

**RESOLUTION NO. 2022-14**

**A RESOLUTION OF THE MASON TRANSIT AUTHORITY BOARD  
APPROVING THE UPDATE TO THE MASON TRANSIT AUTHORITY  
EMPLOYEE HANDBOOK DATED DECEMBER 21, 2021.**

**WHEREAS**, the Mason Transit Authority Board updated its Washington Paid Medical Leave Policy (POL-311); and

**WHEREAS**, so that the Employee Handbook dated December 21, 2021 is in alignment with POL-311, Section 4-2 of the Employee Handbook relating to Paid Family & Medical Leave (PFML) has been updated to:

(a) reflect the employee's responsibility to file a claim for the corresponding day of leave with the Washington Employment Security Department; and

(b) provide that MTA reserves the right to require employee confirmation of filing;

and

**WHEREAS**, Section 1-2 relating to Equal Employment Opportunity shall be updated to reflect that the accommodation relating to religious beliefs shall be changed to no more than de minimis cost on MTA's operation/business.

**WHEREAS**, the Mason Transit Authority Board believes that the updated Employee Handbook dated December 21, 2021 should be provided to all current employees and those hired in the future until another version is updated;

**NOW THEREFORE, BE IT RESOLVED BY THE MASON TRANSIT AUTHORITY BOARD** that the attached Employee Handbook dated September 20, 2022 is approved for distribution to all current and future employees of Mason Transit Authority until revised.

Adopted this 20<sup>th</sup> day of September, 2022.

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Sandy Tarzwell, Chair

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John Campbell, Vice Chair

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Tracy Becht, Clerk of the Board

DATE:

10/10/2022

# Mason Transit Authority Employee Handbook



Presented to Policy Committee: 04/01/2021  
Amendment Presented to Policy Committee: 12/02/2021

Presented to Board: 04/20/2021  
Amendment Presented to Board: December 21, 2021  
Approved by Board: December 21, 2021  
Amendment Approved by Board: September 20, 2022

## ABOUT THIS HANDBOOK/DISCLAIMER

We prepared this handbook to help employees find the answers to many questions that they may have regarding their employment with Mason Transit Authority. Please take the necessary time to read it.

We do not expect this handbook to answer all questions. Supervisors, Managers and Administrative Services also serve as a major source of information.

Neither this handbook nor any other verbal or written communication by a management representative is, nor should it be considered to be, an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever. Mason Transit Authority adheres to the policy of employment at will, which permits MTA or the employee to end the employment relationship at any time, for any reason, with or without cause or notice.

No MTA representative other than the General Manager may modify at-will status and/or provide any special arrangement concerning terms or conditions of employment in an individual case or generally and any such modification must be in a signed writing.

Many matters covered by this handbook, such as benefit plan descriptions, are also described in separate MTA policy or collective bargaining documents. These MTA documents are always controlling over any statement made in this handbook or by any member of management.

This handbook states only general MTA guidelines. MTA may, at any time, in its sole discretion, modify or vary from anything stated in this handbook, with or without notice, except for the rights of the parties to end employment at will, which may only be modified by an express written agreement signed by the employee and General Manager.

This handbook is intended to give employees a broad summary of things they should know about Mason Transit Authority. The information in this handbook is general in nature and, should questions arise, any member of management should be consulted for complete details. While we intend to continue the policies, rules and benefits described in this handbook, Mason Transit Authority, in its sole discretion, may always amend, add to, delete from or modify the provisions of this handbook and/or change its interpretation of any provision set forth in this handbook. Employees should not hesitate to speak to management if they have any questions about MTA or its personnel policies and practices.

**This handbook is subject to the terms of any applicable collective bargaining agreement.**

This handbook supersedes all prior handbooks.

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## Section 1 - Principles of Employment

### **MASON TRANSIT AUTHORITY STATEMENTS OF VISION, MISSION & GUIDING PRINCIPLES**

***Vision*** ~ Driving our community forward.

***Mission*** ~ We provide transportation choices that connect people, jobs, and community, increasing the quality of life in Mason County.

***Our Guiding Principles*** ~ We believe that public transportation and personal mobility are essential to the economic vitality, environmental stability, and quality of life in Mason County. Our core values guide our actions each day:

- ***Service Excellence:*** We go beyond the expectations of our customers and provide inspirational leadership to deliver safe, comfortable, and reliable service; we see today's best service as our motivation to make tomorrow's even better.
- ***Safety:*** We provide and enforce a safe and secure environment for our customers, community and teammates through awareness, consistent training, and allocation of resources.
- ***Professionalism:*** We conduct our work transactions with integrity, fiscal responsibility and transparency. We engage the community in our decision making by sharing information and encouraging public involvement.
- ***Teamwork:*** We achieve our greatest success as a team. We embrace diversity, support each other and treat each other with respect, and use meaningful communication.
- ***Partnerships:*** We explore and build collaborative and healthy alliances to promote and advance our mission.
- ***Innovation:*** We constantly explore ways to improve. We celebrate inspiration, creativity, initiative and courage in all things to promote an exceptional customer service experience.





## **TEAM CULTURE...** *Drives Our Vision, Mission & Guiding Principles*



- Professionalism
- Personal Responsibility
- Transparency & Accountability
- Inspirational

- Safety
- Partnerships
- Respectful Relationships
- Collaboration



- Innovation
- Informed Decision Making
- Outstanding Service
- Beyond Expectations



**MASON TRANSIT AUTHORITY**

## 1-1 Introduction

For employees who are commencing employment with Mason Transit Authority (or “MTA”), on behalf of Mason Transit Authority, the Management Team extends a warm and sincere welcome. You are joining a team of highly committed people.

For employees who have been with us, thank you for your past and continued service.

We extend our personal best wishes for success and happiness here at Mason Transit Authority. We understand that it is our employees who provide the services that our customers rely upon, and who will enable us to create new opportunities in the years to come.

## 1-2 Equal Employment Opportunity

Mason Transit Authority is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, creed, color, religion, alienage or national origin, ancestry, citizenship status, age, disability, sex, pregnancy, marital status, status as a domestic violence victim, veteran status, sexual orientation, gender identity or expression, genetic information, or any other characteristic protected by applicable federal, state or local laws. Our management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities and general treatment during employment.

MTA will endeavor to make a reasonable accommodation to the known physical or mental limitations of qualified employees with disabilities unless the accommodation would impose an undue hardship on the operation of our business. If you need assistance to perform your job duties because of a physical or mental condition, please let the Administrative Services Manager know.

Mason Transit Authority will endeavor to accommodate the sincere religious beliefs of its employees to the extent such accommodation would cause no more than de minimis cost on MTA’S operation/ business. If employees wish to request such an accommodation, they should contact the Administrative Services Manager.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the Administrative Services Manager. MTA will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If employees feel they have been subjected to any such retaliation, they should contact the Administrative Services Manager. To ensure our workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations.

*(See POL-307 for details)*

### 1-3 Employee Rights to Equal Pay and Opportunities

Washington State's Equal Pay Opportunity Act requires MTA to provide equal pay and career advancement opportunities to employees, regardless of gender. The act promotes fairness among workers through:

1. MTA provides equal compensation to "similarly employed" workers, except for some specific reasons unrelated to gender. "Similarly employed" means the same employer and similar working conditions, skills, effort and responsibility.
2. MTA does not limit or provide career advancement opportunities based on gender.
3. MTA does not stop employees from disclosing their wages to other workers or require agreements with employees that stop them from disclosing their wages.
4. MTA does not take any negative action against an employee for:
  - a. asking or talking about wages with other workers,
  - b. asking MTA to provide a reason for the employee's wages or lack of opportunity for career advancement,
  - c. helping or encouraging a fellow worker to take an action protected by the Equal Pay Opportunity Act, filing a complaint, taking any action protected by the Equal Pay Opportunity Act.

*(See POL-307 for details)*

### 1-4 Title VI

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color and national origin in programs and activities receiving federal financial assistance.

Mason Transit Authority is committed to ensuring that no person is excluded from participation in or denied the benefits of its transit services on the basis of race, color or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B. If you believe you have been subjected to discrimination under Title VI, you may file a complaint.

*(See POL-203 Title VI Policy and Plan for details.)*

### 1-5 Reasonable Accommodations

MTA provides reasonable accommodations to persons, employees or applicants for employment who qualify as individuals with disabilities under the Americans with Disability Act (ADA) of 1990 and the Washington State Law Against Discrimination (Chapter 49.60 RCW). A qualified individual with a disability is a person with a sensory, mental or physical condition that is medically diagnosable who (i) satisfies the job requirements for educational background, employment experience, skills, licenses and any other qualification standards that are job related; and (ii) is able to satisfactorily perform all functions that are essential to the job, with or without reasonable accommodation.

Qualified individuals with disabilities have the right to request and receive reasonable accommodations in all aspects of employment. MTA will initiate interactive process if there is a request for an accommodation from an employee or applicant. The Administrative Services Department has the

responsibility to receive requests for accommodation, review possible options in conjunction with the employee or applicant and the affected manager, and recommend an appropriate accommodation. Such accommodations may include, but not be limited to, establishing a temporary part-time or modified work schedule, job restructuring, transitional duty, purchasing or modifying equipment or devices, making facilities accessible and modifying existing policies or extended unpaid medical leave of absence. When more than one reasonable accommodation exists, the agency will select the accommodation to be provided. Supervisors and managers should document and forward to the Administrative Services Department any initial information received from an employee about a potential qualifying disability as well as any request for an accommodation.

Reasonable accommodations will be provided in accordance with all applicable federal and state laws to provide equal employment opportunity to persons with disabilities.

It is the responsibility of the employee or applicant to provide a written request of the accommodation desired, as well as a completed Health Care Certification form completed by the employee or applicant's health care provider outlining the nature of the disability, work-related restrictions, and if known, the accommodations needed. Those who fail to provide such information may forfeit their eligibility for reasonable accommodation. Mason Transit Authority has no obligation to create vacant positions, to offer reassignment to promotional positions, to waive job qualifications or essential functions in the accommodation process, or to grant an accommodation that would cause an undue hardship on the agency. MTA is committed to providing reasonable accommodation wherever and whenever possible to qualified persons with disabilities, but this does not constitute an express or implied contract.

### **Lactation Breaks**

Mason Transit Authority will provide a reasonable amount of break time to accommodate employees desiring to express breast milk for their infant child, in accordance with and to the extent required by applicable law. The break time, if possible, must run concurrently with rest and meal periods already provided. If the break time cannot run concurrently with rest and meal periods already provided, the break time will be unpaid, subject to applicable law.

MTA will make reasonable efforts to provide employees with the use of a room or location other than a toilet stall to express milk in private. This location may be the employee's private office, if applicable. MTA may not be able to provide additional break time if doing so would seriously disrupt MTA's operations, subject to applicable law. Please consult the Administrative Services Manager with questions regarding this policy.

Employees should advise management if they need break time and an area for this purpose. Employees will not be discriminated against or retaliated against for exercising their rights under this policy.

### **1-6 Pregnancy Accommodations**

In compliance with Washington law, Mason Transit Authority will not discriminate against an employee in relation to pregnancy and pregnancy-related health conditions. MTA will endeavor to provide reasonable accommodations for conditions related to pregnancy and pregnancy-related health conditions, unless the accommodation would pose an undue hardship on MTA's program, enterprise, or business. Reasonable accommodations include:

1. providing more frequent, longer or flexible restroom breaks;
2. modifying a no food or drink policy;
3. job restructuring, part-time or modified work schedules, reassignment to a vacant position or acquiring or modifying equipment, devices, or an employee's work station;
4. providing seating or allowing the employee to sit more often if the employee's job requires the employee to stand;
5. providing for a temporary transfer to a less strenuous or less hazardous position;
6. providing assistance with manual labor and limits on lifting;
7. scheduling flexibility for prenatal visits; and
8. any further pregnancy accommodation an employee may request, and to which MTA must give reasonable consideration in consultation with information provided on pregnancy accommodation by the Washington Department of Labor and Industries or the attending health care provider of the employee.

MTA may request that the employee provide a written certification from the employee's treating health care professional regarding the need for reasonable accommodation except for accommodations listed in points 1, 2 and 4 above or limits on lifting subject to applicable law.

MTA will not take adverse action against an employee who requests, declines or uses an accommodation. Further, MTA will not deny employment opportunities to an otherwise qualified employee or prospective employee if such denial is based on MTA's need to reasonably accommodate an employee's or prospective employee's condition related to pregnancy, childbirth, or a related medical condition. Additionally, MTA will not require an employee to take leave if another reasonable accommodation can be provided for the employee's pregnancy and pregnancy-related health conditions.

If employees have any questions about or would like to request a reasonable accommodation, they should contact the Administrative Services Manager.

## **1-7 Unlawful Harassment**

It is Mason Transit Authority's policy to prohibit intentional and unintentional harassment of any individual by another person on the basis of any protected classification including, but not limited to, race, color, national origin, disability, religion, marital status, veteran status, sexual orientation, gender expression or identity, or age. The purpose of this policy is not to regulate our employees' personal morality, but to ensure that in the workplace, no one harasses another individual.

Unlawful harassment encompasses unwelcome conduct that is based upon a person's protected status and that affects tangible job benefits, interferes unreasonably with an individual's work performance, or creates an intimidating, hostile, or offensive working environment. Forms of unlawful harassment include, but are not limited to:

- Verbal: repeated sexual innuendoes, racial or sexual epithets, derogatory slurs, off-color jokes, propositions, threats, mocking remarks, or suggestive or insulting sounds;
- Visual/Non-verbal: derogatory posters, cartoons, drawings or emails, suggestive objects or pictures, graphic commentaries, leering, or obscene gestures;

- Physical: unwanted physical contact including touching, interference with an individual's normal work movement, or assault; and

If an employee feels that he or she has been subjected to conduct which violates this policy, or has observed harassing behavior toward another person, he or she should immediately report the matter to the Administrative Services Manager. If the employee is unable for any reason to contact this person, or if the employee has not received a satisfactory response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact the General Manager. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in his or her reporting hierarchy. Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. MTA reserves the right to impose discipline up to and including termination of employment for offensive behavior, regardless of whether the behavior rises to the level of a violation of law. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed.

In addition, MTA will not allow any form of retaliation against individuals who in good faith report harassing conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee feels he or she has been subjected to any such retaliation, he or she should report it in the same manner in which the employee would report a claim of perceived harassment under this policy. Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including discharge. All employees must cooperate with all investigations.

*(See POL-308 for details.)*

## **1-8 Sexual Harassment**

It is Mason Transit Authority's policy to prohibit harassment of any employee by any supervisor, employee, customer, or vendor on the basis of sex or gender. The purpose of this policy is not to regulate personal morality within MTA. It is to ensure that at MTA all employees are free from sexual harassment. While it is not easy to define precisely what types of conduct could constitute sexual harassment, examples of prohibited behavior include unwelcome sexual advances, requests for sexual favors, obscene gestures, displaying sexually graphic magazines, calendars or posters, sending sexually explicit e-mails, text messages and other verbal or physical conduct of a sexual nature, such as uninvited touching of a sexual nature or sexually related comments. Depending upon the circumstances, improper conduct also can include sexual joking, vulgar or offensive conversation or jokes, commenting about an employee's physical appearance, conversation about your own or someone else's sex life, or teasing or other conduct directed toward a person because of his or her gender which is sufficiently severe or pervasive to create an unprofessional and hostile working environment.

If an employee feels that he or she has been subjected to conduct which violates this policy, or has observed another person being subjected to such behavior, the employee should immediately report the matter to the Administrative Services Manager. If unable for any reason to contact this person, or if the employee has not received a satisfactory response within five (5) business days after reporting any incident of perceived harassment, the employee should contact the General Manager. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should

contact any higher-level manager in his or her reporting hierarchy. Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. MTA reserves the right to impose discipline up to and including termination of employment for sexually offensive behavior, regardless of whether the behavior rises to the level of a violation of law. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed.

In addition, MTA will not allow any form of retaliation against individuals who in good faith report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If the employee feels they have been subjected to any such retaliation, the employee should report it in the same manner in which a claim of perceived harassment would be reported under this policy. Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including discharge. All employees must cooperate with all investigations.

*(See POL-308 for details.)*

## **1-9 Drug-Free and Alcohol-Free Workplace**

All Mason Transit Authority employees are subject to the provisions of the Drug-Free Workplace Act of 1988. All covered employees are required to submit to drug and alcohol tests as a condition of employment. Covered employees include those with safety-sensitive functions who operate a revenue service vehicle in or out of revenue service, operate a non-revenue vehicle requiring a commercial driver's license, control movement or dispatch of a revenue service vehicle, or maintain (including repairs, overhaul and rebuilding) of a revenue service vehicle or equipment used in revenue service.

The appropriate use of legally prescribed drugs and non-prescription medication is not prohibited. However, it is the responsibility of employees to determine if they are fit for duty and to remove themselves from service if they are experiencing any adverse effects from any drug or medication.

Additional details can be found within POL-301 Drug and Alcohol Policy, which complies with 49 CFR Part 655 and 49 CFR Part 40, as amended.

## **1-10 Workplace Violence**

Mason Transit Authority is strongly committed to providing a safe workplace. The purpose of this policy is to minimize the risk of personal injury to employees and damage to MTA and personal property.

Mason Transit Authority does not expect employees to become experts in psychology or to physically subdue a threatening or violent individual. Indeed, Mason Transit Authority specifically discourages employees from engaging in any physical confrontation with a violent or potentially violent individual. However, Mason Transit Authority does expect and encourage employees to exercise reasonable judgment in identifying potentially dangerous situations.

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment; anger and hostility; extreme agitation; making ominous threats such as bad things will happen to a particular

person or a catastrophic event will occur; sudden and significant decline in work performance; irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude; discussing weapons and their use and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in MTA policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; or demonstrating a propensity to behave and react irrationally.

### **Prohibited Conduct**

Threats, threatening language or any other acts of aggression or violence made toward or by any MTA employee **WILL NOT BE TOLERATED**. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious or destructive action undertaken for the purpose of domination or intimidation. Due to the potential for misunderstandings, joking about any of the above is also prohibited. To the extent permitted by law, employees and visitors are prohibited from carrying weapons onto MTA premises.

### **Procedures for Reporting a Threat**

All potentially dangerous situations, including threats by co-workers, should be reported immediately to any member of management with whom the employee feels comfortable. Reports of threats may be maintained confidential to the extent maintaining confidentiality does not impede our ability to investigate and respond to the complaints. All threats will be promptly investigated. All employees must cooperate with all investigations. No employee will be subjected to retaliation, intimidation, or disciplinary action as a result of reporting a threat in good faith under this policy.

If MTA determines, after an appropriate good faith investigation, that someone has violated this policy, MTA will take swift and appropriate corrective action.

If the employee is the recipient of a threat made by an outside party, that employee should follow the steps detailed in this section. It is important for us to be aware of any potential danger in our work environment. Indeed, Mason Transit Authority wants to take effective measures to protect everyone from the threat of a violent act by an employee or by anyone else.

### **1-11 Whistleblower Act**

The [Washington State Whistleblower Act of 1982](#) provides protection for public employees who report suspected improper government action. Any public employee may report suspected improper governmental action by reporting it to the General Manager, Administrative Services Manager, or the Board. "Improper government action" is action taken in the performance of an employee's official duties that:

- Results in mismanagement or gross waste of public funds;
- Is a violation of any federal or state law or rule; or
- Is of substantial and specific danger to the public health or safety.



MTA encourages employees to report such actions and will protect employees from retaliation for such reporting made in good faith.

*(See POL-305 Whistleblower Protection Policy for details.)*

## Section 2 - Operational Policies

### 2-1 Employee Classifications

For purposes of this handbook, all employees fall within one or more of the classifications below.

**Regular Full-Time Employees** - Employees who regularly work at least 30 hours per week who were not hired on a short-term basis.

**Regular Part-Time Employees** - Employees who regularly work fewer than 30 hours per week who were not hired on a short-term basis.

**Worker/Driver** – Employees who operate a routed commuter bus to their primary employment site at Puget Sound Naval Shipyard.

**On-Call Employees** - Employees whose schedules are directed by the needs of the transit system and may only work one day per week or for a specified period of time each year.

**Temporary Employees** – Employees who are hired for a period of six months or less.

**Safety-Sensitive Employees** - Jobs in which alcohol or drug use could threaten the safety of any other person in the workplace. All positions in the Operations, Facilities and Maintenance departments are considered safety-sensitive.

In addition to the above classifications, employees are categorized as either "**exempt**" or "**non-exempt**" for purposes of federal and state wage and hour laws. Employees classified as exempt do not receive overtime pay; they generally receive the same weekly salary regardless of hours worked. The employee will be informed of these classifications upon hire and informed of any subsequent changes to the classifications.

### 2-2 Probation Period

The first six months of your employment is an introductory probation period. This is an opportunity for MTA to evaluate the employee's performance. It also is an opportunity for the employee to decide whether they are happy being employed by MTA. MTA may extend the introductory period if necessary. Completion of the introductory period does not alter an employee's at-will status. Mason Transit Authority will conduct a formal performance review at the end of the probation period.

### 2-3 Employee Service Credit

“Length of service” refers to the length of time that our employees spend as active Full-Time or Part-Time Employees with Mason Transit Authority. Service begins on the day you become a Full-Time or Part-Time Employee.

Length of service may be used in determining certain work assignments, shifts, employee benefits, such as time-off benefits. Employees will not lose credit for service with MTA, when transferring to another

position provided they return to their previous position within two (2) complete shift bids of the current position. If the employee returns to their previous position their pay shall revert to the level appropriate to the current compensation plan, and they shall regain their previous seniority status. The Administrative Services Manager will discuss this issue with any rehired employee upon hire.

*(See respective collective bargaining agreement.)*

## **2-4 Your Employment Records**

MTA maintains personnel records for each employee. While these files are MTA property, employees have the right to review their own personnel file, in the presence of the Administrative Services Manager or designee, at a mutually convenient time. Employees may request copies of anything in their personnel files. Employees can add their own version of any disputed item to the personnel file. The employee's team manager, the Administrative Services Manager, and the General Manager may also examine employee personnel files.

The employee should keep his or her personnel file up to date by informing the Administrative Services Manager of any changes. The employee also should inform the Administrative Services Manager of any specialized training or skills he or she may acquire in the future, as well as any changes to any required visas. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage. Further, an "out of date" emergency contact or an inability to reach the employee in a crisis could cause a severe health or safety risk or other significant problem.

## **2-5 Timekeeping Procedures**

Employees must record their actual time worked for payroll and benefit purposes. Actual time worked does not include meal periods, or non-worked CBA guaranteed pay time. Employees are required to add appropriate notes to their timecard notating any variances from their scheduled shift.

Altering, falsifying, or tampering with time records is prohibited and subjects the employee to discipline, up to and including discharge.

Exempt employees are required to record their daily work attendance and report days of absence from work for reasons such as leaves of absence, sick leave or personal business that exceed 4 hours in the day.

Non-exempt employees may not start work until their scheduled starting time without being preapproved.

It is the employee's responsibility to sign time records to certify the accuracy of all time recorded. Any errors in the time record should be reported immediately to a supervisor, who will attempt to correct legitimate errors.

## 2-6 Overtime

Occasionally, we experience periods of extremely high activity. During these busy periods, additional work is required from all of us. Supervisors are responsible for monitoring business activity and requesting overtime work if it is necessary. Effort will be made to provide employees with adequate advance notice in such situations.

Any non-exempt employee who works overtime will be compensated at the rate of one and one-half times (1.5) his/her normal hourly wage for all time worked in excess of forty (40) hours each week, unless otherwise required by law.

**Non-exempt employees may work overtime only with prior management authorization.**

For purposes of calculating overtime for non-exempt employees, the workweek begins at 12 a.m. on Sunday and ends at 12 a.m. on the following Saturday.

## 2-7 Rest and Meal Breaks for Non-Exempt Employees

In compliance with state and federal law and to encourage employees to refresh and re-energize during the day, non-exempt employees are required to take rest and meal breaks, as directed, during work hours. Employees are expected to take a paid 15-minute break during every four-hour period of work. Most employees are able to take intermittent breaks, throughout that period, which total 15 minutes. If this is not possible, a break must be scheduled. In most cases, employees should not work more than three hours without a break.

In addition, employees who work longer than five hours will be scheduled for an unpaid meal period of at least thirty minutes if the employee is still on the clock. The time when meal periods are scheduled varies between departments, depending on the needs of each department. Your team manager will assign your meal period schedule.

During unpaid meal breaks, employees are completely relieved of job duties. MTA reserves the right to schedule or reschedule meal and rest periods to meet the operational needs of MTA.

Represented employees should refer to their respective collective bargaining agreement for other specifics relating to Rest and Meal Breaks.

## 2-8 Travel Time for Non-Exempt Employees

### **Overnight, Out-of-Town Trips**

Non-exempt employees will be compensated for time spent traveling (except for meal periods), on days they are scheduled to work and on unscheduled workdays (such as weekends). Non-exempt employees also will be paid for any time spent performing job duties during otherwise non-compensable travel time; however, such work should be limited absent advance management authorization.

## **Out-of-Town Trips for One Day**

Non-exempt employees who travel out of town for a one-day assignment will be paid for all travel time, except for, among other things, meal periods.

## **Local Travel**

Non-exempt employees will be compensated for time spent traveling from one job site to another job site during a workday. The trip home, however, is non-compensable when an employee goes directly home from his/her final job site, unless it is much longer than his/her regular commute home from the regular worksite. In such case, the portion of the trip home in excess of the regular commute is compensable.

## **Commuting Time**

Under the Portal to Portal Act, travel from home to work and from work to home is generally non-compensable. The time it takes an employee to travel to any of MTA's workplaces to start their shift is considered non-compensable. However, it would include the time it takes to get from one MTA location to another.

If compensable travel time results in more than 40 hours worked by a non-exempt employee, the employee will be compensated at an overtime rate of one and one-half times the regular rate. Non-exempt employees may be required to flex their time when possible to minimize overtime as a result of work travel.

To the extent that applicable state law provides greater benefits, state law applies.

*(See POL 402 Travel and Travel Reimbursement Policy for details.)*

## **2-9 Safe Harbor Policy for Exempt Employees**

It is our policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure proper payment and that no improper deductions are made, employees must review pay stubs promptly to identify and report all errors.

Employees classified as exempt salaried employees will receive a salary which is intended to compensate them for all hours they may work for Mason Transit Authority. This salary will be established at the time of hire or classification as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under federal and state law, salary is subject to certain deductions. For example, unless state law requires otherwise, salary can be reduced for the following reasons:

- absences for personal reasons exceeding 4 hours in the day;

- absences for sickness or disability exceeding 4 hours in the day;
- full-day disciplinary suspensions for infractions of our written policies and procedures;
- medical leave absences (either full- or partial-day absences);
- to offset amounts received as payment from the court for jury and witness fees or from the military as military pay;
- the first or last week of employment in the event the employee works less than a full week; and
- any full work week in which the employee does not perform any work.

Salary may also be reduced for certain types of deductions such as a portion of health, dental or vision premiums; state, federal or local taxes; and/or social security.

In any work week in which the employee performed any work, salary will not be reduced for any of the following reasons:

- partial day absences less than 4 hours for personal reasons, sickness or disability;
- an absence because the employer has decided to close a facility on a scheduled work day;
- absences for jury duty, attendance as a witness, or military leave in any week in which the employee performed any work (subject to any offsets as set forth above); and
- any other deductions prohibited by state or federal law.

However, unless state law provides otherwise, deductions may be made to accrued leave for full- or partial-day absences for personal reasons, sickness, or disability.

If the employee believes he or she has been subject to any improper deductions, the employee should immediately report the matter to a supervisor. If the supervisor is unavailable or if the employee believes it would be inappropriate to contact that person (or if the employee has not received a prompt and fully acceptable reply), he or she should immediately contact the Administrative Services Manager or any other supervisor in Mason Transit Authority with whom the employee feels comfortable. No employee will be subjected to retaliation for raising a concern about an improper pay deduction.

## **2-10 Veteran's Preference**

Veterans will be given preference in the selection process for filling vacant positions, in compliance with state law ([RCW 41.04.005](#), [41.04.010](#) and [73.16.010](#)). To claim Veteran's Preference, applicants must complete a *Veteran's Preference Declaration*.

## **2-11 Your Paycheck**

The employee will be paid bi-weekly for all the time worked during the past pay period.

Payroll stubs itemize deductions made from gross earnings. By law, MTA is required to make deductions for Social Security, federal income tax and any other appropriate taxes or deductions. These required deductions also may include any court-ordered garnishments. Payroll stubs also will differentiate between regular pay received and overtime pay received for non-exempt employees.

If there is an error in an employee's pay, the employee should bring the matter to the attention of the Administrative Services Department immediately so MTA can resolve the matter quickly and amicably.

## **2-12 Direct Deposit**

Mason Transit Authority pays employees through the use of direct deposit. Authorization forms are available within Paylocity. Employees may opt to receive a check instead of direct deposit.

## **2-13 Salary Advances**

Mason Transit Authority does not permit advances on paychecks or against accrued paid time off.

## **2-14 Performance Review**

Mason Transit Authority endeavors to review performance annually. However, a positive performance evaluation does not guarantee an increase in salary, a promotion or continued employment. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions and demotions are determined by and at the discretion of management and respective collective bargaining agreements.

In addition to these formal performance evaluations, MTA encourages employees and supervisors to discuss job performance on a frequent and ongoing basis.

## **2-15 Job Postings**

Mason Transit Authority is dedicated to assisting employees in managing their careers and reaching their professional goals through promotion and transfer opportunities. This policy outlines the on-line job posting program which is in place for all employees. To be eligible to apply for an open position, employees must meet several requirements:

- Should be a current, regular, full-time, or part-time employee;
- Been in your current position for at least three months;
- Maintain a performance rating of satisfactory or above;
- Maintain an exemplary safety record;
- Should not be on an employee conduct/performance-related probation or warning;
- Must meet the job qualifications listed on the job posting; and
- Required to provide the employee's manager with notice prior to applying for the position.

If the employee finds a position of interest on the job posting website and meets the eligibility requirements, they are encouraged to apply in order to be considered for the position. MTA will post all vacancies, job openings and new classifications and it shall remain open for five (5) days. The notice shall state the number of jobs to be filled, the rate of pay for each job to be filled and a job description including the work required and minimum qualifications. MTA reserves the right to seek applicants

solely from outside sources or to post positions internally and externally simultaneously if the vacant position is at the lowest classification level, or on approval of the General Manager where there is a need to fill the position without delay.

For more specific information about the program, refer to the appropriate collective bargaining agreement or contact the Administrative Services Manager.

## **2-16 Transfer/Promotion**

An employee may apply and be selected for another position in MTA. The employee may be hired at the new range, depending on qualifications for the position.

## **2-17 Voluntary Reduction**

A regularly appointed employee may reduce or be reduced to a vacant position in a lower classification for his or her personal reasons or for reasons of organizational change, reduction in force, disability accommodation or because of poor job match or work performance upon approval of the General Manager. No selection process is required; however, the employee must be able to demonstrate that he or she meets the minimum qualifications for the lower classification. An employee so reduced must successfully complete the probation review period if he or she has not successfully completed an initial probation review period.

## **2-18 Reclassification**

Reclassification is a change in salary range and/or exempt status for a specific position, as a result of a significant increase or decrease in the level of responsibilities, tasks, duties and skills required in the current position. A reclassification is not appropriate for a change in volume of work at the current level of responsibility.

When the duties of a position materially change, an employee may request a reclassification study with the approval of his/her team manager. Administrative Services will provide a Position Description Questionnaire for the employee to complete and review with the team manager. The team manager will forward the completed and approved questionnaire to the Administrative Services Manager recommending a reclassification study. The Administrative Services Manager will conduct a review of the position. Together the team manager and Administrative Services Manager will make a determination if the position should or should not be reclassified and will provide written notification to the employee of the reclassification decision.

If the employee disagrees with the reclassification decision, the employee should discuss the outcome with their team manager and Administrative Services Manager. If, after that discussion, the employee would still like to appeal the original decision, the appeal request, with written reasons for disagreement, may be submitted to the General Manager within thirty days of receiving written notification of the reclassification decision. Request for reclassifications are accepted only in the fall of each year. The MTA Board makes final approval with budget adoption in their December board meeting. All reclassifications become effective the first of the year following budget approval.



If a position is reclassified, the incumbent will move to the new range that exceeds his/her current salary.

A reclassification resulting in placement in a lower salary range is not considered a demotion. If an employee's salary is higher than the top of the new range, the employee's current salary will be maintained until the reassigned salary range has met or exceeded the previous salary.

## **2-19 Interim or Temporary Appointments for Exempt Positions**

An employee may be temporarily assigned to another MTA position for reasons such as:

- Temporary staffing for a new program;
- Replacement of injured worker;
- Leave replacement; or
- To meet the business needs of MTA.

Where a position will be unattended for a significant period of time (generally more than more than 30 days), an interim or temporary appointment may be made. The team manager via a Personnel Action Request form (PAR) must authorize any interim/temporary appointment in advance, reflecting the assignment and salary change.

If an employee is temporarily appointed for more than 30 days, the employee's salary will be temporarily changed for the duration of the appointment. The salary for the interim/temporary appointment will exceed the employee's current salary by 5%.

## **2-20 Mandatory Acting Appointments**

Unlike other positions at MTA, the General Manager and Clerk of the Board positions cannot be vacant for more than one workday. Following a one-day absence in either position, a temporary appointment will be made to cover subsequent absences for reasons such as:

- The statutory requirement of MTA to have an active Clerk of the Board at meetings of the MTA Board;
- Leave replacements; or
- To meet the business needs of MTA.

The General Manager will authorize the Acting Clerk of the Board assignment, as well as the Acting General Manager assignment. If the General Manager is unable to authorize the Acting Clerk of the Board and Acting General Manager assignment, the Board will appoint the Acting representatives.

If the mandatory acting appointment is longer than 30 days, the employee's salary will be temporarily changed for the duration of the appointment. The salary for the mandatory acting appointment will exceed the employee's current salary by 5%.

## Section 3 - Benefits

### 3-1 Benefits Overview

In addition to good working conditions and competitive pay, it is Mason Transit Authority's policy to provide a combination of supplemental benefits to all eligible employees. In keeping with this goal, each benefit program has been carefully devised. These benefits include time-off benefits, such as vacations and holidays, and insurance and other plan benefits. We are constantly studying and evaluating our benefits programs and policies to better meet present and future requirements. These policies have been developed over the years and continue to be refined to keep up with changing times and needs.

The next few pages contain a brief outline of the benefits programs Mason Transit Authority provides employees and their families. Of course, the information presented here is intended to serve only as guidelines.

The descriptions of the insurance and other plan benefits merely highlight certain aspects of the applicable plans for general information only. The details of those plans are spelled out in the official plan documents, which are available for review upon request from the Administrative Services Manager. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions ("SPDs") for the plans (which may be revised from time to time). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including the SPDs and this handbook.

Further, Mason Transit Authority (including the officers and administrators who are responsible for administering the plans) retains full discretionary authority to interpret the terms of the plans, as well as full discretionary authority with regard to administrative matters arising in connection with the plans and all issues concerning benefit terms, eligibility and entitlement.

While MTA intends to maintain these employee benefits, it reserves the absolute right to modify, amend or terminate these benefits at any time and for any reason, subject to any collective bargaining obligations.

If employees have any questions regarding benefits, they should contact the Administrative Services Manager, or refer to their current collective bargaining agreement.

### 3-2 Paid Holidays

The holiday schedule with specific dates is posted each year on the annual calendar. When a holiday falls on a Saturday, it will be observed on the preceding Friday. When the holiday falls on a Sunday, it will be observed on the following Monday. ***Public Service may run on some holidays or observed holidays.*** Regular Full-Time, Regular Part-Time and Full-Time Worker Driver employees will be paid for the following holidays:

New Year's Day  
 Martin Luther King, Jr. Day  
 President's Day  
 Memorial Day  
 Independence Day  
 Labor Day  
 Veterans' Day  
 Thanksgiving Day  
 Day after Thanksgiving  
 Christmas Day

Back-up Worker Drivers must work the entire pay period to be eligible, regardless if they work for multiple drivers or the same one.

When holidays fall or are celebrated on a regular work day, eligible Regular Full-Time employees will receive eight (8) hours of holiday pay at their regular straight-time rate, eligible Regular Part-Time employees will receive four (4) hours of holiday pay at their straight-time rate, and Full-Time Worker Drivers will receive holiday pay for shift hours. All eligible employees who work on a holiday will receive holiday pay and hours worked at their regular straight-time rate.

If a holiday falls within an eligible employee's approved vacation period, the eligible employee will be paid for the holiday (at the regular straight-time rate) in addition to the vacation day, or the eligible employee may reduce their vacation request by one day to allow for compensation of the holiday pay.

If a holiday falls within a jury duty or bereavement leave, the eligible employee will be paid for the holiday (at the regular straight-time rate) in addition to the leave day, or the eligible employee may reduce their vacation request by one day to allow for compensation of the holiday pay.

Employees who are in a non-paid status both before and after the day of a holiday, or otherwise on a leave of absence without pay (LWOP) are not eligible for paid holidays.

Holiday hours are not counted as hours worked when calculating overtime for the week.

### 3-3 Paid Vacations

MTA appreciates how hard employees work and recognize the importance of providing time for rest and relaxation. MTA encourages employees to get this rest by taking vacation time. Regular Full-time employees accrue paid vacation time as follows:

# of Months	Hours Accrued/Pay Period
0-12	3.69
13-24	4.00
25-60	4.30
61-120	5.53
121+	7.38

Regular Part-Time employees accrue paid vacation time as follows:

# of Months	% Accrued/Pay Period
0-12	5.1%
13-24	5.5%
25-60	5.9%
61-120	7.6%
121+	10.2%

Regular Part-Time employees accrue paid vacation based on the number of worked hours in a pay period.

Worker Driver, On-Call, Interns and Temporary positions are not eligible to receive paid vacation.

Vacation leave begins accruing upon hire and becomes available for use after completing six months of employment. Vacation is paid out at 100% up to 240 hours when an employee leaves MTA

Use of vacation leave must be approved in advance by a manager/supervisor. Vacations shall initially be scheduled according to seniority, then on a first-come, first-served basis.

MTA shall have the right to establish a vacation schedule establishing the number of employees allowed vacation on given dates and/or shifts.

See applicable collective bargaining agreement for additional details regarding the vacation bidding process.

### **3-4 Paid Personal Days**

Regular Full-time employees are eligible to receive up to sixteen (16) hours personal leave per calendar year. During the calendar year in which a full-time employee is first hired, those full-time employees hired after June 30 will be eligible to receive eight (8) personal leave hours.

Manager's personal days are determined on a pro-rata basis with the Board's approval of the Non-Rep Compensation Plan each year.

Part-time employees are eligible to receive up to eight (8) personal leave hours per calendar year. During the calendar year in which a part-time employee is first hired, those part-time employees hired after June 30 will be eligible to receive four (4) hours personal leave.

Full-time Worker/Drivers are eligible to receive up to twenty-five (25) hours personal leave per calendar year. During the calendar year in which a full-time Worker/Driver is first hired, those full-time drivers hired after June 30 will be eligible to receive twelve and a half (12.5) personal leave hours.

Earned, unused personal days are forfeited at the end of the calendar year and are not paid out at separation. Personal days are replenished during the processing of the first payroll each year.

Full-Time employees must use personal leave in eight (8) hour increments. Part-Time employees must use personal leave in four (4) hour increments. Worker/Drivers must use personal leave in five (5) hour increments.

Personal days must be scheduled in advance. Management reserves the right in its sole discretion to deny any requests based on seniority or agency service needs.

### **3-5 MTA Sick Leave**

In addition to Washington Paid Sick Leave, full-time employees are eligible to receive up to 44 hours of MTA sick leave at the rate of 1.69 hours per bi-weekly pay period each year.

*(See POL-310 MTA Sick Leave Policy for details.)*

### **3-6 WA Paid Sick Leave**

MTA provides Washington Paid Sick Leave to all employees to use for qualifying reasons according to RCW 49.46.200.

*(See POL-309 WA Paid Sick Leave Policy for details.)*

### **3-7 Washington Family Care Act**

Consistent with the Washington Family Care Act, employees may use their choice of any accrued leave (*e.g.*, vacation, sick leave, personal leave) that they have available for their own use in order to care for their child, spouse, registered domestic partner, parent, parent-in-law or grandparent.

An employee may use available paid time off to care for his/her child where the child has a health condition requiring treatment or supervision, or where the child needs preventive care (such as medical, dental, optical or immunization services).

An employee may use available paid time off when a spouse, registered domestic partner, parent, parent-in-law, or grandparent has a “serious or emergency health condition,” which are conditions:

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

Employees are required to notify their supervisor of the need to take time off to care for a family member as soon as the need for leave becomes known. MTA reserves the right to require verification or documentation confirming a family member’s health condition when available leave is used to care for

that family member; provided, that if the employee elects to use Washington paid sick leave, verification procedures described in the WA paid sick leave policy will be applied.

### **3-8 Workers' Compensation**

All employees are covered for on-the-job injuries or illnesses through Washington State's worker's compensation insurance, administered by the Department of Labor and Industries (L&I) <http://www.lni.wa.gov/default.asp>. This state insurance program is designed to cover employees' medical costs and provide compensation for work time lost resulting from on-the-job accidents and injuries. Long-term remedies, such as vocational rehabilitation or cash settlements, are also possible. Entitlement to all such benefits will be determined by L&I.

Employees will receive regular pay for the day the injury occurred if they seek medical treatment at the time of injury. For example, an employee who normally works 8:00 AM to 5:00 PM, with an hour for lunch, is injured at 2:00 PM and goes to the doctor. Despite working only five hours, the employee will be paid for eight hours.

L&I provides time-loss payments, at a percentage of regular salary, for time off work from the date of injury until the employee returns to work, if the employee is off work for 14 consecutive days or more. If the employee returns to work prior to the 14th day following the injury, L&I pays time-loss from the fourth day until the employee returns to work. The employee will use sick leave to cover those first three days off work. If no sick leave is available, the employee will be on leave without pay, vacation or personal leave for those days.

Employees may also use sick leave or vacation leave to make up the difference between the amount paid for time-loss and regular pay.

Employees may be eligible for transitional modified duty work as part of L & I's Stay at Work program.

L&I does pay approved medical costs resulting from an on-the-job injury or illness, even if the employee does not miss work.

*(See POL-601 Providing Workers' Compensation and Transitional Work Assignments Policy for details.)*

### **3-9 Jury Duty**

Mason Transit Authority realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty. When an employee is excused from jury duty prior to the end of the workday, the employee is required to report back to work or check in with their supervisor.

Regular full-time employees will be paid their regular salary/wages for any period of service required as a juror that occurs during the employee's scheduled workday. MTA is not obligated to pay an employee for jury duty outside of an employee's scheduled work hours. Travel time to and from jury duty is not paid time. If an employee is scheduled to perform jury duty outside their normally scheduled shift, the employee may make arrangements to flex their shift, subject to approval by their manager. Employees will be reimbursed the difference between the daily jury stipend and their regular rate of pay. Employees are entitled to retain any expense payment.

### **3-10 Bereavement Leave**

The death of a family member is a time when employees wish to be with their families. For the purposes of this policy, immediate family includes a spouse, domestic partner, child, parent, sibling, stepparents, stepchildren, stepsiblings, grandparents, grandchildren, parents-in-law, son or daughter-in-law and brothers or sisters-in-law. Regular full-time employees are allowed a maximum of three 8-hour days (24 hours) of paid leave for the loss of an immediate family member when absent on regularly scheduled workdays, following the day of death. Regular part-time employees are allowed a maximum of three 4-hour days (12 hours). Employees must inform their supervisor prior to commencing bereavement leave. In administering this policy, Mason Transit Authority may require verification of death. Bereavement days expire if not used within 6 months unless special accommodation is given.

### **3-11 Voting Leave**

MTA encourages each employee to exercise the right to vote. Washington State uses a vote by mail system, therefore in most situations, employees should be able to vote before or after work or by mail ballot. If this is not possible, employees may take up to two hours, with pay, to vote. This time must be requested in advance, and employees are generally expected to take the time off at the beginning or the end of the workday or whenever is most convenient for the agency.

### **3-12 Insurance Programs**

MTA provides a package of healthcare benefits, including medical, dental, vision, life, long-term disability and employee assistance programs. Medical and other insurance benefits begin on the first day of the first month following date of hire or status change. For eligible employees who qualify for and choose to purchase insurance coverage through MTA for themselves and/or their family, the employee's contribution will be deducted from the employee's paycheck. MTA will deduct the premiums from the first two pay periods of the month. For those months with three pay periods, the third pay period will not have premiums deducted.

In addition to the general information provided below, the most recent and specific details of each plan are available from Administrative Services. MTA reserves the right to change or discontinue any of these benefits at any time. The current benefit plan documents supersede any information provided in this handbook.

The General Manager may evaluate requests to extend healthcare benefits beyond an employee's termination date or in cases where an employee reduces hours due to a disability. Details of the amount and duration of any extension will be determined on a case-by-case basis.

### **Medical Insurance**

MTA provides subsidized medical insurance for eligible employees and their dependents. Employees will be provided with the current available choices of medical carriers. The General Manager evaluates requests to extend full-time benefits for certain positions when hours in that position have been reduced for business reasons from regular full-time hours to regular part-time hours.

### **Dental Insurance**

MTA provides subsidized dental insurance for eligible employees and their dependents. Employees will be provided with the current available choices of dental carriers.

### **Life Insurance**

MTA provides a flat amount \$48,000 subsidized life insurance with an additional \$1,000 basic dependent life insurance. A reduction of benefit begins at age 65. See Schedule of Insurance for details.

### **3-13 Long-Term Disability Benefits**

MTA offers Long-Term Disability (LTD) Insurance to help protect a certain level of income in the event an employee cannot work because of a covered illness or injury. Refer to the plan guide for details.

### **3-14 Salary Continuation**

Mason Transit Authority provides access to employee-paid AFLAC policies which can provide a source of income when accidents, sickness, cancer, or disability affects you or your family. Available as a payroll deduction, most AFLAC policies can be pre-taxed and will not affect nor interfere with your core insurance coverage.

### **3-15 Employee Assistance Program**

MTA provides access to EAP to all employees and their dependents. The EAP provides confidential help to resolve a variety of issues, including physical or mental illness, substance use/abuse, legal, financial or other personal problems. Employees are encouraged to contact the EAP before a personal problem affects work performance. To proactively address performance issues, team managers may advise employees to contact the EAP. The phone number to schedule appointments is the same number as the 24-hour Crisis Services (800) 570-9315.

Team managers will not consider an employee's decision to interact or not to interact with the EAP when taking any disciplinary action.



### 3-16 Smoking Cessation Incentive

Employees who successfully quit smoking will be reimbursed 100% of the cost of the smoking cessation program, up to a maximum of \$100. Employees may submit a request for reimbursement after not smoking for 30 days, while also agreeing to repay the amount in full if they begin smoking within two years of being reimbursed. The “Smoking Cessation Reimbursement Agreement” form is available from Administrative Services.

### 3-17 Retirement Plan

There is no mandatory retirement age for MTA employees. MTA requests that an employee who plans to retire provide written notice of retirement to his/her team manager at least two weeks prior to retirement date. The employee’s team manager is responsible for notifying the Administrative Services Manager. The Finance Team is responsible for reporting the employee’s separation date to the Washington State Department of Retirement Systems.

To obtain retirement benefit information, employees must contact the Washington State Department of Retirement Systems (DRS) office in Olympia. This should be done at least 90 days in advance of the anticipated date of retirement. The employee’s social security number should be included on all correspondence. PERS retirees considering re-employment by MTA or any employer covered by one of the Washington State retirement systems should be aware that returning to work may affect their retirement benefits. Please contact the Department of Retirement Systems (DRS) prior to returning to work to discuss the impacts.

#### PERS CONTACT INFORMATION

##### Mailing:

WA State Department of Retirement Systems  
PERS  
PO Box 48380  
Olympia, WA 98504-8380  
Web site: <http://www.drs.wa.gov/>

##### Phone Information:

(360) 664-7000  
1-800-547-6657  
TDD: (360) 586-5450

### 3-18 Education Assistance Program

MTA supports employees who wish to continue their education to secure increased responsibility and growth within their professional careers. In keeping with this philosophy, the agency has established a reimbursement program for expenses incurred through approved institutions of learning. If you are a full-time regular employee and have completed one year of service, you are eligible for participation in

this program so long as the courses provide additional education to increase the competence in the employee's present job and to prepare for advancement in MTA.

*(See Policy 303 - Educational Assistance Program Policy.)*

### **3-19 Extended Medical Benefits - COBRA**

In compliance with the Consolidated Omnibus Budget Reconciliation Act (COBRA) <http://www.dol.gov/ebsa/>, MTA offers continuing healthcare benefits to employees and their covered dependents who have lost insurance due to termination of employment, a reduction in work hours, resignation, retirement or death. Except in instances where termination is due to gross misconduct, employees and their covered dependents may continue coverage for a specified period of time at their own expense plus a 2% administration fee. Terminating employees should contact Administrative Services for information on continuing group health benefits.

### **3-20 Vacation Payout**

All accrued, unused Vacation Leave up to 240 hours will be paid upon resignation, termination or retirement, when an employee leaves MTA except as noted below. To be eligible for Vacation Payout employees must have satisfactorily completed probation. An employee who is discharged for misconduct or resigns in lieu of discharge for misconduct, will not be paid for any accrued but unused vacation. Vacation payout will be paid out in the payroll following the last payroll worked. Vacation payout will be made once confirmation that all agency property has been returned.

### **3-21 Sick Leave Payout**

Employees who have accrued at least four hundred eighty (480) hours of MTASL as of December 1 of each year may elect to exchange any number of hours so long as the balance remains at or above four hundred eighty (480), for a fractional payout on the following pay period at an exchange of one hour's pay per two hours accrued leave (1:2).

Upon separation of employment or retirement, under non-disciplinary circumstances and with at least five (5) years of employment with MTA, the employee shall be paid for all accumulated MTA sick leave up to nine hundred sixty (960) hours at the following rates of pay per accrued hours:

Accrued Sick Leave	Cash Out Rate
0 – 480 hours	1:3 hours
481 – 960 hours	1:2 hours

### **3-22 Observance of Religious Holidays**

If an employee's religious beliefs require observance of a holiday not included in the observed holiday schedule, or if the employee desires leave for a reason of faith or conscience or an organized activity

conducted under the auspices of a religious denomination, church or religious organization, the employee may request the day off using accrued leave or leave without pay. The employee is entitled to a maximum of two (2) unpaid religious leave days in a calendar year. Requests must be submitted for approval at least two (2) weeks prior to the requested day. The Department Manager will evaluate whether the employee's absence will cause an undue hardship to Mason Transit.

### **3-23 Uniforms**

MTA shall provide MTA-branded uniform work clothing and foul weather gear at no cost to non-represented employees as well as reimbursements for specific required items as appropriate for their department. MTA shall reimburse these individuals through the next payroll following submittal to payroll.

*(Represented employees should refer to their respective collective bargaining agreements.)*

## Section 4 - Leaves of Absence

### 4-1 Family and Medical Leave Act

#### Statement of Policy

The federal Family and Medical Leave Act (FMLA) provides eligible employees up to 12 workweeks of unpaid job protected leave per 12-month period for any one or more of the reasons listed below.

- The employees' own serious health condition that makes the employee unable to perform one or more of the essential functions of his/her position; or
- The physical or psychological care for a serious medical condition of an immediate family member (spouse, child, parent) of the employee; or
- The birth and care of a newborn child or the placement of a child with the employee for adoption or foster care (leave for this reason must be taken within the 12-month period following the child's birth or placement); or
- For a "qualifying exigency" arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member (including those in the regular Armed forces, the National Guard or the Reserves) who is on active duty in, or has been notified of an impending call to deployment with the Armed Forces to, a foreign country. Qualifying exigencies are generally activities related to the active duty or call to duty, including attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

An eligible employee may also take up to 26 weeks of leave during a single 12-month period to care for an injured service member who is the employee's spouse, parent, child or next of kin (referred to as "military caregiver" leave). The combined total of leave for all purposes described in this policy may not exceed 26 weeks in the applicable leave year.

When an employee is disabled during pregnancy or following childbirth, she is entitled to unpaid pregnancy disability leave under state law, regardless of FMLA eligibility. She may also be eligible for additional leave under the Washington State Paid Family Medical Leave Act (PFML).

All FMLA leave will be administered in accordance with the federal statute and FMLA regulations. To the extent a particular mandatory FMLA eligibility, certification or other issue is not specifically addressed in this policy, MTA will follow the law and regulations.

12-Month Period – MTA uses the rolling calendar year method. This means that the amount of FMLA leave an employee is entitled to is calculated by looking at the previous 12-month period measured backward from the date the first day of FMLA leave is taken. The only exception is for military caregiver leave, in which the 12-month period begins on the first day the employee takes military caregiver leave.

Spouses – If both spouses work for MTA, their combined leave in any 12-month period will be limited to a total of 12 work weeks if the leave is taken for either the birth or placement for adoption or foster care of a child or to care for a sick parent. If either spouse uses FMLA leave for his or her own serious medical condition, each spouse remains eligible for the remainder of his or her 12 workweeks, excluding time taken to care for a family member or birth/placement of a child.

Child – means a child either under 18 years of age or 18 years of age or older who is incapable of self-care because of a mental or physical disability. An employee's “child” is one for whom the employee has actual day-to-day responsibility for care and includes a biological, adopted, foster or stepchild.

Parent – means a biological parent or an individual who stands or stood *in loco parentis* to an employee when the employee was a child. This does not include in-laws.

Covered service member – for purposes of military caregiver leave, refers to a current member of the Armed Forces, including National Guard or Reserve members, who has a serious injury or illness incurred or aggravated in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation or therapy; or is in outpatient status; or is on the temporary disability retired list. Covered service member also includes a veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness incurred or aggravated in the line of active duty if the veteran was a member of the armed forces at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.

Serious Health Condition – means an illness, injury, impairment, or a physical or mental condition that involves:

- Inpatient care; or
- Any period of incapacity of ***more than three calendar days*** that involves continuing treatment by a health care provider, or
- Continuing treatment by a health care provider for a chronic or long-term health condition that is incurable or which, if left untreated, would likely result in a period of incapacity of more than three calendar days; or
- Prenatal care by a health-care provider, or any period of incapacity due to pregnancy.

Continuing Treatment – means

- Two or more treatments by a health care practitioner on referral from or under the direction of, a health care provider; or
- A single visit to a health care provider that results in a regimen of continuing treatment, such as treatment for cancer, diabetes, kidney disease, heart disease, stroke, severe respiratory illness or pregnancy, for example. A regimen that includes taking over-the-counter medications, bed rest, drinking fluids, exercises and other similar activities do not constitute a regimen of continuing treatment; or
- In the case of a serious long-term or chronic condition or disability that cannot be cured, being under the continuing supervision of, but not necessarily being actively treated by, a health care provider.

Health Care Provider – defined as licensed Doctor of Medicine or osteopathy, podiatrists, clinical psychologists, optometrists, and chiropractors (only when providing manual manipulation of the spine to treat certain demonstrated maladies). Nurse midwives and nurse practitioners, any health care provider who is listed on the employer’s group health plan and registered Christian Science practitioners are also recognized.

## **Coverage and Eligibility**

To be eligible for FMLA leave, the employee must have worked for MTA for at least 12 months (not necessarily consecutively) and have worked at least 1,250 hours over the previous 12-month period.

## **Intermittent or Reduced Leave**

An employee may take leave intermittently, in separate blocks of time ranging from thirty minutes to several weeks, or on a reduced leave schedule to care for an immediate family member with a serious health condition or because of a serious health condition of the employee when “medically necessary”. Intermittent or reduced schedule leave may also be taken for qualifying military exigencies.

Reduced schedule leave and intermittent leave for personal medical leave is limited to times which are scheduled for treatment, recovery from treatment or illness, and for periods of disability due to a chronic health condition, including psychological care when such care would benefit the patient.

An employee must have prior consent of his or her team manager when intermittent or reduced leave is taken after the birth or placement of a child for adoption or foster care.

For part-time employees and those who work variable hours, the amount of FMLA time is calculated on a prorated basis. Part-time employees receive up to 12 of their average workweeks of unpaid leave. An average of the 12 months prior to the beginning of the leave will be used for calculating the employee’s normal workweek, if necessary.

If an employee needs leave intermittently or on a reduced leave schedule for planned medical treatment, then the employee must make a reasonable effort to schedule the treatment so as to not unduly disrupt MTA’s operations.

## **Use of Sick Leave on FMLA**

Non-represented employees may use accrued sick, vacation, personal leave or take Leave Without Pay while on FMLA. Represented employees should refer to applicable collective bargaining agreements. In cases, where the employee is on FMLA and L&I concurrently, the employee may choose to supplement L&I time-loss payments with sick, vacation and/or personal leave.

## **Notice Requirement**

- When an employee requests a FMLA leave, or when MTA becomes aware that an employee’s absence may be for a FMLA qualifying reason, MTA will, within five business days, issue the “Notice of Eligibility and Rights and Responsibilities”, a “Medical Certification” form and the FMLA policy to the employee. Under extenuating circumstances, the five days may be extended as per [29 CFR §825.300](#). The forms will be mailed to the employee’s home if they are still on leave when the notice is issued.
- When the employee provides information indicating that the leave may be FMLA covered, MTA will issue the documents requested as listed in the previous paragraph above within five business days. The employee may not request FMLA for prior leave periods not certified for the current absence. The employee must provide the Medical Certification within 15 calendar days

of the date management issued the “Notice of Eligibility and Rights and Responsibilities”, unless it is not practicable under the particular circumstances to do so despite the employee’s diligent, good faith efforts. A 16<sup>th</sup> day will be added if the notice was mailed to the employee’s home. A reasonable extension of this deadline may be granted provided a request is made prior to the Medical Certification submission deadline date and Administrative Services is kept updated as to the status of the paperwork.

- If a leave is foreseeable, employees are required to give a 30-day notice of their need for leave, so MTA can arrange proper accommodations. If leave is unforeseeable, notice must be given as soon as practicable. If an employee is off work due to an L&I injury or is on disability insurance, his/her leave will be automatically designated as FMLA (if the employee is eligible), whether or not the employee requests FMLA. Administrative Services will advise the employee of this designation.
- Absent extenuating circumstances, MTA will provide a “Designation Notice” within five business days of receiving enough information to determine whether the leave is for an FMLA-qualifying reason. Only one designation notice will be provided for each FMLA-qualifying reason per 12-month period (for example, a designation notice would be provided upon certification of a serious health condition, but not each time the employee took intermittent leave thereafter).
- If there is a dispute as to whether leave qualifies as FMLA leave, MTA and the employee should attempt to resolve it through documented discussions maintained by MTA ([29 CFR §825.301 C](#)).
- Administrative Services will maintain central record keeping on FMLA leave. Administrative Services will coordinate the necessary documentation and notify the employee in writing of the FMLA start dates and the rights employees have under the law.
- No MTA staff may require the employee to provide medical documentation to anyone outside of Administrative Services.
- When an employee turns in a doctor’s note for an absence less than 30 days or a Return-to-Work form for absences that are 30 or more days to their supervisor or team manager, established Return to Work policies will prevail at that point.
- If an employee returns to work before the planned return date from the FMLA leave, the employee must provide at least one working days advance notice.
- If an employee does not return to work *for medical reasons* on the planned return date from the FMLA leave, the employee will have to provide either an updated “*Medical Certification*” or a revised “*Return to Work Release*” form or doctor’s note, if absence is less than 30 days.

## Medical Certification

- For leaves taken because of the employee's or a covered family member's serious health condition, the employee must submit a completed “*Medical Certification*” form and return the certification to Administrative Services (a different, non-medical certification form must be submitted if leave is taken for a “qualifying emergency” arising from a family member’s military service).
- If MTA finds a medical certification to be incomplete or insufficient, it will advise the employee in writing what additional information is needed to make the certification complete and sufficient. An employee will be given ten (10) calendar days to cure the deficiency (unless more time is needed despite the employee’s diligent and good faith efforts).

- MTA may take steps to authenticate or clarify a medical certification only in writing with the medical practitioner who completed the form or his/her staff member, may request periodic recertification as allowed under federal law, and/or may require (at MTA expense) a second and/or third opinion. This can be done either by fax or by mail and shall include notice to the employee that authentication is being sought.
- MTA may seek clarification where information is vague, ambiguous, or non-responsive. To do so, MTA shall return the medical certification to the employee noting the specific deficiencies. The employee shall be allowed ten (10) days, unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts to cure any such deficiency.

If MTA has reason to doubt the validity of a medical certification, it may request a second or third opinion at its own expense.

Any such efforts to verify a medical certification to determine the employee's entitlement to FMLA leave will comply with the process and limitations set forth in federal FMLA regulations, including but not limited to restrictions on the health care providers(s) that may be designated to provide second or third opinions ([29 CFR §825.307 – 825.308](#)).

All documentation related to the employee's or family member's medical condition will be held in strict confidence and maintained in Administrative Services in files separate from the employee personnel records.

### **Effects on Benefits**

- MTA will continue to pay the employer premiums for any health, dental, vision, and life insurance at the same level that the employee received prior to going on FMLA while they are on protected leave, provided the employee pays the employee's portion of premiums.
- Employees do not accrue vacation or sick leave during any period of LWOP and will not receive holiday pay while on FMLA or LWOP.

### **FMLA and L & I**

All consecutive L&I absences of more than 3 days are automatically approved as FMLA if absence qualifies under FMLA.

All intermittent L&I absences will be approved as FMLA where there is an associated open L&I case on file with the state.

### **Time Sheets**

All FMLA leave, paid or unpaid, must be identified as such on the employee's time sheets.

## **4-2 Paid Family and Medical Leave (PFML)**

The Washington State Paid Family and Medical Leave (PFML) law (Chapter 50A RCW) and supporting regulations establish a program administered by the Washington Employment Security



Department (ESD) to provide paid leave benefits and job protection to eligible employees who need leave for certain family and medical reasons.

### **Eligibility**

Under PFML, employees may be eligible for monetary benefits and/or job protection. Eligibility requirements are as follows:

**Monetary benefits:** Employees who have worked 820 hours for any Washington employer in the qualifying period (equal to 16 hours a week for a year) are eligible to apply for paid medical leave or paid family leave (collectively PFML). “Qualifying period” means the first four (4) of the last five (5) completed calendar quarters or, if eligibility is not established, the last four (4) completed calendar quarters immediately preceding the application for PFML. The 820 hours are cumulative, regardless of the number of employers or jobs someone has during a year. All paid work over the course of the year counts toward the 820 hours, including part-time, seasonal, and temporary work.

**Job protection:** In order to be eligible for job protection under PFML, an employee must work for an employer with 50 or more employees, must have worked for that employer for at least 12 months, and must have worked 1250 hours in the year preceding the PFML application.

### **Duration of Entitlement**

Eligible employees may be entitled to receive PFML benefits for up to 12 weeks per claim year when taking medical or family leave, or for a combined total of 16 weeks of family and medical leave per claim year; an additional two weeks of PFML benefits may be available in the event the employee’s leave involves incapacity due to her pregnancy. The claim year begins when the employee files a claim for PFML benefits. PFML benefits may be available in connection with leave taken for the following reasons:

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

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

## **Filing Claims with the ESD**

Employees may apply for PFML benefits by:

- using the ESD online services;
- contacting the paid family and medical leave customer care center by telephone; or
- using alternate methods authorized by ESD.

The ESD is solely responsible for determining if an employee is eligible for benefits. If eligible, an employee must file claims on a weekly basis to continue receiving PFML benefits. The ESD paid leave website contains a benefits calculator to assist employees in calculating their weekly PFML benefit.

## **Notification Requirements**

An employee must provide written notice to MTA of the intent to take PFML leave. If the need for leave is foreseeable, notice must be given at least 30 days in advance of the leave. For unforeseeable leave, notice must be given as soon as practicable. The employee's written notice must include the type of leave taken (family or medical), as well as the anticipated timing and duration of the leave. If an employee fails to provide this required notice to MTA, ESD will temporarily deny PFML benefits. After receiving the employee's notice of the need for leave, MTA will advise the employee whether the employee is eligible for job protection under the FMLA and/or PFML.

For any PFML leave day to be permitted under this policy the employee must file a claim for the corresponding day of leave with ESD. MTA reserves the right to require employee confirmation of application to ESD for PFML benefit days and will consider any PFML day that benefits were not applied for as an unapproved absence.

## **Supplemental Benefits During PFML**

MTA does not offer supplemental benefits to employees who are receiving PFML.

## **FMLA Concurrent with PFML**

Any time off for PFML purposes will run concurrently with FMLA, if applicable. Please see the "Family and Medical Leave" policy for eligibility requirements.

## **Questions and/or Complaints about PFML**

MTA is prohibited from discriminating or retaliating against employees for requesting or taking PFML.

For more information on PFML, employees may go to [paidleave.wa.gov](http://paidleave.wa.gov) or speak with the Administrative Services Manager.

*(See POL-311 - Washington Paid Family and Medical leave for a summary of the PFML program.)*

### **4-3 Leave for Victims of Domestic Violence, Sexual Assault, or Stalking; Safety Accommodation**

If the employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking, the employee may be eligible to take reasonable, unpaid time off from work for one or more of the following reasons:

- seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or a family member including, but not limited to, preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault or stalking;
- seek treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault or stalking, or to attend to health care treatment for a victim who is a family member;
- obtain or assist a family member in obtaining services from a domestic violence shelter, rape crisis center or other social services program for relief from domestic violence, sexual assault or stalking;
- obtain or assist a family member in obtaining mental health counseling related to an incident of domestic violence, sexual assault, or stalking, in which the employee or family member was a victim of domestic violence, sexual assault or stalking; or
- participate in safety planning, temporarily or permanently relocate, or take other actions to increase personal safety or that of family members from future domestic violence, sexual assault or stalking.

Employees may elect to use any sick leave or other paid time off for leave pursuant to this policy. Leave may take the form of reasonable unpaid leave from work, intermittent leave or leave on a reduced leave schedule.

Employees wishing to take leave pursuant to this policy must give advance notice of their intention to take leave. When advance notice cannot be given because of an emergency or unforeseen circumstance due to domestic violence, sexual assault or stalking, the employee or a designee must give notice no later than the end of the first day on which such leave is taken.

Verification of the need for leave may be required.

MTA will also make reasonable safety accommodations for any personnel who are victims of domestic violence, sexual assault or stalking. Accommodations may include, for example, modification of a telephone number or email address, modified work schedule or implementation of safety procedures. If you are a victim in need of safety accommodations, please contact the Administrative Services Manager.

### **4-4 Pregnancy and Childbirth Leave**

Employees are eligible to take unpaid leave for the actual period of time that they are sick or temporarily disabled because of pregnancy or childbirth.

Any employee wishing to request leave because of a pregnancy-related disability, must supply appropriate medical certification.

This leave is available regardless of whether the employee qualifies for leave under MTA's Family & Medical Leave policy. This leave will run concurrently with FMLA and/or PFML where applicable, provided that pregnancy/childbirth disability leave may extend beyond FMLA and PFML leaves if the employee's disability is ongoing.

During this leave, the employee may use any applicable paid time off benefits that she has available to cover some or all of the absence and may be eligible for PFML benefits. Otherwise, the leave will be unpaid. Group health and other benefits will be handled in the same manner as for any other similar pregnancy or non-pregnancy related absence.

If the employee takes this leave only for the actual period of disability, as certified by her health care provider, then she ordinarily will be allowed to return from this leave to the same job she held when the leave began, or to a similar job of at least the same pay. Exceptions to this general rule will be made only if MTA has a business necessity to do otherwise.

#### **4-5 Military Leave**

If employees are called into active military service or enlist in the uniformed services, they will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, employees must provide management with advance notice of service obligations unless they are prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable to provide such notice. Provided the absence does not exceed applicable statutory limitations, employees will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Employees should ask management for further information about eligibility for Military Leave.

If employees are required to attend yearly Reserves or National Guard duty, they can apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law (including travel). They should give management as much advance notice of their need for military leave as possible so that we can maintain proper coverage while employees are away.

Employees will receive regular pay for the first 21 days of military leave during the twelve-month period October 1 to September 30. Military leave pay is in addition to any other leave benefits. Following this paid leave, employees may go on accrued vacation or personal leave for any remaining commitment.

#### **4-6 Leave Without Pay (LWOP)**

Employees who have exhausted all vacation and personal leave and need additional leave may submit a written request for a leave of absence without pay for non-medical personal reasons to their supervisor at least 30 days in advance. Emergency requests may be submitted in writing without advance notice. The leave request must be dated, signed by the employee, state the reasons, circumstance, duration and location of the employee during the leave. MTA is sensitive to employee needs and will make

reasonable attempts to accommodate such requests if they do not disrupt the business operations of the agency. Any employee who fails to report promptly for work at the expiration of a leave of absence; accepts other employment during the leave; or applies for unemployment insurance while on leave, will be considered to have voluntarily resigned.

Employees who have exhausted all PFML or FMLA protected leave for a medically related absence and are unable to return to work, may submit a written request to HR for an accommodation under the American Disabilities Act (ADA & ADAA). The interactive process between the employee's healthcare provider and HR will be required and supported by the completion of a Health Care Certification that outlines the accommodation requested including the additional length of time needed for consideration of the accommodation's impact on MTA business needs.

When an MTA employee is on paid leave (i.e., is drawing on accrued leave to receive pay during a leave) MTA will continue to pay insurance premiums, less employee contributions.

Employees, who exhaust all paid leave must request LWOP. Employees on approved LWOP, for an entire pay period, will not accrue paid time off and will not be paid for holidays. Employees on LWOP must work at least 50% of the working days of the pay period in order to accrue leave and holidays. An employee on unpaid leave of absence for more than 30 consecutive days will be offered COBRA continuation of benefits through self-paid premiums.

#### **4-7 Return to Work Policy**

When an employee returns to work from a medical leave of more than three consecutive calendar days, MTA addresses safety, medical, and liability concerns by reserving the right to require that employees be evaluated by a qualified medical provider to verify the employee's ability to work.

*The Health Insurance Portability and Accountability Act of 1996 (HIPAA), the Family and Medical Leave Act of 1993 (FMLA), the Americans with Disabilities Act of 1990 (ADA),* various state and federal laws, and related case law all have requirements governing many aspects of the return to work process, documentation, and the sharing of medical information. In compliance with these laws and regulations, we maintain the confidentiality of medical information required to make the determination that an employee is ready to return to work, except as necessary to facilitate the return-to-work process.

#### **Return to Work Procedure**

In some cases, prior to returning to work, an employee must turn in to their supervisor or team manager a Return to Work Release form (RTW), completed by the treating healthcare provider(s). In order to balance the legal constraints with practical considerations and to allow team managers to safely return employees to work, the team manager will work with Administrative Services to review the form for completeness, clarity, and applicable restrictions and determine the employee's employment status. In most cases, this will be the date of release and any necessary accommodations and/or restrictions.

At the discretion of a team manager and/or the Administrative Services Manager, employees may be required to successfully complete job specific assessments, including, but not limited to, a vehicle orientation and driving refresher, drug test, and/or Functional Assessment, in addition to submitting a complete RTW, prior to starting work. At the suggestion of the healthcare provider or the discretion of

the team manager and/or Administrative Services Manager, employees may also be required to go through individualized transitional work program before returning to full duty.

“Return to Work Release forms” are available from Administrative Services, supervisor, or team manager.

## Section 5 - General Standards of Conduct

### 5-1 Workplace Conduct

Mason Transit Authority endeavors to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, we all must abide by certain rules of conduct, based on honesty, integrity and respect.

Because everyone may not have the same idea about proper workplace conduct, it is helpful to adopt and enforce rules all can follow. Unacceptable conduct may subject the offender to disciplinary action, up to and including discharge. The following are examples and not an exhaustive list of conduct which can be considered unacceptable:

1. Obtaining employment on the basis of false or misleading information.
2. Stealing, removing, or defacing Mason Transit Authority property or a co-worker's property,
3. Disclosure of confidential information.
4. Completing another employee's time records. Exception, a Supervisor/Manager in an employee's absence for the purposes of completing payroll.
5. Violation of safety rules and policies.
6. Violation of traffic laws.
7. Violation of Mason Transit Authority's Drug and Alcohol-Free Workplace Policy.
8. Fighting, threatening or disrupting the work of others or other violations of Mason Transit Authority's Workplace Violence Policy.
9. Failure to perform assigned job duties.
10. Violation of the Punctuality and Attendance Policy, including but not limited to irregular attendance, habitual lateness or unexcused absences.
11. Gambling on MTA property.
12. Willful or careless destruction or damage to MTA assets or to the equipment or possessions of another employee.
13. Wasting work materials.
14. Performing work of a personal nature during working time.
15. Violation of the Solicitation and Distribution. (See Section 5-9 below.)
16. Violation of Mason Transit Authority's Harassment or Equal Employment Opportunity Policies.
17. Violation of Information Technology policies.
18. Unsatisfactory job performance.
19. Any other violation of MTA policy.

Obviously, not every type of misconduct can be listed. MTA will handle each situation individually and nothing in this handbook should be construed as a promise of specific treatment in a given situation. Mason Transit Authority will endeavor to utilize progressive discipline and reserves the right in its sole discretion to terminate the employee for misconduct.

The observance of these rules will help to ensure that our workplace remains a safe and desirable place to work.

## **5-2 Punctuality and Attendance**

Employees are hired to perform important functions at Mason Transit Authority. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive, disruptive and place an unfair burden on fellow employees and supervisors. We expect excellent attendance from all employees. Excessive absenteeism or tardiness will result in progressive disciplinary action up to and including discharge.

We do recognize, however, there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify supervisors as early as possible, but no later than one hour before the start of the shift. Asking another employee, friend or relative to give this notice is improper and constitutes grounds for disciplinary action. Employees should call, stating the nature of the illness and its expected duration, for every day of absenteeism.

Unreported absences of three (3) consecutive workdays generally will be considered a voluntary resignation of employment with MTA.

*(See POL-310 MTA Sick Leave Policy for details.)*

## **5-3 Inclement Weather**

Employees are expected to be at their jobs regardless of weather conditions. During extreme weather conditions, employees who are unavoidably absent due to weather conditions may use vacation leave. In such event, an employee is expected to contact their supervisor or dispatch as soon as reasonably possible, in accordance with the department's established call-in/reporting procedures.

When inclement weather conditions cause MTA to cancel service, employees shall receive compensation equal to their scheduled work hours.

*(Represented employees should refer to their respective collective bargaining agreement for specific details regarding inclement weather.)*

## **5-4 Use of Social Media**

Mason Transit Authority respects the right of any employee to maintain a blog or web page or to participate in a social networking, Twitter, or similar site, including but not limited to Facebook and LinkedIn. However, to protect MTA interests and ensure employees focus on their job duties, employees must adhere to the following rules:

Employees may not post on a blog or web page or participate on a social networking platform, such as Twitter or similar site, during work time or at any time with MTA equipment or property unless on behalf of MTA as part of the employee's assigned job duties.

All rules regarding confidential and proprietary business information apply in full to blogs, web pages and social networking platforms, such as Twitter, Facebook, LinkedIn, or similar sites. Any information



that cannot be disclosed through a conversation, a note or an e-mail also cannot be disclosed in a blog, web page or social networking site.

Whether an employee is posting something on his or her own blog, web page, social networking, Twitter or similar site or on someone else's, if the employee mentions MTA and also expresses either a political opinion or an opinion regarding MTA's actions that could pose an actual or potential conflict of interest with MTA, the poster must include a disclaimer. The poster should specifically state that the opinion expressed is his/her personal opinion and not MTA's position. This is necessary to preserve MTA's good will in the community.

Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through a blog, web page, social networking, Twitter, or similar site. For example, posted material that is discriminatory, obscene, defamatory, libelous, or violent is forbidden. MTA policies apply equally to employee social media usage.

Mason Transit Authority encourages all employees to keep in mind the speed and manner in which information posted on a blog, web page, and/or social networking site is received and often misunderstood by readers. Employees must use their best judgment. Employees with any questions should review the guidelines above and/or consult with their manager. Failure to follow these guidelines may result in discipline, up to and including discharge.

*(See POL-1002 Social Media Communications Policy for details.)*

## **5-5 Inspections**

Mason Transit Authority reserves the right to require employees while on MTA property, to agree to the inspection of lockers, desks, cabinets, workstations, packages, or places of concealment in response to a credible concern or complaint under formal investigation. Employees are expected to cooperate in the conduct of any search or inspection when required.

### **Personal Property**

Further, MTA is not responsible for any damage to employees' personal belongings unless the employee's supervisor provided advance approval for the employee to bring the personal property to work.

## **5-6 Smoking in Public Places**

In the interest of the health and well-being of all employees, and in compliance with RCW 70.160 Smoking in Public Places and the [Expanded Clean Indoor Air Act](#), smoking is not allowed inside, or within twenty-five feet of any MTA-owned facility entry or exit doorways or vehicles, including buses, staff cars, vanpool vans, shelters and support vehicles. This includes the use of "e-cigarettes". Employees who wish to smoke must use designated smoking areas and dispose of their smoking materials in the ashtrays/bins provided.

## **5-7 Personal Visits and Telephone Calls**

Disruptions during work time can lead to errors and delays. Therefore, we ask that personal telephone calls be kept to a minimum, and only be made or received after working time, or during lunch or break time.

For safety and security reasons, employees must accompany personal guests when visiting anywhere in our facilities other than the reception areas.

## **5-8 Solicitation and Distribution**

Solicitation for non-profit charitable organizations may be allowed by the Administrative Services Manager, provided a detailed written request is submitted in advance. Approval of displays for non-profit solicitation purposes in non-work areas, such as lunchrooms or designated break areas may also be granted, provided those displays do not interfere with the work activities or employee use of those areas.

Solicitation of MTA employees for any partisan political organization or purpose is prohibited on MTA property at any time. Employees may not wear or display any sign or material relating to a political campaign while acting as an MTA employee. MTA facility, equipment, and supplies are for MTA business only and may not be used for any political issue or candidate.

## **5-9 Bulletin Boards**

Important notices and items of general interest are continually posted on our bulletin board, newsletters or other digital media. Employees should make it a practice to review these platforms frequently. This will assist employees in keeping up with what is current at Mason Transit Authority. To avoid confusion, employees should not post or remove any material from the bulletin board.

## **5-10 Confidential Information**

During the course of work, an employee may become aware of confidential information about Mason Transit Authority's business or MTA's clients. It is extremely important that all such information remain confidential, and particularly not be disclosed to those without a need to know. Any employee who improperly copies, removes (whether physically or electronically), uses or discloses confidential information to anyone outside of MTA may be subject to disciplinary action up to and including discharge. Employees may be required to sign an agreement reiterating these obligations.

## **5-11 Conflict of Interest and Business Ethics**

MTA expects its managers, officers, volunteers and employees to conduct business in accordance with the letter and spirit of relevant laws and refrain from dishonest or unethical conduct.

Employees shall, during both working and nonworking hours, act in a manner which will inspire public trust in their integrity, impartiality and devotion to the best interests of MTA, its customers, and the citizens of Mason County.

To ensure ethical and impartial business, it is prohibited for MTA employees to:

- Offer, accept or solicit money, property, service or other items of value by way of gift, favor, inducement or loan with the intent that the offer would influence or the recipient would be influenced by such conduct in the discharge of public duties (per [RCW 42.23.070](#)).
- Use their official position, uniform, or badge to secure special advantage in business, person gain, or other benefit derived from such relationship.
- Use any MTA owned or leased facility, building, equipment, materials or vehicle for their personal use or benefit, or for the personal use or benefit of any other individual. No employee shall have unauthorized possession of company property.
- Invest or hold a financial interest, directly or indirectly, in any business entity, transaction or business endeavor that would create a conflict between the company employee's duty to uphold the public trust and the individual's private interest.

In general, the use of good judgment, based on high ethical principles, will be the guide with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter must be disclosed to the immediate team manager. The team manager will immediately inform the Administrative Services Manager for the purpose of precluding any real or apparent conflict of interest.

It is your responsibility to report any actual or potential conflict that may exist between you (and your immediate family) and MTA.

*(See POL-204 Code of Ethics for details.)*

## **5-12 Health and Safety**

The health and safety of employees and others on MTA property are of critical concern to Mason Transit Authority. MTA intends to comply with all health and safety laws applicable to our business. To this end, we must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees are required to be conscientious about workplace safety, including proper operating methods, and recognize dangerous conditions or hazards. Any unsafe conditions or potential hazards should be reported to management immediately, even if the problem appears to be corrected. Any suspicion of a concealed danger present on MTA's premises, or in a product, facility, piece of equipment, process or business practice for which MTA is responsible should be brought to the attention of management immediately.

Any workplace injury, accident, or illness must be reported to the employee's supervisor as soon as possible, regardless of the severity of the injury or accident.

Refer to the MTA Health and Safety Manual for rules and guidelines governing workplace safety and health and the handling and disposal of hazardous substances and waste. All employees should familiarize themselves with these rules and guidelines, as strict compliance will be expected.

## 5-13 Hiring Relatives/Employee Relationships

A familial relationship among employees can create an actual or at least a potential conflict of interest in the employment setting, especially where one relative supervises another relative. To avoid this problem, Mason Transit Authority may refuse to hire or place a relative in a position where the potential for favoritism or conflict exists.

In other cases, such as personal relationships where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or discharged from employment, at the discretion of MTA. Accordingly, all parties to any type of intimate personal relationship must inform management.

If two employees marry, become related, or enter into an intimate relationship, they may not remain in a reporting relationship or in positions where one individual may affect the compensation or other terms or conditions of employment of the other individual. MTA generally will attempt to identify other available positions, but if no alternate position is available, MTA retains the right to decide which employee will remain with MTA.

For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

## 5-14 Employee Dress and Personal Appearance

You are expected to report to work well groomed, clean and dressed according to the requirements of your position. Some employees may be required to wear uniforms or safety equipment/clothing. Please contact your supervisor for specific information regarding acceptable attire for your position. If you report to work dressed or groomed inappropriately, you may be prevented from working until you return to work well-groomed and wearing the proper attire.

### **Fragrance Free Workplace**

Employees or clients who are sensitive to perfumes and chemicals may suffer potentially serious health consequences, triggered by exposure to scented products. Consequently, employees are asked to refrain from the use of personal scented products in the workplace where the sole purpose is to produce a scent, such as perfume, after shave, and cologne and to avoid the use of strongly scented personal hygiene products such as laundry soap, dryer sheets, hand lotion, powder, hair spray, and deodorant.

Managers and supervisors are expected to enforce this expectation. An employee who is experiencing health consequences due to another employee's use of scented products should report the problem to their supervisor to ensure appropriate action is taken.

## 5-15 Publicity/Statements to the Media

All media inquiries regarding the position of MTA as to any issues must be referred to General Manager. Only the General Manager is authorized to make or approve public statements on behalf of MTA. No employees, unless specifically designated by the General Manager, are authorized to make those

statements on behalf of MTA. Any employee wishing to write and/or publish an article, paper, or other publication on behalf of MTA must first obtain approval from the General Manager.

## **5-16 Operation of Vehicles**

An employee must have a valid driver's license in his or her possession while operating a vehicle off or on MTA property. It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety and parking laws or regulations. Drivers must always demonstrate safe driving habits.

An employee whose work requires the operation of an MTA vehicle will be subject to routine Department of Motor Vehicles driving records checks. This record check reports citations and accidents on the employee's personal and commercial driving record. If such an employee's license expires or is suspended or revoked, he/she may be subject to disciplinary action including demotion or termination. Should the employee fail to report immediately such a revocation or suspension of his/her license to the appropriate team manager and instead continues to operate a MTA vehicle, that employee may be subject to termination.

MTA-owned or leased vehicles may be used only as authorized by management.

*(See Section 6-2 Portable Communication Device Use While Driving.)*

## **5-17 Business Expense Reimbursement**

MTA reimburses employees for allowable expenses incurred while traveling on MTA business that are approved in advance by their team manager. As public employees, we are all expected to make an effort to minimize expenses and to travel efficiently. Remember to always request government discounts. The team manager or General Manager may approve unexpected travel expenses.

*(See POL-401 Credit Card Policy and POL-402 Travel and Travel Reimbursement Policy for details.)*

## **5-18 If You Must Leave Us**

Should an employee decide to leave MTA, we ask that he or she provide a supervisor with at least two (2) weeks advance notice of departure. Thoughtfulness will be appreciated. All MTA property including, but not limited to, keys, credit cards, cell phones, laptop computers, uniforms, etc., must be returned at separation. Employees also must return all of MTA's confidential information upon separation. To the extent permitted by law, employees will be required to repay MTA, (through payroll deduction, if lawful) for any lost or damaged MTA property. As noted previously, all employees are employed at-will and nothing in this handbook changes that status.

### **Post-Employment Reference**

Mason Transit Authority will respond to reference requests through the Administrative Services Department. MTA will provide general information concerning the employee such as date of hire, date of discharge and positions held. Additional information may be provided as required per 49 CFR Part 40 Procedures for Transportation Workplace Drug and Alcohol Testing Program. Please refer all requests for references to the Administrative Services Department.

**Only the Administrative Services Manager or designee may provide references.**

## Section 6 – Use of Information Technology

### 6-1 Use of Communications and Computer Systems

Mason Transit Authority's communication and computer systems are intended primarily for business purposes; however, de minimus personal usage is permitted if it does not hinder performance of job duties or violate any other MTA policy. This includes the use of voicemail, e-mail and internet systems. Users have no legitimate expectation of privacy in regard to their use of Mason Transit Authority systems.

Mason Transit Authority may access the voicemail and e-mail systems and obtain the communications within the systems, including past voicemail and e-mail messages, without notice to users of the system, in the ordinary course of business when MTA deems it appropriate to do so. The reasons for which MTA may obtain such access include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; investigating potential misconduct; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that MTA operations continue appropriately during an employee's absence.

Further, Mason Transit Authority may review internet usage to ensure that such use with MTA property or communications sent via the internet with MTA property, are appropriate. The reasons for which MTA may review employees' use of the internet with MTA property include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that MTA operations continue appropriately during an employee's absence.

MTA may store electronic communications for a period of time after the communication is created. From time to time, copies of communications may be deleted.

MTA's policies prohibiting harassment, in their entirety, apply to the use of MTA's communication and computer systems. No one may use any communication or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs or any other characteristic protected by federal, state or local law.

Further, since MTA's communication and computer systems are intended for business use, all employees, upon request, must inform management of any private access codes or passwords.

Unauthorized duplication of copyrighted computer software violates the law and is strictly prohibited.

No employee may access, or attempt to obtain access to, another employee's computer systems without appropriate authorization.

Violators of this policy may be subject to disciplinary action, up to and including discharge.

*(See Policy 702 IT Acceptable Use)*

## 6-2 Personal and Company-Provided Portable Communication Devices

MTA-provided portable communication devices (PCDs), including cell phones and laptops, should be used primarily for business purposes. Employees have no reasonable expectation of privacy in regard to the use of such devices, and all use is subject to monitoring, to the maximum extent permitted by applicable law. This includes, as permitted, the right to monitor personal communications as necessary.

Some employees may be authorized to use their own PCD for business purposes. These employees should work with the IT department to configure their PCD for business use. Communications sent via a personal PCD also may be subject to monitoring if sent through MTA's networks and the PCD must be provided for inspection and review upon request.

All conversations, text messages and e-mails must be professional. When sending a text message or using a PCD for business purposes, whether it is a MTA-provided or personal device, employees must comply with applicable MTA guidelines, including policies on sexual harassment, discrimination, conduct, confidentiality, equipment use and operation of vehicles. Using an MTA-issued PCD to send or receive personal text messages is prohibited at all times and personal use during working hours should be limited to emergency situations.

If an employee who uses a personal PCD for business resigns or is discharged, the employee will be required to submit the device to the IT department for resetting on or before his or her last day of work. At that time, the IT department will reset and remove all information from the device, including but not limited to, MTA information and personal data (such as contacts, e-mails, and photographs). The IT department will make efforts to provide employees with the personal data in another form (e.g., on a disk) to the extent practicable; however, the employee may lose some or all personal data saved on the device.

Employees may not use their personal PCD for business unless they agree to submit the device to the IT department on or before their last day of work for resetting and removal of MTA information. This is the only way currently possible to ensure that all MTA information is removed from the device at the time of termination. The removal of MTA information is crucial to ensure compliance with the Public Records Act and MTA's confidentiality and proprietary information policies and objectives.

Please note that whether employees use their personal PCD or an MTA-issued device, MTA's electronic communications policies, including but not limited to, proper use of communications and computer systems, remain in effect. Additionally, employees are advised that all work-related communications are subject to disclosure pursuant to the Public Records Act or a legal subpoena, regardless of whether communications occur on a personal or MTA-issued device. Employees may be required to make content on their personal PCD available to comply with public records requests or legal subpoenas.

### **Portable Communication Device Use While Driving**

Employees who drive on MTA business must abide by all state or local laws prohibiting or limiting PCD (cell phone or personal digital assistant) use while driving. Further, even if usage is permitted, employees may choose to refrain from using any PCD while driving. "Use" includes, but is not limited to, talking or listening to another person or sending an electronic or text message via the PCD.



Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while the employee is driving, and permitted by law, the employee must use a hands-free option and advise the caller that he/she is unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs.

Since this policy does not require any employee to use a cell phone while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and/or e-mailing while driving is prohibited in all circumstances.

*(See Policy 703 Cell Phone and Policy 704 IT Remote Access)*

### **6-3 Use of Facilities, Equipment and Property, Including Intellectual Property**

MTA provides its employees with communications hardware and software, internal and external email, access to the internet and voicemail for the benefit of the organization and its clients. Each employee has a responsibility to maintain and enhance MTA's public image which includes using the technology provided in a professional, productive, ethical and legal manner. As a condition of providing this technology, MTA places certain restrictions on usage and expects employees to adhere to the following guidelines, in addition to those outlined in POL-702 (Information Technology Acceptable Use).

#### **Privacy and Security**

Although MTA maintains a high degree of respect for the personal privacy of its employees, each employee should be aware that the following guidelines may affect their privacy in the workplace. The communication systems, as well as the equipment, data, messages, and files stored, are and remain at all times the property of MTA. MTA thus has the right to monitor their use.

MTA reserves the right to review, audit, intercept, access and disclose all messages created, received or sent over the email system for any purpose. At any time and without prior notice, MTA's Leadership Team reserves the right to examine email, personal file directories and other information stored on its computers. Internet activity is public communication and is not private. All communications, including text and images, may be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver.

No employee should consider his or her messages or files to be private or confidential. Even if a message is erased, it is still possible for management to retrieve and read that message. The use of passwords for security does not guarantee confidentiality. It is also possible for messages to be retrieved and viewed by someone other than the intended recipient.

Notwithstanding MTA's right to retrieve and read any electronic mail messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees

may not retrieve or read any email messages that are not sent to them. The General Manager must approve any exception to this policy.

Aside from performance of normal job duties, employees are not permitted to modify, copy, remove or destroy any MTA equipment, data or files, unless specifically authorized or directed by the General Manager or designee.

### **Password Protection**

Computer account and password information should not be shared. Employees will be held responsible for activity originating from their account. Any employee who suspects that his or her password is no longer private should change the password immediately.

### **Appropriate Use**

Employees may use personal electronic devices to access Wi-Fi that is publicly available at the agency. However, it must be used during breaks and/or meal periods.

### **Inappropriate Use**

Employees are prohibited from accessing the internet from MTA or using MTA equipment for any inappropriate purposes, including but not limited to those identified in POL-702. Employees are forbidden from using profanity or vulgarity in all MTA email and from posting to public forums, blogs, or newsgroups from MTA or via the agency's communication system or equipment.

This policy should be read and interpreted in conjunction with all other MTA policies, including but not limited to, policies prohibiting harassment, discrimination, offensive conduct or inappropriate behavior. MTA specifically prohibits employees from sending, creating, or soliciting email, voicemail messages or any other file that would reasonably be considered offensive, harassing, inflammatory or disruptive to any employee. Offensive content includes, but is not limited to, sexual comments or images, racial slurs, gender specific comments or any comments that would offend someone on the basis of their age, gender, sexual orientation, religious or political beliefs, national origin or disability.

Any attempt by employees to hide or disguise their identities while using email or internet access is prohibited. In addition, employees may not use the agency's communications system or equipment to impede, slow down, or prevent the flow of information on the internet or for any illegal or unethical purpose.

Employees must abide by all federal, state and local laws governing information sent through the internet.

### **Personal Use**

Equipment provided to employees by MTA is MTA property and is provided for MTA business purposes. MTA property includes, but is not limited to, computers, phones and office equipment (e.g.,

copiers, faxes, etc.), cars, electronic tablets and cell phones. Email and internet access through MTA's network are also provided for business purposes.

### **Software**

To prevent computer viruses from being transmitted through the system, employees are not permitted to download or install any software, unless authorized by the Technical Support Analyst. Failure to detect viruses can result in corruption or damage to files and/or unauthorized entry into MTA's network. Therefore, any files that are downloaded should be treated with caution and passed through virus protection programs prior to use.

### **Acknowledgment**

Employees are hereby notified that use of MTA-provided technology constitutes full acceptance of the terms of this policy and consent to monitoring. Any employee who is found to have violated any part of this policy may be subject to disciplinary action, up to and including termination.

## General Handbook Acknowledgment

This Employee Handbook is an important document intended to help you become acquainted with Mason Transit Authority. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

MTA's operations and the contents of this handbook may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of management.

Please read the following statements and sign below to indicate your receipt and acknowledgment of this Employee handbook.

**I have received and read a copy of Mason Transit Authority's Employee handbook. I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of MTA at any time.**

**I further understand that unless modified by written agreement signed by the General Manager, my employment is terminable at will, either by myself or MTA, regardless of the length of my employment or the granting of benefits of any kind.**

**I understand that no representative of Mason Transit Authority other than the General Manager may alter "at will" status and any such modification must be in a signed writing.**

**I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of MTA's Employee handbook.**

Employee's Printed Name: \_\_\_\_\_

Employee's Signature: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_

The signed original copy of this acknowledgment should be given to management - it will be filed in your personnel file.