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Policy 230**

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## **CONDUCT AND WORK RULES**

### **.1 CONDUCT**

The purpose of this Chapter is to establish guidelines, for employees of the County, for conduct including but not limited to the following:

- Basic duties
- Performance
- Types of misconduct
- Reporting misconduct
- Conduct off work
- Contact with the public
- Compliance with directives
- Political activities
- Public statements
- Personal appearance
- Harassment

The Chapter also contains workplace rules necessary for the effective conduct of County Business.

### **.2 PERFORMANCE OF DUTIES**

Employees will perform their duties to the best of their ability and in accordance with the directives of their supervisors, their department, and these policies.

#### **2.1 Performance of Duties – Competent Manner**

Employees will perform their assigned duties in a competent manner. Incompetence may be demonstrated by (a) a lack of knowledge of the duties of the position; (b) an unwillingness to perform assigned tasks; (c) the failure to conform to work standards and behavior established for the employee's position; (d) the failure to take appropriate action as directed verbally or in procedure; (e) repeated work evaluations showing substandard performance. Incompetent work performance will be grounds for disciplinary action.

#### **2.2 Coordination of Internal Information**

Each employee of the County is responsible for passing along to the appropriate individual or department, all information regarding serious matters of County business. Any employee who comes upon any information reasonably connected to matters of serious County business shall immediately report the situation to the supervisor.

### 2.3 Attention to Duty

A significant portion of County work is performed without close supervision. The responsibility for the proper performance of an employee's job duties lies primarily with the employee. The employee discharges that responsibility by the faithful and diligent performance of their assigned duties. Anything less violates the trust of the public, and nothing less qualifies as professional conduct.

### .3 COMPLIANCE WITH DIRECTIVES

Employees will promptly obey any lawful directive of a supervisor. Any employee who refuses to obey a lawful order will be considered insubordinate and will be subject to disciplinary action.

Should any lawful directive given by a supervisor conflict with any previous directive, policy, or procedure, the employee will bring this conflict to the attention of the supervisor. Upon redirection from the supervisor, the employee shall obey the directive. The supervisor then assumes responsibility for the directive.

### .4 CRIMINAL CONDUCT/AIDING CRIMINAL ACTIVITY

Employees will obey the laws of the United States, Washington State, and local jurisdictions. Violations of law, or indictment or information filed against an employee, or a conviction may be cause for disciplinary action.

No employee will aid any person to escape arrest or hamper any criminal investigation.

Employees will notify their supervisor if they are arrested for or charged with any crime.

### .5 OFF-DUTY CONDUCT

Even while officially "off work", employees are subject to the policies of the County and their department. Employees will not exercise their official authority in disputes to which they are a party.

### .6 CONDUCT – SPECIFIC PROHIBITIONS

The County's success in providing quality service to the citizens and maintaining good relationships with the community depends on employees. For employee guidance, the County has provided a listing of certain conduct which, if engaged in, would be detrimental to the County's objective and could lead to disciplinary action including discharge. The following specified conduct is illustrative and not intended in any way to be all-inclusive:

- Misrepresentation or withholding of pertinent facts in securing employment
- Lying

- Making malicious, false, or derogatory statements that are intended or could reasonably be expected to damage the integrity or reputation of the County or our employees, on or off premises
- Falsification of time records and/or unauthorized recordings of another employee's time record
- Habitual lateness for work
- Absence without proper notification to immediate supervisor, excessive absenteeism, or insufficient reasons for absenteeism
- Loitering, goofing off, failing to assist others in a work situation
- Disorderly conduct, including fighting on the premises
- Rudeness, discrimination, intimidation, coercion, use of obscene language, gestures, or lack of courtesy to the public or fellow employees
- Immoral conduct while on duty
- Intentional falsification of records/paperwork required in the transaction of County business
- Inability, inefficiency, negligence, or insubordination, including a refusal or failure to perform assigned work
- Concealing defective work
- Loitering after completing day's work that results in the disruption of the County's business or the work effort of other employees
- Violation of County policies and procedures whether written, or verbally communicated
- Unauthorized use of position with the County for personal gain or advantage
- Accepting unlawful gratuities or bribes
- Failure to cooperate in an investigation
- Smoking in unauthorized posted area, or creating a fire hazard in any area
- Violation of dress standards
- Violation of the county's policies for telephone, on-line communications system for electronic mail and Internet Services, and computer hardware, software and data systems
- Failure to report an occurrence causing damage to the County citizens, or public property
- Failure to properly secure County facilities or property
- Violation of the County's policies on facility security access and use
- Accidental, negligent, or intentional destruction or sabotage of County property
- Unauthorized use or possession of the County facilities/property
- Dishonesty or theft, including deliberate destruction, damage, or removal of the county's or others property from the premises, or any job site
- Violation of the County's policies on work place harassment and discrimination
- Conviction of a gross misdemeanor or felony that impacts the employee's ability to perform the essential functions of his/her position
- Failure to report arrest or charging of a crime
- Failure to report a traffic violation if appropriate
- Vending, soliciting, or collecting contributions for any purpose whatsoever during work time on the premises without the permission of the supervisor

- Unauthorized operation or using machines, tools, or equipment to which the employee has not been specifically assigned
- Failure to observe safety practices, rules, regulations, and instructions
- Negligence that results in injury to others
- Failure to wear required safety clothing and equipment
- Failure to promptly report to your immediate supervisor an on the job injury or accident involving an employee, equipment or property
- Possession, use, distribution, sale, or being under the influence of alcohol or controlled substances while on the County business (including standby duty) as required by policy
- Unauthorized possession of explosives or weapons on the premises or at any job site
- Health care fraud

#### .7 DUTY TO REPORT MISCONDUCT

Employees will report any violation of Department orders, neglect of duty, illegal conduct, or other violations of law by any employee of the Department to their supervisors or superior officers.

On matters involving illegal conduct and other violations of law, the County Official shall immediately comply with the requirements of Administrative Policy 576, .9, specifically 9.1.

#### .8 ETHICS

It is declared that high moral and ethical standards among public officials and employees of Clallam County is essential to the conduct of free government; that a Code of Ethics for the guidance of public officers and employees is necessary in order to eliminate conflicts of interest in public office, improve standards of public service, and promote and strengthen the faith and confidence of the people of Clallam County in their County government. Therefore, Clallam County has adopted the Code of Ethics for Officers and Employees as set forth in Title 42 of the Revised Code of Washington, as well as, Clallam County Code Chapter 3.01, Ethics.

#### 9. CONTACT WITH THE PUBLIC/PUBLIC COURTESY

Employees at all times will be courteous to the public. They will be orderly, attentive, and will exercise patience and discretion. Contacts with the public should be used for the furtherance of positive public relations whenever possible.

Since each employee is an official representative of the entire County, the personal attitude and approach in the performance of one's duties must be consistent with that of fellow employees and the policies of the County. Regardless of specific assignments, there exists a necessity for minimum levels of understanding and adherence to all County and department policies. Effective County governance depends on a high degree of cooperation between the County and the public it serves. The practice of courtesy in all public contacts encourages understanding

and appreciation. Discourtesy breeds contempt and resistance. Citizens may rightfully expect fair and courteous treatment by County employees. In dealing with people, each employee must attempt to make every contact one that inspires respect as an individual and as a professional and that generates the cooperation and approval of the public.

#### .10 PUBLIC STATEMENTS

Employees will not make statements on behalf of the County for publication or broadcast concerning the activities, plans, policies, or administration of the County or their department unless authorized by their County Official to do so.

Employees who plan to deliver an address at any public gathering concerning the work of the Department will notify their supervisor prior to speaking.

Employees authorized to issue information are cautioned only to release the actual facts, to exercise use of extreme care and discretion so as to not make any statements or convey information, which if later quoted, may create a misunderstanding or compromise the effectiveness of the County. An employee shall avoid representing as fact, that which is actually his personal opinion. Any statement about the County or its function, which reflects an employee's personal opinion, will be clearly represented as such.

#### .11 ATTENDANCE

Each employee is important to the overall success of the County operation. When absent, someone else must do the job. Everyone is expected to keep regular attendance, be on time, and work as scheduled.

In accepting employment with the County, each employee is required to meet certain standards. Maintaining an acceptable level of job attendance is part of good work performance and is one of the standards by which an employee's overall contribution to the County may be measured. Continued employment carries with it the personal responsibility of each employee to be on the job on time every scheduled workday. Recurring and excessive absences and/or tardiness are disruptive to work schedules, costly to the County and its citizens, and detrimental to the morale and efforts of employees who maintain a good work record.

##### 11.1 Employees Required to Give Proper Notice of Absence

An employee who cannot report to work for any reason shall notify his supervisor or County Official according to departmental procedures no later than 30-minutes into the employee's regular shift. Notification of a co-worker is acceptable only after reasonable attempts to contact a supervisor and leaving a voice mail or other message for such supervisor. In the event of a continuing illness, the employee shall continue to notify his County Official daily of his inability to report to work or supply a doctors statement of expected return date.

Scheduling of anticipated use of leave shall require a minimum of two (2) days' notice. Emergency use of sick leave shall require a minimum of verbal notice to the immediate supervisor.

In the event of an emergency that prevents the employee and/or his family from notifying the County of an absence, notification shall be made as soon as possible.

#### 11.2 Unexcused Absence

Any absence from work without an approved reason and/or without proper notification is considered unexcused. Unexcused absences shall be considered very serious, and the employee shall be subject to disciplinary action including termination. Employees shall not be paid for unexcused time spent away from work.

Employees on unexcused absence for two consecutive days (48 hours) shall be considered to have abandoned their position and will be terminated as of the last day actually worked.

#### .12 FITNESS FOR DUTY

When an employee is unable, or there is reason to believe the employee is unable to perform the essential functions of the employee's job for medical/physical reasons, the County may direct the employee to be examined by a medical professional(s) of the County's choice. When a physical or mental condition of any kind becomes evident which is impairing the effectiveness of an employee or the employee's ability to perform the essential functions of the job, or which makes continuance on the job a risk to the employee or others, one of the following actions may be taken:

If the condition is correctable, the County may allow a reasonable period of time for its correction. Failure of the employee to correct within such period may be grounds for dismissal or other action.

If the condition cannot be corrected, the County will attempt to find a reasonable accommodation that will permit the employee to continue to perform the essential functions of the position satisfactorily. If the employee refuses to accept a reasonable accommodation, the employee may be terminated.

If, in the opinion of the County, the condition cannot be corrected within a reasonable amount of time or the employee cannot be reasonably accommodated in the current position, the County will attempt to place the employee in another position. If the employee refuses such assignment, the employee may be dismissed.

Nothing within this section shall require the County to obtain a medical opinion prior to taking any personnel action.

### .13 POLITICAL ACTIVITY

Employees of the County shall not solicit any money, influence, service or other things of value or otherwise aid or promote any political committee or the nomination or election of any person to public office while on the job or during working hours.

An employee may seek political office; provided, however, holding such office does not create a conflict of interest or interfere with the employee's regular duties with the County. The Prosecuting Attorney shall be consulted when a question of conflict of interest exists.

No employee shall use official authority or influence to further a political cause or candidate.  
AGO 1978 No.20

### .14 GIFTS, GRATUITIES, FEES

County personnel shall not, under any circumstance, solicit any gift, gratuity, loan, or fee where there is any direct connection between solicitations and their departmental membership or employment.

County personnel shall not accept, either directly or indirectly, any gift, gratuity, loan, fee, or any other thing of value, the acceptance of which may tend to influence directly or indirectly the actions of said personnel or other persons in any manner of County business.

### .15 SOLICITATION

Most forms of selling and solicitation are inappropriate in the workplace. They can be an intrusion on employees and citizens and may present a risk to employee safety or to the security of County or employee property. The following limitations apply:

Persons not employed by the County may not solicit, survey, petition or distribute literature on the County premises at any time. This includes a person soliciting for charities, sales persons, questionnaire surveyors, labor union organizers, or any other solicitor or distributor. [Exceptions to this rule may be made in special circumstances when the County determines that an exception would serve the best interests of the Organization and our employees. An example of an exception is the United Way Campaign or some other community-based fund raising effort approved by the Board of Commissioners.]

Employees may not solicit for any purpose during work hours. Reasonable forms of solicitation are permitted during non-work times, such as before or after work or during meal or lunch break periods. Soliciting employees who are on non-work time may not solicit other employees who are on work time. Employees may not distribute literature for any solicitation purpose during work time in work areas. The employee break and lunchrooms are considered non-work areas under this policy.

## .16 DRESS AND GROOMING

It is the policy of Clallam County that the dress and grooming of employees project a professional and business image. Each employee is expected to dress and groom appropriate for the job. It is the responsibility of the County Official to provide grooming and dress standards within their department. Special requirements for reasons of safety may also be established. Failing to observe established standards for dress and grooming can be cause for disciplinary action.

In setting standards for dress and grooming, supervisors shall consider the following factors:

- a. The nature of the work
- b. Safety considerations, such as necessary precautions when working with or near machinery
- c. The nature of the employee's public contact, if any, and the normal expectations of outside parties with whom the employee will work
- d. The prevailing practices of other workers in similar jobs

### General Guidelines for All County Personnel

Consistent with the intent to provide a work environment that is free of safety hazards, offensive behavior, and harassment of any kind, this guidance is intended as a "**common sense**" approach toward what is not acceptable business/casual attire.

Therefore, the following clothing is **NOT ACCEPTABLE**: Form fitting and enhanced spandex garments that mold to the body in a sexually provocative fashion; bare feet, which means shoeless; pants, shorts, or skirts worn below the waistline and expose bare mid-section of the body (defined as torso meaning chest or abdomen); sexually provocative clothing that is sheer, see-through, and exposes the bare skin); beach and/or swim wear; the observable lack of undergarments and exposed undergarments (this does not include camisoles intended to cover cleavage or T-shirts; hats worn in the professional office environment (exceptions may be granted to employees for legitimate religious and health related reasons; clothing with profanity, nude or semi-nude pictures, sexually suggestive slogans, cartoons, or drawings.

## .17 APPEARANCE OF WORK AREAS

The County objective is to provide and maintain clean, safe, and healthy work conditions. It is the responsibility of each employee to maintain a safe, neat work area and insure that all working documents, desks, and cabinets are secured appropriately.

Employees shall refrain from having foodstuffs on their desk and reserve the eating of lunches/meals for a location away from public view.

## .18 SMOKING AND USE OF TOBACCO PRODUCTS

The County emphasizes good health and supports the right of all employees to work in an environment free of recognized hazards. For health and safety considerations, the County discourages smoking and the use of tobacco products. All County buildings, facilities (whether leased or owned) and County vehicles are designated to be smoke and tobacco products free. Smoking and tobacco use by employees is prohibited on all County-owned or leased property during work hours, except in designated smoking areas. Use of tobacco products shall be strictly enforced and employees found to be in violation of this policy will be subject to discipline.

## .19 OUTSIDE EMPLOYMENT

### 19.1 County Comes First

When an individual accepts employment with the County it is understood the County has first call upon the services of its employees, regardless of any impingement upon secondary employment.

### 19.2 Incompatible Work and Activities

Employees shall not engage in outside employment or activities that are incompatible with County employment, or will detract from the efficiency of work performance, or in conflict with County interest. The County asks that the employee think seriously about the effects that such extra work or activities may have on the limits of endurance, overall personal health, and effectiveness with the County. The County will hold all employees to the same standards of performance and scheduling demands and cannot make exceptions for employees who hold outside jobs or engage in activities that directly conflict with County employment.

### 19.3 Notification of Off-Duty Employment

Employees shall notify the County Official, in writing, in advance, of all employment outside the scope of their County employment and of any activities that may directly conflict with the County.

### 19.4 Conflicts with Off-Duty Employment

The County Official will notify the employee at any time outside employment or activity is found to be in conflict with the interests of the County or is likely to bring discredit upon the County. In such event employee will be asked to choose between County employment and such conflicting activity, whether it be another job or otherwise.

Prior to taking action under this section, the County Official shall consult with the Director. This section shall not be applied to restrict an employee from the exercise of a constitutionally protected right that the County may not lawfully inhibit.

## .20 DRIVING RECORD

Employees required to drive must possess a valid Washington State driver's license and must comply with any restriction. Suspension or revocation of a driver's license may be grounds for dismissal. Dismissal from employment under such circumstances shall be in the sole discretion of the County and may be based upon the County's inability to provide meaningful interim employment. All employees who may be required to drive on County business may at any time have their driving record checked by the County. If the record indicates serious violations, the employee may be subject to warnings or sanctions.

Employees whose driving record indicates felony or criminal traffic violations within the last 5-years, or more than two moving infractions within the last 3-years may be disqualified from driving on behalf of the County.

Employees who are charged with a violation that causes them to reach the above standard shall be immediately suspended from driving on behalf of the County until disposition of the charge.

Employees required to drive shall notify their County Official of any change in license status, and all traffic violations. Failure to report a traffic violation or change in license status to the County Official is viewed as a violation of County policy and may subject the employee to discipline. The County monitors driving records as a component of risk management, in order to identify needs for driver improvement.

## .21 HARASSMENT/SEXUAL HARASSMENT

### 21.1 Statement of Concern

The County seeks to eliminate and prevent harassment as well as to alleviate any effects such harassment may have on the working condition of an employee. All such harassment is forbidden. Harassment includes unsolicited remarks, gestures or physical contact, display or circulation of written materials or pictures derogatory towards either gender or towards racial, ethnic, or religious groups, or basing personnel decisions on an employee's response to such harassment. The County regards job-related harassment as a serious transgression.

**Sexual Harassment** is unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment

- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment

**Nonsexual Harassment** is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, gender, national origin, age or disability, or that of his/her relatives, friends or associates, and that:

- has the purpose or effect of creating an intimidating, hostile, or offensive working environment;
- has the purpose or effect of unreasonably interfering with an individual's work performance; or
- otherwise adversely affects an individual's employment opportunities.

## 21.2 Policy

The policy of the County is that every employee has a fundamental right to be free of such harassment. In response to formal reports of harassment, the County will seek to protect all parties involved from retaliation, false accusations, or future harassment, and where indicated, will take prompt and adequate remedial measures.

Should an issue of harassment be raised, all related matters will be kept private to the greatest extent possible throughout the investigation, counseling and disciplinary stages. Any County Official receiving notice of harassment shall notify the Human Resource Director who will direct an investigation and insure that the charge is resolved appropriately.

## 21.3 Reporting Harassment

Any employee who feels harassed or is aware of harassment of another employee is urged to report this to an immediate supervisor, County Official, or the Human Resources Director. The report may be informal or formal. A formal report shall include a written statement or a grievance under labor agreement.

## 21.4 Response to Reports of Harassment

Written reports concerning harassment will be forwarded to the Human Resource Director unless there is an allegation against that person, and if so, then written reports will be forwarded to the Prosecuting Attorney or the County's Labor Attorney. This procedure will apply to written statements received from reporting employees or written

records made by supervisory employees, including County Officials. Whenever supervisory employees become aware of allegations of harassment, they will make a written record of the allegations and will forward the record to the County in accordance with this policy.

### 21.5 Investigation of Harassment

The Human Resource Director or the Prosecuting Attorney or Labor Attorney will begin an investigation if necessary. The first pre-investigation step shall be to inquire of all persons reporting as to whether the record now includes all allegations of harassment. The investigation will be conducted promptly on a priority basis.

The investigation will be directed at ascertaining the facts concerning the allegations. If, in the course of investigation, evidence of harassment involving other employees is found, the County shall initiate separate investigations.

The investigator shall cause the person reported to have harassed an employee to be advised of the allegations and to afford such person an opportunity to reply orally or in writing. The employee shall also be advised that any retaliatory conduct will be subject to disciplinary action regardless of allegations of harassment.

The results of the investigation shall be reduced to writing. A finding shall be made that there is or is not reasonable cause for disciplinary action. Nothing in this section shall limit the authority of the County to modify policies or practices to correct any appearance of harassment without finding reasonable cause for disciplinary action or taking any disciplinary action. The report will also include any recommendations to remedy any harm that was suffered if the evidence shows that the employee alleged to have been affected by harassment was injured or harmed.

A report that finds reasonable cause for disciplinary action will be maintained in the personnel file of any employee subject to discipline. The employee may have placed in the personnel file a statement of rebuttal or correction. For the purpose of this section, a former employee may present such statement.

### 21.6 Records Relating to Harassment

Records relating to harassment include written reports regarding alleged harassment, memos between County employees concerning investigation of such allegations and County recommendations in response to allegations. Records relating to harassment will be retained by the County for a minimum of 6-years. All such records will be retained in a separate file. There will be a cross-reference to the separate file of the reporting employee, the allegedly affected employee and the employee who was reported to have harassed another. Once the material in the file is determined to have no reasonable bearing on job performance or on the efficient and effective management of the County, reference to it in one or more individual personnel files may be removed.

No information from the file or any indication of the cross reference to the file will be disclosed to persons who do not have confidential access to the personnel affairs of the County, provided that there are two exceptions which permit some disclosure. First, an employee who reported harassment and/or an employee who was allegedly affected by harassment may request that the County provide information to another regarding the investigation of harassment. On a case-by-case basis, the County, in its own discretion, may agree to release specified information.

However, when the County does provide general information to persons who are not officers or employees of the County regarding an employee or former employee from the County's personnel file and the employee's personnel file reflects a finding of reasonable cause for disciplinary action, the County will also send information regarding the investigation of harassment; except that no readily identifiable reference to other parties involved may be included, and any statement which the employee had requested be held in the file will accompany the disclosure. Information about the finding of reasonable cause for disciplinary action would not be given in response to a request for verification of dates employed.

#### 21.7 Protection against Retaliatory Actions

Clallam County officials and employees are prohibited from taking retaliatory action against an employee because he or she has in good faith reported harassment or participated in an investigation of harassment in accordance with these policies and procedures.

Employees who believe that they have been retaliated against should advise their supervisor, the Human Resource Director or any designee so named by the County Administrator who shall take appropriate action to investigate and address complaints of retaliation. Retaliatory action is strictly prohibited by law and will lead to disciplinary action, up to and including dismissal.

#### .23 NO RIGHT TO EMPLOYEE PRIVACY

Employees have no expectation to be free from search of County owned or leased vehicles, lockers, desks, computers or contents of other similar Department controlled spaces. Clallam County's reservation of the right to search areas used exclusively by an employee may be based on reasonable belief that policy has been violated. Such searches shall be approved by the County Official or his/her designee, and, if possible, notice will be given to the employee with an opportunity to be present.

In matters affecting health and safety of other employees and the public at large, the County reserves the right to commence a search with or without notice to the County Official or affected employees.

.24 WORKING FROM HOME

The County provides a workplace for its employees. Accountability for an employee's work is an issue of primary importance to our citizens. The County's ability to monitor employees who desire to work at home is limited at best. The potential for abuse, particularly over long periods is high. In addition, most County jobs do not lend themselves to accomplishment of tasks in the most effective and efficient manner while working away from their normal work location. Because of all those factors and others, working from home is not permitted unless specifically approved by the Director or the Administrator.

.25 WORK PRODUCT OWNERSHIP

The County asserts ownership in intellectual property of all types (including, but not limited to, any invention, discovery, trade secret, technology, scientific or technological development, art, writings, research data, and computer software) regardless of whether subject to protection under patent, trademark, copyright, or other laws subject to the following:

The County shall have sole ownership of all intellectual property created by an employee who was hired specifically or required to produce it or commissioned by the County.

The County shall have sole ownership of all intellectual property created by an independent contractor who was hired specifically or required to produce it or commissioned by the County and every contract with an independent contractor shall provide that such property is a "work for hire."

Intellectual property either related to the individual's employment responsibility, or resulting from activities performed on County time, or with support by County, State, Federal funds, or with support by a nonprofit or for profit nongovernmental entity, or by a private gift or grant to the County, shall be subject to ownership by the County. The intellectual property policies and guidelines of the County are subject to, and thus amended and superseded by, the specific terms pertaining to intellectual property rights included in state, federal grants and contracts, or grants and contracts with nonprofit and for profit nongovernmental entities or private donors, to the extent of any conflict.

Intellectual property unrelated to the individual's employment responsibility that is developed on an individual's own time and without County, State or Federal support or use of County facilities is the exclusive property of the creator and the County has no interest in any such property and no claim to any profits resulting there-from.

### .30 EMPLOYEE "GOOD SAMARITAN" ASSISTANCE

Clallam County provides and requires CPR and First Aid training for certain positions to:

- (1) Ensure this education is used within the limits of the following policy statement, and
- (2) Ensure personal safety at all times, both while as an employee of Clallam County and during personal time.

Clallam County employees feeling a moral obligation to assist in an emergency (or perceived emergency) situation must understand that their "good Samaritan" assistance is outside their authority of activity while on the job with the following exceptions:

- (1) The assistance is being given to another County employee while on County business or,
- (2) The assistance is being given to a victim as a result of a County employee or County equipment action.

Should an employee be injured on the way to or from, or while assisting in an emergency situation, and this activity takes place during the employee's paid County time; and if the employee was not given permission by his/her supervisor to depart his/her County obligations to assist in the (perceived) emergency; that employee will be determined as acting on his/her own volition and the County would not be held responsible for the results of those actions toward the party or property involved nor the employee's health, welfare or property during the employee's absence from the employee's usual performance of his/her assigned duties.

Should the employee be a member of any volunteer organization (i.e., Search and Rescue, Volunteer Fireman, etc.) or have the unique qualifications to assist in an emergency, (i.e., First Responder, EMT, etc.), they will restrict their activities to responding only when prior authority has been given by their respective County Official.

A County Official has the option to issue a written release for an employee to leave their work site or discontinue their work to assist in an emergency. This release would remain in effect until the County Official canceled the authority.

A County Official has the option to give authority to supervisors, who are answerable to that County Official, the right to authorize an employee, in person, by telephone, radio or pager, absence from the work site in order to assist in an emergency situation.

### .50 Workplace Violence Prevention Policy

#### 50.1 Purpose

Clallam County maintains a zero-tolerance standard of violence in the workplace. The purpose of this policy is to provide Clallam County employees guidance that will maintain

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an environment at and within County property and events that is free of violence and the threat of violence.

## 50.2 Policy

Violent behavior of any kind or threats of violence, either implied or direct, are prohibited at Clallam County, on its property and at any County sponsored event. Such conduct by a County employee will not be tolerated. An employee who exhibits violent behavior may be subject to criminal prosecution and shall be subject to disciplinary action up to and including discharge. Violent threats or actions by a non-employee may result in criminal prosecution. The County will investigate all complaints filed and will also investigate any possible violation of this policy of which we are made aware. Retaliation against a person who makes a complaint regarding violent behavior or threats of violence made to him/her is also prohibited.

## 50.3 Definitions

**"Workplace violence"** means behavior in which an employee, former employee or visitor to a workplace inflicts or threatens to inflict damage to property, serious harm, injury or death to others at the workplace.

**"Threat"** means the implication or expression of intent to inflict physical harm or actions that a reasonable person would interpret as a threat to physical safety or property.

**"Intimidation"** means making others afraid or fearful through threatening behavior.

**"Zero-tolerance"** means a standard that establishes that any behavior, implied or actual, that violates the policy will not be tolerated.

**"Court Order"** means an order by the Court that specifies and/or restricts the behavior of an individual. Court Orders may be issued in matters involving domestic violence, stalking, or harassment, among other types of protective orders, including Temporary Restraining orders.

## 50.4 Prohibited Behavior

Violence in the workplace may include, but is not limited to the following list of prohibited behaviors directed at or by a co-worker, supervisor or member of the public.

- Direct threat or physical intimidation.
- Implications or suggestions of violence.
- Stalking.
- Assault of any form.
- Physical restraint, confinement.

- Dangerous or threatening horseplay.
- Loud, disruptive, or angry behavior or language that is clearly not part of the typical work environment.
- Blatant or intentional disregard for the safety or well-being of others.
- Commission of a violent felony or misdemeanor on County property.
- Any other act that a reasonable person would perceive as constituting a threat of violence.

Domestic violence, while often originating in the home, can significantly impact workplace safety and the productivity of victims as well as co-workers. For purposes of this policy, "domestic violence" is defined as abuse committed against an adult or fully emancipated minor. Abuse is the intentional reckless attempt to cause bodily injury, sexual assault, threatening behavior, harassment, stalking, or making annoying phone calls to a person who is in the following relationships:

- Spouse or former spouse;
- Domestic partner or former domestic partner;
- Cohabitant or former cohabitant and/or other household members;
- A person with whom the victim is having, or has had, a dating or engagement relationship;
- A person with whom the victim has a child.

The County recognizes that domestic violence may occur in relationships regardless of the marital status, age, race, or sexual orientation of the parties.

#### 50.5 Reporting Acts or Threats of Violence

An employee who:

- (1) Is a victim of violence, or
- (2) Believes they have been threatened with violence, or
- (3) Witnesses an act or threat of violence toward anyone else shall take the following steps:
  - If an emergency exists and the situation is one of immediate danger, the employee shall contact the local police officials by dialing 9-1-1, and may take whatever emergency steps are available and appropriate to protect him/her from immediate harm, such as leaving the area.
  - If the situation is not one of immediate danger, the employee shall report the incident to the appropriate supervisor or County Official as soon possible and submit a County Incident Report form.

#### 50.6 Procedures – Future Violence

Employees who have reason to believe they, or others, may be victimized by a violent act sometime in the future, at the workplace or as a direct result of their employment

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with the County, shall inform their supervisor immediately so appropriate action may be taken. The supervisor shall inform the County Official, the Director of Human Resources and the local law enforcement officials.

Employees who have signed and filed a restraining order, temporary or permanent, against an individual due to a potential act of violence, who would be in violation of the order by coming near them at work, shall immediately supply a copy of the signed order to their supervisor. The supervisor shall provide copies to the County Official, the Director of Human Resources and local police.

#### 50.7 Incident Investigation

Acts of violence or threats will be investigated immediately in order to protect employees from danger, unnecessary anxiety concerning their welfare, and the loss of productivity. The employee's County Official will initiate an investigation into potential violation of work rules/policies. Simultaneously, the County Official will refer the matter to local police for their review of potential violation of civil and/or criminal law.

Procedures for investigating incidents of workplace violence are:

- Visiting the scene of an incident as soon as possible.
- Interviewing injured and threatened employees and witnesses.
- Examining the workplace for security risk factors associated with the incident, including any reports of inappropriate behavior by the perpetrator.
- Determining the cause of the incident.
- Taking mitigating action to prevent the incident from recurring.
- Recording the findings and mitigating actions taken.

In appropriate circumstances, the County will inform the reporting individual of the results of the investigation. To the extent possible, the County will maintain the confidentiality of the reporting employee and the investigation but may need to disclose results in appropriate circumstances; for example, in order to protect individual safety. The County will not tolerate retaliation against any employee who reports workplace violence.

#### 50.8 Mitigating Measures

Incidents which threaten the security of employees shall be mitigated as soon as possible following their discovery. Mitigating actions include:

- Notification of law enforcement authorities when a potential criminal act has occurred.
- Provision of emergency medical care in the event of any violent act upon an employee.

- Post-event trauma counseling for those employees desiring assistance.
- Assurance that incidents are handled in accordance with the Workplace Violence Prevention Policy.
- Requesting the County attorney file a restraining order as appropriate.

#### 50.9 Training and Instruction

The County Human Resources Department shall be responsible for ensuring that all employees, including managers and supervisors, are provided training and instruction on general workplace security practices. County Officials shall be responsible for ensuring that all employees, including managers and supervisors, are provided training and instructions on job specific workplace security practices.

Training and instruction shall be provided as follows:

- To all current employees when the policy is first implemented.
- To all newly hired employees, supervisors and managers, or employees given new job assignments for which specific workplace security training for that job assignment has not previously been provided.
- To affected employees whenever management is made aware of a new or previously unrecognized hazard.

Workplace security training and instruction includes, but is not limited to the following:

- Preventative measures to reduce the threat of workplace violence, including procedures for reporting workplace security hazards.
- Methods to diffuse hostile or threatening situations.
- Escape routes.
- Explanation of this Workplace Violence Prevention Policy.

In addition, specific instructions shall be provided to all employees regarding workplace security hazards unique to their job assignments.