise the Council of that fact; protecting the identity of the whistleblower and the accused as may be required by law.

3. The Mayor (or Mayor Pro Tem in cases when the Mayor is involved) shall investigate the complaint and respond in writing within thirty (30) days of receipt of the written charge.
CHAPTER 7
BENEFITS

7.1 RETIREMENT BENEFITS

The City makes contributions on behalf of all eligible employees to the Social Security System in addition to those contributions made by the employee through FICA payroll deductions.

All regular uniformed employees in the police and fire departments are covered by the Law Enforcement Officer's and Firefighters Retirement System (LEOFF). Benefit levels and contribution rates are set by the State of Washington. All regular full-time and part-time non-uniformed employees are covered under the Public Employees Retirement System (PERS). Benefit levels and contribution rates are set by the State of Washington.

Employees intending to retire should notify their department head of their intent to retire at least three months prior to the date of retirement.

The City is a member of a deferred compensation plan which allows employees to make deferred deposits up to certain dollar limits defined by the IRS.

7.2 DISABILITY BENEFITS (WORKERS COMPENSATION)

All employees are covered by the State Workers' Compensation Program. This insurance covers employees in case of on-the-job injuries or job-related illnesses. For qualifying cases, State Industrial Insurance will pay the employee for work days lost and medical costs due to job-related injuries or illnesses. All job-related accidents should be reported immediately to the supervisor.

When an employee is absent for one or more days due to an on-the-job accident, he/she is required to file a claim for Workers' Compensation. If the employee files a claim, the City will continue to pay by use of the employee's unused sick leave the employee's regular salary pending receipt of Workers' Compensation benefits.

Coordination of Benefits: When the employee receives Workers' Compensation benefits, he/she is required to repay to the City the amount covered by Workers' Compensation and previously advanced by the City. This policy is to ensure that employee will receive prompt and regular payment during periods of injury or disability so long as accrued sick leave is available, while ensuring that no employee receives more than he/she would have received had the injury not occurred. Upon the repayment of funds advanced, the appropriate amount of sick leave shall be restored to the employee's account.

The City may require an examination at its expense, performed by a physician of its choice to determine when the employee can return to work and if he/she will be capable of performing the duties of the position.