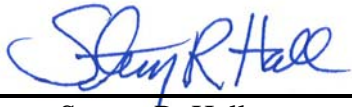




City of Olympia Administrative Guidelines

EHM	
EMPLOYEE HEALTH MANAGEMENT POLICY	
EFFECTIVE DATE: March 3, 2008	PREPARED BY: Human Resources Department
REVISED: SUPERSEDED: Personnel Rules Resolution No. M-1053	APPROVED BY:  Steven R. Hall City Manager

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EMPLOYEE HEALTH MANAGEMENT POLICY

EHM .1 PURPOSE: To establish an integrated set of policies that provides direction to management on handling employee health issues and resources to employees to maintain their health and wellness.

EHM .2 APPLICATION: This Administrative Guideline applies to all employees who are in full-time or part-time regular positions, unless provisions are established otherwise by contract or statute (e.g. Civil Service Rules, Labor Agreements, Individual Employment Contracts, or Memorandums of Understanding), or otherwise noted in specific sections of this policy.

EHM .3 REFERENCE:

RCW 4014.070 – General Records Retention Schedule

WAC 414-24-050 – Records Disposition Authorization

Title 1, Americans with Disabilities Act of 1990

Equal Employment Opportunity Commission (EEOC) ADA Guidelines

Family and Medical Leave Act of 1993 (Public Law 103-3, February 5, 1993)

Title 29, Part 825 of the Code of Federal Regulations.

WAC 296-134 – Washington Family Leave Law

WAC 162-30-020(5) Pregnancy Disability Leave

RCW 49.12.270 Washington Family Care Act

ESSB 6221, 1988 Omnibus AIDS Act

City of Olympia Code (non-discrimination)

RCW 70.160 Washington Clean Air Act, 2005

Chapter 296-800, WAC (Occupational Health and Safety)

RCW Title 51 – Industrial Insurance

Health Insurance Portable Privacy Act (HIPPA)

EHM .4 POLICY: It is the policy of the City of Olympia to support employee health and wellness. The City recognizes that employees do their best work when they are in good health and do not worry about job security in the event of injury or illness of themselves or their family members. The City supports health and wellness through the following:

- Encouraging wellness through a variety of preventive programs and self-care options
- Encouraging employees to be good health care consumers
- Ensuring that employees injured on the job have medical treatment and continuation of pay while off work
- Providing time-off to take care of health care needs
- Returning employees injured on the job to work as soon as medically possible
- Providing health insurance and other financial support to prevent financial catastrophe due to health problems
- Supporting a non-smoking work environment
- Providing a means for mental health support

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To place focus on employee health and wellness, the City has established PRISM, the Employee Health and Wellness Program. This program is intended to reduce the incidence and prevalence of illness and injury experienced by our employees and their dependents. The attached appendix outlines the specific programs affiliated with PRISM.

EHM .5 RESPONSIBILITY:

EHM .5.1 EMPLOYEES: Every employee is responsible for coming to work every day and performing their job duties in a quality manner. The City trusts that every employee will do everything possible to meet this commitment. To accomplish this, each employee is responsible for taking charge of his/her own health and the health of family members.

EHM .5.2 CITY LEADERSHIP: Supervisors, managers, directors, lead employees and all other employees in leadership roles are responsible for creating work environments conducive to productive and quality work. We will work with employees in a collaborative and compassionate manner when addressing health concerns – taking reasonable steps to balance the business needs of the city with the personal needs of the employee.

EHM .5.3 EMPLOYEE HEALTH CARE MANAGER: The Employee Health Care Manager is a health care professional who is responsible for the PRISM Program. This position serves as a resource to:

- Assist employees in their successful and safe return to work following injury or illness,
- Assist management in creating a work environment that is ergonomically effective,
- Advise employees on good health habits,
- Manage complex employee health issues when they impact the employee's ability to perform their duties,
- Coordinate informational and educational programs related to health and wellness,
- Treat musculoskeletal injuries at the earliest moment,
- Generally provide advice on trends, issues and new developments related to employee health and wellness.

EHM .6 ADMINISTRATION: The administration of this policy is the responsibility of the Human Resources Department. All federal, state and local regulations regarding the confidentiality of employee medical records will be strictly followed. Regulations include but are not exclusive of HIPPA, ADA and the Omnibus AIDS Act.

EHM .6.1 CONFIDENTIALITY: All medical information is confidential and will be kept in accordance with all federal, state and local laws. No medical information will be released without the specific written permission of the employee. The City may not be able to hold as confidential medical information contained on any public document, such as a police report.

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EHM .6.2 MEDICAL FILES: A medical file will be created and/or maintained for each employee when medical information is received. Medical files will be kept separate from other employee files. Medical files will be maintained by the Human Resources Department. Other City departments will not maintain medical files.

- a. Medical File Contents – The following categories of information will be maintained in the employee’s medical file.
 - Access Report. A policy statement regarding who has access to the file and a record of all those reviewing the file with date of access, written authorization, if required, and reason for review.
 - Medical History. Medical leave requests, return to duty slips and doctor’s comments and other such medical documents as pertinent to employment or the result of employment.
- b. Accessibility
 - The following people will be allowed access to an employee’s medical file: Employee, Human Resources Department Staff, City Manager, City Attorney, and an attorney representing the employee or the City of Olympia in a legal proceeding and/or his/her agent.
 - Terminated City employees retain the same access rights to medical files as current employees.
 - Persons engaged in an investigation, not having written authorization from the employee, will be allowed access to employee medical files only upon issuance of a lawful subpoena.
 - The employee may authorize access to their medical file by providing written authorization. No access is allowed except as stated above without written authorization from the employee. A copy of this authorization will be retained in the employee’s file.
 - Any employee wishing to view their own medical file should make an appointment with a Human Resources staff member. Access to employee medical files will not be allowed without a Human Resources staff member present with the exception of the City Attorney or City Manager.
- c. Terminated Employees
 - Medical files of employees who are separated from City service will be kept in Human Resources for one (1) year.
 - After one (1) year the files may be archived.

No medical information except as allowed by law, these policies or specific written permission of the employee, will be provided to anyone including, but, not exclusive to insurance carriers, family members or other medical providers.

All computerized medical files will have appropriate security in order to limit access to only those allowed under this policy.

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EHM .7 GUIDELINES:

EHM .7.1 PREVENTION: Prevention is the most effective means of maintaining employee health. Employees are responsible to take every action necessary to secure their good health and that of their families. The following programs exist to support employees in the prevention of illnesses.

EHM.7.1.1. SMOKING AND TOBACCO USE: It is the City's policy to maintain a safe, healthful and aesthetically pleasing work environment by prohibiting smoking and use of tobacco products. Specifically, smoking or use of tobacco products is not allowed within any City building or within 25 feet of any entrance to a City building nor is it allowed in any city-owned or leased vehicle. Tobacco use of any kind during the work day may not interfere with the performance of the job or the delivery of city services. Such interference may result in disciplinary action in accordance with city policy.

In support of this policy, the City will support efforts on the part of any employee to stop smoking or using tobacco products.

EHM.7.1.2. CHEMICAL FREE WORK ENVIRONMENT: To the degree possible the City will provide a work environment that is free of chemicals that may do harm to people. This includes but is not limited to the use of cleaning products, paint, carpeting and other furnishings, insect and pest control products and air fresheners. When chemical-based products are necessary in order to conduct city business, the City will follow all safety requirements and provide proper safety equipment to prevent unsafe exposure. The City reserves the right to require that employees not use harmful chemical products (air fresheners, insect control products, plant sprays, etc) in their offices or to wear scented personal products (perfume, hair products, lotion, deodorant, etc) when it has a detrimental effect (headaches, allergic reactions, a distraction from productive work, etc) on other employees.

EHM.7.1.3. VENDING MACHINES: The City reserves the right to determine whether or not to have vending machines, their location, access by employees or public, and the available food items. For vending machines that are available to only to City employees, it is the City's policy to provide a balance of nutritional and the more traditional food and beverage choices in its vending machines. The City may establish nutrition standards for the food and drinks offered in our vending machines, determine vending contracts, make more healthful snacks and beverages available in vending machines, and provide regular programs and/or information to promote healthful vending machine choices.

EHM.7.1.4. HEALTH RISK, FITNESS & ERGONOMIC APPRAISALS: The City makes available to employees various assessment tools that provide information and action plans for creating more healthful habits and work environments.

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- Periodically, the City may ask employees to voluntarily participate in a Health Risk Appraisal. All health risk assessment information collected is completely confidential and the individual results are not provided to the City or to insurance providers.
- Fitness Assessments are available to employees and are administered by the City's Employee Health Care Manager. The Employee Health Care Manager may assist the employee in establishing a physical and nutritional fitness plan.
- Ergonomic assessments are available to any employee. The Employee Health Care Manager may assess work areas and equipment. The results of ergonomic assessments will be provided to supervisors as recommendations. Equipment and furniture may be purchased as departmental resources allow.

EHM.7.1.5. SELF-CARE: Self-care is a means of giving City employees and their dependents the tools, knowledge and confidence necessary to care for their own minor medical conditions and become savvy customers of healthcare. The City, in cooperation with the Association of Washington Cities (AWC), may provide educational opportunities and resources to assist employees in making prudent decisions regarding their health and well-being.

EHM .7.2 SHORT-TERM DISABILITIES: Short Term Disability is defined as a serious health condition that temporarily incapacitates or disables an employee from performing his/her regular duties. The duration of a short-term disability is usually no more than six weeks. When dealing with a short-term, serious health/disabling condition the following guidelines apply:

EHM.7.2.1. WORK RELATED INJURIES/ILLNESSES: It is the City's injured worker policy to return an injured/ill worker to work as soon as is medically possible, as whole as possible, and with the worker feeling that they were treated fairly and respectfully.

Required. In the event that an employee cannot return to full-duty following a job-related injury or illness the employee will be required to return to a modified/light-duty temporary assignment, if one is suitable and available, as a condition of employment. The process is:

- a. Provide the supervisor with a written medical release to return to work. If there are specific physical limitations or restrictions, this release must also include a signed temporary transitional light duty task list. The employee will not be allowed to return to work without this.
- b. Meet with the Employee Health Care Manager. This meeting is required for any musculoskeletal condition that caused the employee to be away from work for more than one day or any injury/illness where a medical provider has identified specific physical limitations or restrictions as a condition of returning to work.

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The Employee Health Care Manager will discuss the physical limitations and scope of approved modified/light duty job with employee and the supervisor. This is to make sure the employee can safely perform the modified/light duty job or return to full duty without risk of re-injury.

- c. Assign Modified or Light Duty Work. If the employee's health care provider allows return to work with specific restrictions, the City will first seek to modify the employee's regular assigned duties to accommodate the temporary limitations and restrictions.

If this is not medically possible, the employee may be placed in a light duty job, different from their regular job. An employee will be assigned light duty work in his/her regular assigned work section, first. If light duty work can not be found in the employee's assigned work section, job assignment may be made to another section/department. Any employee who has a work-related injury or illness will be given first priority for light duty assignments.

All supervisors are responsible for identifying possible modified or light duty assignments within their work units. Duration of temporary modified/light duty assignments is dependent on length of time necessary for employee to fully recover and be medically released to return to full duty.

- d. Inability to Return to the Job of Injury. In the event that an employee is unable to return to their job, the City will explore reasonable accommodation with the employee. As a general practice, the City will look for other vacant positions for the employee. If after 90 days no such position is found, the employee may be terminated. The City will work closely with the employee throughout this process.

EHM.7.2.2. NON-WORK RELATED INJURIES/ILLNESSES: Injured/ill employees are expected to stay home and take care of themselves. They are also expected to do whatever is necessary to return to work as soon as possible. The City, with cooperation from the employee, will assist the employee to return to full work capacity. The following are guidelines to assist an employee with a non-work related injury or illness.

- a. A department director or designee may send an employee home if they are injured or ill.
- b. A department director or designee may require a release from the employee's health care provider before allowing the employee to return to work. If the director or designee, based on the medical release or observation, is not satisfied that the employee is able to safely perform the job, the director or designee may require further information from the employee's health care provider before allowing them to return to work.

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- c. A department director or designee may also require that the employee and employee's supervisor meet with the City's Employee Health Care Manager in order to address the medical or physical limitations and restrictions provided by the employee's health care provider and to determine necessary modifications to the employee's job. This is to ensure that the employee can comfortably and safely perform the physical requirements of the regular, modified or light duty job.

Employees who have chronic health conditions that require medical care (e.g. heart disease, cancer, diabetes) and which caused the employee to miss work may also voluntarily meet with the Employee Health Care Manager. The Employee Health Care Manager may work with the employee to find ways to make the work environment more comfortable and workable for the employee's situation.

- d. If a light duty job is necessary in order for the employee to return to work, the department may explore a light duty work option. If light duty work is not available or suitable, the employee may not be allowed to return to work until they are fully able to perform the regular duties. In all cases, employees who have on-the-job injuries/illness will receive preference for available light duty work.
- e. Inability to Return to the Job. In the event that an employee is unable to return to their job, the City will explore reasonable accommodation with the employee. As a general practice, the City will look for other vacant positions for the employee. If after 90 days no such position is found, the employee may be terminated. The City will work closely with the employee throughout this process

EHM.7.2.3. LIMITED DUTY ASSIGNMENT (PREGNANCY):

- a. Reasonable Accommodation. The City will reasonably accommodate a pregnant employee's desire for medically approved continued employment during pregnancy through one or more of the alternatives listed below:
 - Temporary reassignment to other duties within the employee's job classification.
 - Temporary reassignment of the employee to another classification with equal pay for which the employee is qualified.
 - Temporary reassignment of the employee at equal pay to a position in another department for which the employee is qualified.
- b. Limitations.
 - Temporary reassignments made shall be limited to the period of temporary incapacity caused by normal pregnancy both before child birth and upon return to work but prior to the time when released by the employee's physician, or a consulting physician retained by the City, to return to full duty.

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- Temporary incapacity for purposes of this section is the period during which the employee cannot perform all her regular duties but is capable of performing limited duty assignment provided by the City as contemplated above.
- Leave will be paid in accordance with the City's Sick Leave and Family and Medical Leave policies.
- A probationary employee on limited duty assignment will be required to complete the probationary period after returning to full duty.
- Continued employment in a light duty assignment is contingent upon satisfactory performance in the assigned position.
- If a bargaining unit employee wishes to use the provisions of this policy, the representing unions shall waive any rights to challenge the effects of implementing this policy as it pertains to the assignment of work or scheduling of pregnant employees.

EHM.7.2.4. EARLY INTERVENTION OF SPRAIN AND STRAIN INJURIES:

The City of Olympia utilizes the services of a medical provider (Employee Health Care Manager) to manage an on-site rehabilitation facility designed to care for our employees who are injured on or off the job or who are suffering with chronic musculoskeletal pain and/or a manageable health condition. The following guidelines will apply:

- a. Employees with musculoskeletal injuries obtained on the job are required to immediately notify the Employee Health Care Manager and the supervisor.
- b. The Employee Health Care Manager will evaluate the employee and determine if a referral to the emergency room or a physician is indicated. In either case, on-site treatment may be initiated to control acute symptoms until the employee can be seen by a doctor. Additional appointments for on-site rehabilitation of the injury may be scheduled after the employee has been evaluated by a physician. These appointments must be coordinated with the supervisor.
- c. If the injury does not require a consultation with a physician then the employee may be treated on-site and/or instructed in appropriate self-care procedures to minimize the acute symptoms within the first 24 hours following the injury. All appointments will be scheduled in agreement with the supervisor so as not to interfere with the employee's and/or department's work.
- d. Those employees injured off-the-job or who have a manageable health condition (heart disease, diabetes, cancer) may voluntarily utilize the services of the Employee Health Care Manager. All appointments must be scheduled with the knowledge and permission of the supervisor and leave banks will be charged.

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- e. The Early Intervention program is not intended to take the place of medical consultations with a physician, if the employee chooses. HIPPA regulations will be followed.

EHM.7.2.5. PAIN MANAGEMENT: The City recognizes that certain injuries have the potential for chronic pain – pain that diminishes the employee's ability to do their jobs, contributes to attendance concerns and may lead to the long term use or misuse of drugs and alcohol. The City has established a program to address chronic pain. This program is managed by the Employee Health Care Manager.

- a. Employees with certain on-the-job injuries (those prone to on-going pain such as back and joints) are required to be screened for pain management. Once the assessment has taken place, it will be the employee's choice to follow-through on recommended treatment. The cost for assessment and treatment will be borne by the Workers' Compensation program.
- b. Employees who are required to hold a CDL and who have certain off-the-job injuries (those prone to on-going pain such as back and joints) are required to be screened for pain management. Once the assessment has taken place, it will be the employee's choice to follow-through on recommended treatment. The cost for assessment and treatment will be borne by insurance where possible; the City will pay costs not covered by insurance.
- c. The Pain Management program is available to all city employees who suffer with chronic pain of any kind and is voluntary, except as described above. The cost will be borne by insurance, where possible; the employee is responsible for all costs not covered by insurance.

EHM .7.3 LONG-TERM DISABILITIES: Long Term Disability is defined as a serious health condition that is expected to be an on-going health concern or a permanent disability. Long term disabilities may require modifications to the job or other reasonable accommodations so that the employee may continue to perform the duties of the job. Accommodations are always based upon medical information. When dealing with a long term disability the following guidelines apply:

EHM.7.3.1. AMERICANS WITH DISABILITIES ACT: It is the policy of the City of Olympia to comply with the Americans with Disabilities Act. The City of Olympia will not discriminate against any employee in its employment practices. Human Resources will work with department management on a case by case basis to evaluate the disability, decide if it is a qualified disability, and determine if reasonable accommodation can be made.

The Americans with Disabilities Act defines a disability as:

- a. a physical or mental impairment that substantially limits one or more major

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life activities;

- b. a record of such an impairment; or
- c. Is regarded as having such impairment.

The Americans with Disabilities Act defines a qualified individual with a disability as a person with a disability who satisfies the requisite skill, experience, education and other job-related requirements of the position and who, with or without reasonable accommodation, can perform the essential functions of such position.

The Washington State Law against Discrimination regarding persons with handicaps defines a disability as:

“A sensory, mental, or physical impairment that is medically cognizable or diagnosable, or exists as a record or history, or is perceived to exist, whether or not it actually exists. The “disability” exists whether it is temporary or permanent, common or uncommon, mitigated or unmitigated, or may or may not limit an individual’s ability to do their job or other activity.

The impairment must be known by the employer or shown to exist and must have a substantially limiting effect upon the employee’s ability to perform their job, to apply or be considered for a job, or to access equal benefits, privileges, terms, or conditions of employment, OR show that the likelihood that engaging in job functions unaccommodated would aggravate impairment to the degree it would become substantially limiting (now or in the future).”

- EHM.7.3.2. REASONABLE ACCOMMODATION:** Reasonable accommodation is a modification or adjustment to a job, the work environment or the way things usually are done that enables a qualified employee with a disability to enjoy an equal employment opportunity. The following consideration will be given in determining reasonable accommodation:
- a. Reasonable accommodation will be determined through consideration of the essential functions of the job, financial feasibility of providing the accommodation, difficulty of providing the accommodation or any other matters affecting the City.
 - b. Reasonable accommodation will be considered only for job related factors that assist the employee in performing the essential functions of the position and will not be considered for matters of personal benefit to the individual with disability.
 - c. Consideration for reasonable accommodation may be given to the job assignments as follows:
 - Temporary reassignment to limited duties within the employee’s job classification.

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- Temporary reassignment of the employee, at his/her current rate of pay, to another classification with equal or lower pay for which the employee is qualified.
 - Job restructuring where feasible to provide the opportunity for continued employment to the disabled employee.
 - Reassignment to a vacant position as a reasonable accommodation when accommodation within an employee's current position is not feasible.
 - Where possible, accommodation will be made that enables the disabled employee to remain in the current position.
- d. Should it be determined that an undue hardship exists to the City or a direct threat to the health and safety of the employee or others, the City may determine that a reasonable accommodation to perform the essential function of the position does not exist. The evaluation of whether an undue hardship or direct threat to the health and safety of the individual or others may be conducted for any employment practice on a case by case basis, including examinations requiring physical agility or physical skills.

EHM.7.3.3. LIFE THREATENING ILLNESSES: There will always be the presence of life threatening illnesses amongst our workforce. How we treat employees with life threatening illnesses is a demonstration of our value that employees are the most important component in the delivery of high quality services to the community. It is the policy of the City of Olympia that employees who are affected by life-threatening illnesses will be treated with sensitivity, understanding and respect and that we will take reasonable actions to protect such employees from the loss of their jobs due to the life-threatening illness.

- a. Life threatening illnesses are any medical conditions that are considered in the medical community to be a cause of premature death. No employee will be classified or segregated in any way, or otherwise be discriminated against with respect to compensation, terms, conditions, or privileges of employment on the basis of any actual or perceived life threatening medical condition.
- b. The City will not require medical testing for a life-threatening illness, unless such testing is necessary to evaluate physical fitness to perform job duties, potential transmission to other employees or the public, or if life-threatening illness is determined to be a bona fide occupational qualification under the Americans with Disabilities Act. Any test requirement and result will be confidential. The Human Resources Department will be responsible for determining necessity of medical testing.
- c. The City realizes that employees afflicted with a life threatening illness may wish to continue their normal activities as their condition allows, including work. Reasonable accommodation will be made by the City to afford the employee the opportunity to continue working to the best of their ability.

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The Human Resources Department in partnership with the department will determine on a case-by-case basis if reasonable accommodation is required and the extent of reasonable accommodation.

- d. Employees who are afflicted with a life-threatening illness are subject to established work performance standards and may be required to provide medical verification of their ability to continue work to ensure a safe work environment for themselves, other employees and the public.
- e. Employees who suspect possible exposure to a contagious life threatening illness during the course of employment should immediately advise their supervisor and follow all the procedures for a Workers' Compensation claim.
- f. All City employees are responsible to maintain confidentiality of information regarding the presence of any life threatening illness diagnosis, testing or treatment.

EHM .7.4 RESOURCES: The following resources are available to assist with employee disabilities.

EHM.7.4.1. HEALTH AND WELFARE BENEFITS: The City reserves the right to select the insurance options that provide the best protection for employees at the most reasonable cost to the City.

- a. Medical Insurance. The city provides medical insurance to employees and their dependents. Employees may choose either an indemnity plan or a Health Maintenance Organization (HMO) plan.
- b. Dental Insurance. The city provides a dental insurance plan with orthodontia coverage for employees and their dependents.
- c. Vision Care Insurance. The City provides a vision care insurance plan, including frames and lenses, for all employees and their dependents.
- d. Long-Term Disability. The City provides a long term disability insurance plan. An optional program to enhance this benefit may be made available to employees, if possible.
- e. Term Life Insurance. The city shall pay for a basic group term life insurance policy for each City employee. The city may make available through payroll deduction life insurance coverage for spouses and dependents of city employees, and enhanced coverage for themselves.
- f. Flexible Spending Accounts. Employees may, at their option, participate in the city's Flexible Spending Account program (IRS Code Section 125 account).

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- g. AFLAC. This company offers several different types of specialized insurance. It is optional for employees and at the employee's expense.

EHM.7.4.2. WORKERS COMPENSATION: In the event that an employee is injured on the job, the City wants to be sure that the employee receives proper medical treatment and that the financial costs associated with treatment and time away from the job are covered to the degree required under state law and by the City's policies. The following guidelines apply:

- a. The employee is required to report the injury to the Employee Health Care Manager and his/her supervisor immediately and complete all necessary forms.
- b. If the injury qualifies as a serious health condition as defined by the Family and Medical Leave Act, the employee will be placed on Family and Medical Leave as described below.
- c. Additional Compensation: The Workers Compensation benefit does not pay 100% for lost time. An employee may supplement time loss pay with hours from their leave banks. Employees who choose to supplement their pay may only do so to make up the difference between time loss compensation and their regular salary.

The first three days of time loss is charged to the employee's sick leave. If the employee is authorized to be away from work for 14 or more consecutive days, the first three days will be restored to the employee's sick leave bank.

The following are the employee's options for supplementing their pay:

- a. An employee may elect not to supplement their pay and instead receive only the time loss compensation available from the Workers Compensation benefit.
- b. An employee may elect to supplement time loss compensation with accrued sick leave. The 3 days of sick leave used at the beginning of time loss will be restored to the employee's leave bank if the employee is authorized to be away from work 14 consecutive days or more.
- c. If an employee has no sick leave he/she may supplement time loss pay with vacation pay and/or pay for compensatory time off. The 3 days of paid leave taken from either of these leave banks will not be restored if the employee is authorized to be away from work 14 consecutive days or more.
- d. Employees who have no leave banks from which to supplement their pay will be placed on Leave without Pay and their time loss will not be supplemented.

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- EHM.7.4.3. SICK LEAVE:** Sick Leave is provided to employees in order to attend to the health concerns of the employee and family members.
- a. **Definitions.** Refer to Administrative Guideline **14.5.1**, Leaves of Absence for the definitions about absences, how they will be recorded, and the definition of Employee's Immediate Family.
 - b. **Accrual.** Regular full-time employees accrue paid sick leave at the rate of eight (8) hours of sick leave for each month of continuous service. Regular part-time employees who work at least twenty (20) hours per week will accrue sick leave on a prorated basis according to the budgeted FTE authorization as shown in the complement. Unused sick leave may accumulate from year to year up to a maximum of 960 hours (120 days).
 - c. **Acceptable Uses.** Accrued sick leave may be used only for the following reasons:
 - Personal illness or physical incapacity (including any period of physical incapacity related to childbirth).
 - Enforced quarantine of the employee by a physician.
 - Illness within the immediate family (**see 14.5.1**) which requires the employee's presence.
 - Medical or dental exams or treatment for the employee or the immediate family of the employee, requiring the employee's presence.
 - The birth or adoption of a child. Parents will be allowed a minimum of 160 hours (20 days). Department directors, or their designees, reserve the right to limit use of sick leave in excess of 160 hours if necessitated by workload. Employees are required to give at least thirty (30) days notice prior to the expected date of birth or adoption, stating the intended dates of leave. This leave is in addition to leave granted under section **14.5.2.b** (1) for any period of physical incapacity related to childbirth. (See also, Section EHM .7.4.4, Family and Medical Leave).
 - d. **Notification.** When an employee must be absent for one of the above stated reasons, the employee is responsible for notifying his/her supervisor in the manner prescribed by the department or at a minimum prior to the start of the regularly scheduled shift.
 - e. **Documentation.** A supervisor may require documentation from a physician or other health care provider prior to approval of the use of accrued sick leave.

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- f. Exempt employees who work only part of their regularly scheduled work day for sickness as described in sections **14.5.2** and **EHM .7.4.3** in this policy, will not have their sick leave bank deducted or their pay reduced except:
 - When the partial day is contiguous with full days taken for sickness as described in this policy; or
 - At the discretion of a department director on a case-by-case basis.
- g. No Cash Out. Accumulated sick leave hours will not be cashed out.

EHM.7.4.4. FAMILY & MEDICAL LEAVE: Employees are entitled to time-off as follows:

- 12 weeks in each calendar year for an employee's absence due to the serious health condition of the employee or the employee's immediate family,
- 12 weeks in each calendar year for an employee's absence due to any qualifying exigency when a family member is on active military duty or called to active military duty, or
- 26 weeks in a single 12 month period for an employee's absence to care for a wounded family member in the armed forces who is receiving medical treatment or therapy.

A summary of the conditions of Family and Medical Leave are listed below. When there are questions or disputes about these guidelines, the actual federal and/or state law will be referred to and will form the minimum requirements of any decision made by the city regarding the eligibility for or use of Family and Medical Leave.

Family and Medical Leave will be granted under the following circumstances.

- a. The birth of a daughter or son, to care for the newborn child. This is in addition to paid or unpaid sick leave granted for any period of disability related to pregnancy. All leave taken for this purpose must be taken within 12 months of the birth.
- b. The placement, with the employee, of a daughter or son for adoption or foster care. All leave taken for this purpose must be taken within 12 months of the adoption or placement for foster care.
- c. To care for the employee's spouse, daughter, son, or parent with a serious health condition.
- d. A serious health condition that makes the employee unable to perform the functions of the employee's job. (Including disability related to pregnancy.) **See Appendix A for the definition of a serious health condition and examples thereof.**

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- e. Qualifying exigencies that arise when the spouse, child or parent of an eligible employee is on active military duty or is called to active military duty. (As of the adoption of this Administrative Guideline, the definition of “qualifying exigencies” has not been determined and the City will apply this to the best of its ability.)
- f. Caregiver Leave. To care for a spouse, child, parent or next of kin who is a member of the armed forces, was wounded on active duty, and who is undergoing medical treatment, recuperation, or therapy; or is an outpatient; or is on a temporary disability retired list. “Wounded” includes injuries to the service person’s physical and mental health, as long as those injuries render the service person medically unfit to perform his/her military duties.

Other conditions that apply to Family and Medical Leave:

- a. Leave may be taken intermittently or the normal work schedule can be adjusted when medically necessary upon the approval of the supervisor.
- b. An employee who has an on-the-job injury or illness that qualifies as a serious health condition will be placed on FMLA.
- c. To be eligible for FMLA a regular employee must have satisfactorily completed his or her probationary period. In the event the probationary period extends beyond one year, the employee will be eligible for leave when he or she has been employed for 12 months.
- d. To support the leave request, the employee may be required to provide certification issued by the employee’s or ill family member’s health care provider. This certification can be required every 30 days. Second and third opinions, at the city’s expense, may be ordered by a department director. In this case, the prevailing opinion (or third opinion) is final and binding.
- e. The department director or designee will notify an employee in writing when FMLA leave is being counted as part of their FMLA entitlement.
- f. The employee will be paid, in accordance with section .7.5.3C, above. The employee’s benefits will also be continued throughout the 12/26 weeks allowed under FMLA.

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- g. The employee is entitled to return to the same position the employee held when the leave started, or to a position with equivalent benefits, pay and terms and conditions of employment. The employee's right to return to work is the same as it would have been if the employee had not been on Family and Medical Leave. For example, if an employee would have otherwise been laid off or terminated, the employee would not have the right to return to work.
- h. An eligible employee for Caregiver Leave can only take a total of 26 weeks of leave in a 12 month period, even if there is more than one FMLA qualifying event.

EHM.7.4.5. MANDATORY LEAVE: The City has the right to send an employee home or not allow an employee to come to work for health reasons. Mandatory leave may be applied city-wide by declaration of the City Manager or may be applied to an individual employee upon approval of the department director or designee. Any employee not allowed to work for health reasons will have their time charged to sick leave, then vacation, compensatory time and finally, leave without pay.

EHM.7.4.6. OCCUPATIONAL HEALTH AND SAFETY: The health and safety of our employees and the public is the first consideration in all City operations. It is the intent of the City to comply with all laws related to employee health and safety. To accomplish this we commit ourselves to carry out an Occupational Health and Safety Program. The success of the health and safety program is dependent on the commitment of each and every employee to work safely, detect hazards in the work environment, and take steps to correct potentially hazardous conditions. The support and active participation of health and safety programs is the responsibility of each and every employee and is a condition of continued employment with the City. The details of the Occupational Health and Safety Program are found in Appendix ____.

EHM.7.4.7. CASE MANAGEMENT: Case management is designed to facilitate communication between employee, supervisor, medical providers, claims representatives, and other City staff. When done well the injured worker is provided the care and support needed to resolve the health situation in as timely and cost effective means as possible. Case Management can be used for both on-the-job injuries and illnesses and non-work related injuries or illnesses. For on-the-job injuries and illnesses the objectives are to:

- Review active claims weekly, or as needed, to track and monitor progress
- Review active claims to update claim status
- Review active claims to monitor injured worker treatment plans
- Share status of injured worker claims with appropriate City staff
- Follow-up with medical providers and others involved in treatment and/or claim processing to ensure actions are taken in a timely manner.
- Identify light duty opportunities and coordinate return to work with employee and his/her supervisor

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- Contain claim costs through active claim management

For non-work related injuries or illnesses, Case Management may be used only when an employee is missing a lot of work or has been away from work for an extended period and the City is not receiving sufficient information from the employee or the health care provider to determine long term prognosis and ultimately reasonable accommodation.

EHM.7.4.8. EMPLOYEE ASSISTANCE PROGRAM: The Employee Assistance Program is a confidential resource away from the work environment where employees and their immediate family members can seek help when they are experiencing work, personal, emotional or family problems. Professional counselors help people identify problems as well as solutions, and make informed decisions about getting on track and moving forward.

Services are available 24 hours per day, 7 days per week. Privacy is ensured and information is confidential. Services are offered close to where the employee lives or works. Each employee is allowed three free visits to a counselor per year. The EAP may refer the employee to other resources (financial, legal, child and elder care services, more extensive counseling, residential treatment for drugs/alcohol, etc.) Counseling beyond three visits may be covered by health insurance.

Preferably, contact with the EAP is voluntary. However, there are circumstances where an employee may be required to seek help through the EAP. Those circumstances include a positive drug or alcohol test and behavioral and job performance concerns that may result in serious disciplinary action if not addressed.

EHM.7.4.9. RELATED ADMINISTRATIVE GUIDELINES: The following are Administrative Guidelines that may serve as an additional resource.

- Administrative Guideline # 14, Leaves of Absence
- Administrative Guideline # 15, Shared Leave
- Administrative Guideline # 21, Drug and Alcohol Policy – Non-CDL Holders
- Administrative Guideline # 22, Drug and Alcohol Policy – CDL Holders

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EMPLOYEE HEALTH MANAGEMENT POLICY

APPENDIX A

FAMILY AND MEDICAL LEAVE

DEFINITIONS AND EXAMPLES

Serious Health Condition: An illness, injury, impairment, or physical or mental condition that makes the employee unable to perform the functions of the employee’s position and involves: (1) Any period of incapacity or treatment in connection with or consequent to inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential care facility; (2) Any period of incapacity requiring absence from work, school or other regular daily activities, of more than three consecutive calendar days that also involves continuing treatment by (or under the supervision of) a health care provider; or (3) Continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three consecutive calendar days; or for prenatal care.

An employee’s Family and Medical Leave will be retroactive to the first day of absence. For example: Joy Smith does not show up to work on Monday because of a serious condition. She is also absent on Tuesday, Wednesday (three consecutive days), and Thursday. On Thursday, Joy’s Department Director notifies her that her leave of absence will be recorded as Family and Medical leave effective Monday, the first day of absence.

The following examples of illnesses or conditions that you may not think about which make the employee eligible for Family and Medical Leave.

Pregnancy	Physical Therapy	Radiation Treatment
Chemotherapy	Dialysis	

The following are examples of illnesses or conditions, which do not make the employee eligible for Family and Medical Leave unless complications arise.

Common Cold	Upset Stomach	Ear-ache
Flu	Minor Ulcers	Headache (Other Than Migraine)
Routine Physicals	Eye Examinations	Routine Dental/Orthodontia

EMPLOYEE HEALTH MANAGEMENT POLICY

APPENDIX B

CITY OF OLYMPIA

OCCUPATIONAL HEALTH AND SAFETY PROGRAM

**Approved By:
Richard C. Cushing
City Manager**

Date:

Date Compiled: August 1993

Revised: August 1994

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EMPLOYEE HEALTH MANAGEMENT POLICY

OCCUPATIONAL HEALTH AND SAFETY PROGRAM

I. PURPOSE

To establish guidelines which enhance employee health and safety. The goals are to eliminate work related injury and illness, and to provide procedures for reporting and treating injuries and illnesses promptly in the event they do occur.

II. REFERENCE

Chapter 296-24 and Chapter 296-62, Washington Administrative Codes (WACs) Americans With Disabilities Act.

III. APPLICATION

This Administrative Guideline applies to all individuals employed by the City of Olympia. Departments shall adopt the Occupational Health and Safety Plans to address specific departmental hazards, requirements and operations.

IV. POLICY

The health and safety of our employees and the public is the first consideration in all City operations. It is the intent of the City to comply with all laws related to occupational health and safety. To accomplish this we commit ourselves to carry out an Occupational Health and Safety Program. The success of the health and safety program is dependent on the commitment of each and every employee to work safely, detect hazards in the work environment, and take steps to correct potentially hazardous conditions. The support and active participation of health and safety programs is the responsibility of each and every employee and is a condition of continued employment with the City.

V. RESPONSIBILITY

A) City Manager - The City Manager shall support City safety efforts and promote safety concepts and practices by assigning responsibility for safety awareness and training at all levels of the City organization.

B) Human Resources Director - The Human Resources Director is appointed by the City Manager to provide assistance to safety committees and departments in health and safety related matters. The Human Resources Director shall:

1. Attend and support the activities of the City-wide Safety Committee.
2. Maintain comprehensive records of illness and injury experiences and costs; analyze statistics to determine trends, problem areas, and general health and safety performance.

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3. Inform the City Manager, department directors, and safety committee representatives about matters affecting safety and relative performance of departments and divisions.
4. Coordinate City-wide safety, educational, and promotional activities.
5. Review accident reports for accuracy and adequacy of corrective action.
6. Evaluate safety inspection reports and safety committee records.
7. Publicize safety efforts and achievements.
8. Ensure all new employees receive required health and safety orientations before initial employment begins.

C) Department Directors and Division Managers - All department directors and division managers are responsible for initiating and actively supporting programs that integrate safety engineering principles and accident prevention techniques in their operations and public services. They shall:

1. Develop, publish, and enforce reasonable and practical safety procedures pertinent to the department's activities. The procedures are to use national recognized standards where applicable.
2. Inform all employees about safety procedures in effect and make available a written copy of those that apply.
3. Appoint management representatives to applicable safety committees, accident review boards and Building Emergency Response Teams.
4. Support inspection and training activities of Accident Review Board and Safety Committee representatives.
5. Review accident reports.
6. Personally interview each employee who suffers a disabling injury.
7. Promptly correct unsafe practices or conditions reported.
8. Identify underlying problems revealed by investigation of hazards, accidents, and injuries.
9. Ensure required job training and continuing safety instruction for employees in their department/division.
10. Assist the Human Resources Director and Safety Committee representatives in arranging appropriate training and ensuring employee attendance.

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D) Immediate Supervisors - Close contact with employees and the work environment make supervisors the best qualified to ensure a safe work environment. Supervisors shall:

1. Communicate and enforce established safety procedures and the use of protective equipment.
2. Provide adequate job training and safety instructions to all employees, taking particular care to orient new employees.
3. Provide continuing safety instruction through daily work assignments, focusing on potential hazards, changes in work conditions or equipment, etc.
4. Continuously evaluate work conditions and procedures to detect and correct unsafe conditions and practices.
5. Promptly investigate accidents and complete required reports.
6. Encourage employees to report unsafe practices and conditions, and to submit practical suggestions for correction.
7. Participate in training to enhance professional knowledge of safety supervision skills.
8. Maintain high standards of housekeeping and personal and environmental sanitation in work activities.
9. Ensure that tools, equipment, and protective devices are maintained and used.
10. Support safety and health promotion activities

E) Employees - All City employees are required as a condition of employment to work safely, detect hazards in the work environment, and correct potentially hazardous conditions. Employees are expected to support and actively participate in health and safety efforts. They shall:

1. Report any job related illness, injury or property damage, no matter how minor, to their supervisor and seek treatment promptly.
2. Promptly report hazardous conditions and practices observed.
3. Cooperate and assist with investigation of accidents to identify correctable causes and prevent recurrence.
4. Support and participate in safety promotion and education programs.
5. Know and observe safe work procedures specific to their work activity as well as general safety practices such as:

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- a. Wearing proper clothing and appropriate safety gear, e.g. hard hats, seat belts, ear plugs, safety eye glasses.
 - b. Following proper lifting techniques.
 - c. Operating equipment only when properly trained and being alert to proper placement of guards and other protective devices on machinery.
6. Know and familiarize self with the Building Emergency Response Plan for their assigned work location.

VI. SAFETY COMMITTEES

- A) Structure - The City of Olympia safety committee structure consists of four occupational safety committees, each representing a community of interest. The four committees are:
- 1) **Fire**
 - 2) **Police**
 - 3) **Operations and Maintenance**
 - 4) **Professional and Office Workers**

In addition, the City will sponsor a Master Safety Committee consisting of a management representative from each of the four occupational safety committees.

- B) Purpose - The purpose of the Safety Committees is to assist management in efforts to provide a healthful and safe working environment.

C) Occupational Safety Committees

1. Membership - The committees shall consist of employee elected and employer selected members; however, employer selected members shall not exceed employee selected members. The chair of the committee shall be elected by committee members.
2. Term of Office - Employee elected members will serve a maximum of one year. Employer selected members will serve at the discretion of the appointing Director.
3. Meetings - The committee shall determine the date, time, and location of meetings. Meetings shall be monthly and shall not exceed one hour except by a majority vote.

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4. Required Documentation - Committee meeting minutes shall be recorded and include the following:

- a. subjects discussed
- b. health and safety audit/review records
- c. review of current accident investigations
- d. review of illness and injury prevention program
- e. names of those in attendance.

5. Committee Responsibilities:

- a. Maintain a safety bulletin board.
- b. Make systematic inspection of a given area at regular times to discover and report potential health and safety hazards.
- c. Review circumstances and causes of illnesses/injuries and recommend corrective measures.
- d. When appropriate, talk to fellow employees about safety and health. Always listen to suggestions that employees make and report them to the committee.
- e. Attempt to influence attitudes toward safety and health in a positive direction.
- f. Develop and recommend implementation of appropriate safety training programs.
- g. Identify specific safety-related problems that seem to be recurring and develop appropriate prevention measures and recommend to management.

D) Master Safety Committee

1. Membership - The Master Safety Committee shall consist of a management selected member of each of the occupational safety committees, and the Human Resources Director or designee.
2. Term of Office - The term of office is at the discretion of the appointing Director(s).
3. Meetings - The committee shall determine the date, time, and location of meetings. Meetings shall be quarterly, or more frequently if deemed necessary by the committee members.

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4. Committee Responsibilities:

- a.)Support the implementation of the City's Occupational Health and Safety Program.
- b. Provide support and oversight of the work of the Occupational Safety Committees.
- c. Serve as a forum for sharing ideas and resources across the Occupational Safety Committees.
- d. Prevent duplication of effort.
- e. Keep up to date on recent health and safety regulations, trends and technologies, and support occupational committee efforts to comply.
- f. Plan and sponsor City-wide health and safety initiatives.

VII. INCIDENT INVESTIGATION AND REPORTING

- A. Reporting - All employee job-related injuries and illnesses and/or property damage, however minor, must be reported immediately as follows:
 1. Employees must report the incident to their immediate supervisor.
 2. Supervisors must report the incident in writing to their Department Director or designee and as follows:
 - a. Any incident resulting in the illness or injury of an employee must be reported to the Human Resources Department.
 - b. Any incident resulting in damage to either City or private property (including vehicles), or resulting in the illness or injury of a third party (non-City employee) must be reported to the City Manager's Office.
- B. Investigation - It is the supervisor's responsibility to conduct a thorough investigation of the incident and document as required.

VIII.EMPLOYEE ORIENTATION

- A. All employees, including temporary, emergency hire, and work study; will receive a safety orientation **before** beginning work.
- B. The Human Resources Department will be responsible for conducting an initial orientation which will include but not be limited to:
 1. Review of City policies and the Occupational Health and Safety Program
 2. Identification as a Self-Insurer

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3. Overview of Safety Committees
 4. Safety Training Attendance
 5. Incident Reporting
 6. Unsafe Conditions/Practices Reporting
 7. Location of Washington Administrative Codes (WACs).
- C. Departments are responsible for conducting a safety briefing that will include but not be limited to:
1. Building Emergency Response Plans
 2. Safety Bulletin Boards
 3. General and Specific Safety Rules
 4. Protective Equipment and Clothing
 5. First Aid Station Location
 6. List of Required Training
 7. Hazardous Chemical Communication
 8. Identification of Safety Committee Representative
 9. Incident Reporting
 10. Unsafe Conditions/Practices Reporting

Supervisors and employees will be asked to sign a safety orientation checklist at the completion of the safety orientation. If the employee refuses to sign the checklist, the supervisor shall make a note of it on the checklist. Copies of the checklist shall be forwarded to Human Resources for inclusion in the employee's personnel file. It is the supervisor's responsibility to ensure that no employee begins work prior to completing the safety orientation.

IX. REQUIRED TRAINING

- A. Departments are responsible for creating and updating as necessary, lists of safety training which must be completed prior to employees beginning work or specific tasks, and ensuring employees are trained before such tasks are assigned.

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- B. Departments are also responsible for ensuring employees attend safety training which is required on a periodic basis.
- C. Departments shall forward notice of completed training to the Human Resources Department, or enter a record of training completed in the City's automated recordkeeping system.

X. EMERGENCY PLANNING

- A. Building Emergency Response Team - Each building will have a Building Emergency Response Team, including a Building Emergency Coordinator and Assistant Building Emergency Coordinator appointed by the Department Director(s). The Team will:
 - 1. Develop a Building Emergency Response Plan, and ensure all building employees are familiar with emergency procedures.
 - 2. Plan and execute building emergency response drills to ensure employee preparedness in the event of a real emergency.
 - 3. Coordinate emergency operations in the event of a building emergency.
 - 4. Coordinate building emergency response with City-wide emergency response management in the event of a community disaster.
- B. Building Emergency Response Plan - The Building Emergency Response Plan will include, but not be limited to:
 - 1. General guidelines and specific emergency procedures.
 - 2. Information concerning the building's emergency systems, e.g., fire alarm pull stations, fire extinguishers, sprinklers, heat/smoke detectors, signage.
 - 3. Building Emergency Response Team organization.
 - 4. Description of building emergency evacuation procedures.
 - 5. Description of public evacuation procedures if the building is routinely occupied by visitors or the general public.
 - 6. A building emergency evacuation floor plan which includes the following and which will be posted on the employee safety bulletin board and other appropriate locations:
 - a. Location of Fire Alarm Pull Stations.
 - b. Locations of fire extinguishers.
 - c. Main and emergency exits.

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- d. Stairways and hallways/corridors.
 - e. Location of first aid station.
 - f. Emergency Evacuation assembly point.
7. A statement of special emergency procedures for designated personnel.
8. A statement of employee responsibilities in the event of a community disaster.

XI. HAZARD COMMUNICATION PLANS

- A. Purpose - The purpose of the plan is to make sure employees know about hazardous materials at work and how to protect themselves.
- B. Responsibility - Department Directors are responsible for determining if any employee in their department has a potential exposure to any hazardous chemical on the job. If there is a risk of such exposure, the Department Director is responsible for ensuring that the Department has a Hazard Communication Plan in compliance with Chapter 296-62-054 WAC.

XII. BLOODBORNE PATHOGENS EXPOSURE CONTROL PLANS

- A. Purpose - The purpose of the Bloodborne Pathogens Exposure Control Plans (BPECP's) is to eliminate or minimize the risk of employee exposure to biological agents which could cause serious illness such as HIV or hepatitis.
- B. Responsibility
- 1. The Human Resources Director is responsible annually to prepare an exposure determination. The exposure determination shall contain the following:
 - a. A list of job classifications in which all employees in those job classifications have occupational exposure;
 - b. A list of job classifications in which some employees have occupational exposure, and,
 - c. A list of tasks and procedures in which occupational exposure occurs for those job classifications in which some employees have occupational exposure

Note: "Occupational Exposure" means reasonably anticipated skin, eye, mucous membrane, or parental contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

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2. The department director in each department which has any employee in a job classification determined to have occupational exposure is responsible for the development, implementation and annual review of a Bloodborne Pathogen Exposure Control Plan which meets the requirements set forth in Chapter 296-62 WAC, Part J.
- C. Recordkeeping - All records kept in compliance with Chapter 296-62 WAC, Part J, should be forwarded to the Human Resources Department for filing. All medically related records will be kept in a confidential medical file, separate from the employee's personnel file. Training records may either be forwarded to the Human Resources Department, or entered directly by the Department into the City's automated recordkeeping system.

XIII. ENFORCEMENT POLICY

- A. Every individual employed by the City of Olympia shall fully comply with the City's Occupational Health and Safety Program, and established safety programs, policies and rules for their assigned work functions.
- B. All employees shall fully perform their individual responsibilities in accordance with Section V of the Occupational Health and Safety Program. Failure to perform such responsibilities may result in disciplinary action as defined in Personnel Administrative Guidelines: Chapter IV, Section 19, Standard of Conduct, and Section 20, Disciplinary Action; and appropriate sections of collective bargaining agreements.

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