

RESOLUTION NO. 2024-03

**A RESOLUTION OF THE OKANOGAN COUNTY TRANSIT
AUTHORITY ADOPTING A NEW POLICY AND PROCEDURE
MANUAL.**

WHEREAS, the Board of Directors, hereinafter "Board", of the Okanogan County Transit Authority, hereinafter "OCTA", has adopted certain policies related to the personnel employed by OCTA entitled "Policy and Procedure Manual"; and

WHEREAS, the Board desires to replace the existing Policy and Procedure Manual in its entirety with a revised version; and

WHEREAS, the Board has reviewed the revised version of the Policy and Procedure Manual attached hereto.

NOW, THEREFORE, be it resolved by the Board of OCTA as follows:


Section 1. The Board does hereby approve and adopt the revised Policy and Procedure Manual of OCTA, and such revised policies are attached hereto and incorporated herein as though fully set forth.

Section 2. All existing employees and future employees of OCTA shall receive a copy of the revised Policy and Procedure Manual of OCTA and shall sign a written acknowledgement indicating that they have received such copies and agree to abide by such as a condition of employment of OCTA.

Section 3. Such revised Policy and Procedure Manual shall be effective as of the date of passage of this Resolution.

PASSED by the Board at its regular meeting on February 21, 2024.

APPROVED:


Cindy Gagne, Chairperson

ATTEST:


Crystal Hawley,
Clerk of the Board

APPROVED AS TO FORM:


W. Scott DeTro, OCTA Attorney

RESOLUTION
012 1390

TranGO

PERSONNEL POLICIES

February 21, 2024

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Section 1. Purpose and Scope

Introduction

These Policies serve as a general guide to TranGO's current employment practices and procedures. As such, TranGO hopes they will help employees better understand operations and what is expected of each employee. These Policies also provide general information about what TranGO provides to employees in terms of compensation, benefits, and other support.

These policies are not intended to be a contract, express, or implied, or any type of promise or guarantee of specific treatment upon which employees may rely, or as a guarantee of employment for any specific duration. Unless specific rights are granted to an employee in employment contracts, all employees of TranGO are considered **at-will employees** and may be terminated from TranGO employment at any time, with or without cause and with or without notice, regardless of any term, statement or condition contained in these Policies. No manager, director, supervisor, or representative of TranGO has the authority to enter into any agreement with an employee for employment for any specified period or to make any written or verbal comments contrary to the foregoing. At the time of hiring, employees are required to sign a written statement acknowledging that they are employed at the will of TranGO and are subject to termination at any time, for any reason, with or without notice and with or without cause.

TranGO reserves the right to amend, delete, supplement, or rescind any guidelines, as TranGO deems necessary or appropriate, without advance notice. TranGO also reserves the right to change or deviate from these Policies at any time and in individual situations.

TranGO requires each employee to read these Policies when the employee is first hired and when any changes or amendments have been made to the Policies. Each employee is required to sign an "Acknowledgement Form" furnished by the Finance/HR Director, confirming that the employee has read and is familiar with the Policies. Any questions regarding the Policies should be directed to the employee's supervisor. Employees should refer to the policies as questions arise and seek clarification from their supervisor or HR Director as needed.

Scope

These Policies apply to all TranGO employees, except for employees under written contract with TranGO. Except workplace harassment and ethics policies, these policies do not apply to members of TranGO's Board of Directors or independent contractors. In the event of conflict between the provisions of these Policies and any provision of an applicable contract, the contract will govern. In all other cases, these Policies shall govern.

Definitions

For the purpose of these Policies, the following terms have the following meanings:

1. **Supervisor:** An employee of TranGO with authority to assign, direct, and review the work of one or more subordinates within the organizational chart of TranGO.
2. **Immediate Family:** Unless otherwise set forth in these Policies "Immediate Family Member" includes a child (including a biological, adopted, or foster child, stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of

age or dependency status), parent (including biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child), spouse, registered domestic partner, grandparent, grandchild or sibling.

3. **Regular Full-Time Employee:** An employee that has completed his/her Trial Period and who regularly works, or is scheduled to work, a minimum of forty (36) hours per week.
4. **Regular Part-Time Employee:** An employee that has completed his/her Trial Period and who works, or is scheduled to work, at least twenty (24), but not more than forty (40) hours per week. Regular Part-Time Employees may not be eligible for some/or all TranGO benefits.
5. **Temporary Employee:** An employee hired to perform work on a limited basis arising out of special projects, abnormal workloads, or emergencies. Temporary Employees are entitled to accrue sick leave as required and provided by state or federal law, as existing or hereinafter amended, but are not eligible for other TranGO benefits.
6. **Trial Employee:** An employee that has not yet completed his/her Trial Period in a regular position, and that has not been certified or approved for regular employment status. Unless otherwise specified, references to Regular Full-Time or Regular Part-Time Employees in these Policies include Trial Employees.
7. **Trial Period:** The normal Trial period extends six (6) months from the employee's date of hire, re-hire, or promotion; however, longer Trial periods may be established for positions requiring technical, professional, unusual, or unique skills or qualifications. A newly hired employee may be disciplined or discharged for any or no reason at the sole option of TranGO during the Trial Period. Completion of a Trial period does not change the at-will status of an employee or in any way restrict TranGO's right to terminate such employee or change the terms or conditions of employment.

Equal Employment Opportunity

TranGO is an equal employment opportunity employer. TranGO employs, retains, promotes, disciplines, terminates, and otherwise treats all employees and job applicants on the basis of job-related qualifications and competence, without regard to any individual's sex, sexual orientation, race, creed, color, religion, national origin, pregnancy, age (over 40), marital status, honorably discharged military or veteran status, disability, or any other characteristic protected by law.

TranGO will not discriminate against applicants or employees with a sensory, physical, or mental impairment, unless the impairment cannot be reasonably accommodated and prevents proper performance of an essential element of the job.

Workplace Harassment

All employees have the right to work in an environment free from harassment based on their race, color, national origin, creed, religion, age (over 40), marital status, pregnancy, sex, sexual orientation, honorably discharged military or veteran status, disability, or any other legally protected status. All employees are expected to be sensitive to the feelings of others and must not act in a way that might be considered harassment by someone else. Conduct appearing to be welcome or tolerated by one employee may be very offensive to another. Therefore, TranGO prohibits any of the forms of harassment described below.

1. **Sexual or Sexual Orientation Harassment** – TranGO prohibits unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - a. Submission to such conduct is made, either explicitly or implicitly, a term or condition of a person's employment; or
 - b. Submission to or rejecting of such conduct adversely influences employment decisions affecting an employee; or
 - c. The conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment may include unwelcome sexual advances, requests for sexual favors, physical touching, or the granting or withholding of benefits in response to sexual conduct. It also can include verbal or non-verbal behavior such as suggestive looks or leering; obscene or rude sexual or sexual orientation-related comments, jokes or suggestions; slang, names, or labels such as "honey", "sweetie", "boy", or "girl" that others find offensive; talking about or calling attention to another employee's body or sexual characteristics in a negative or embarrassing way; continuing unwelcome behavior after a co-worker has objected to that behavior; blaming the victims of sexual harassment for causing the problem; or physical behavior such as pats or squeezes or repeatedly brushing against someone's body. More subtle forms of inappropriate behavior, such as offensive posters, cartoons, caricatures, comments, pranks, and jokes of a sexual or sexual orientation nature can also be considered sexual harassment because they may contribute to a hostile or offensive working environment.

2. **Other Forms of Harassment** – TranGO also prohibits any other kind of workplace harassment based on their race, color, national origin, creed, religion, age (over 40), marital status, pregnancy, sex, sexual orientation, honorably discharged military or veteran status, disability, or any other legally protected characteristic. As with sexual harassment, this includes all conduct that has the purpose or effect of interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment.
3. **Reporting Harassment** – All employees are responsible to ensure a workplace free from any type of prohibited harassment or believes that he/she is a victim of, or a witness to, sexual or other forms of prohibited workplace harassment or conduct, the employee should immediately report the circumstances to his/her supervisor. Alternatively, if an employee's Supervisor is engaging in such conduct, the employee should report the alleged harassment to the General Manager or Finance/HR Director.
4. **False Accusations** – TranGO recognizes that the question of whether a particular action or incident is a purely personal, social relationship, without a discriminatory employment effect, requires a factual determination based upon all facts in the matter, and that false accusations of workplace harassment can have serious negative effects on employees. Therefore, an employee who knowingly makes false accusations against others is subject to discipline as well. TranGO expects that all employees will continue to act reasonably to establish a pleasant working environment free of discrimination.
5. **Complaint Investigation** – All written complaints must be presented to the employee's Supervisor, Finance/HR Director, or General Manager and will be timely investigated. The identity of the employee making the complaint and the identity of the individual accused of

harassment will be kept as confidential as possible. Upon receipt, all complaints will be forwarded to the Finance/HR Director. Once a complaint has been received, a letter acknowledging the complaint with copies of the related policies will be provided to the complainant. TranGO legal counsel and/or the risk management team designated by TranGO will be consulted. If an investigation is warranted by legal counsel or the risk management team, all investigations will be conducted by the risk management team or their appointee(s).

6. **Discipline** – Workplace harassment is a serious offense. Any employee who is found to have engaged in such conduct will be subject to the appropriate disciplinary action, which may include immediate termination.
7. **Retaliation** – TranGO prohibits any form of retaliation against an employee who makes a complaint regarding harassment. Any retaliatory conduct should be reported immediately and will be cause for disciplinary action, which may include termination of employment.

This Workplace Harassment policy applies to Board Members, along with all TranGO staff, independent contractors, and volunteers.

Section 2. Employee Personnel Records

A personnel file for each employee is kept in the Finance/HR Director's office. Each personnel file contains, among other information, employee name, title and/or position held, job description, department to which the employee is assigned, salary, changes in employment status, training received, performance evaluations, personnel actions affecting the employee (if any), including discipline, and other pertinent information. Medical information about each employee is kept in a separate confidential file. It is the responsibility of the employee to inform the HR/Finance Director of any changes of address, phone number, marital status, number of dependent children, etc.

Each employee has the right to review his/her personnel file at least once annually, upon request, this review will be supervised by the HR Director or General Manager. An employee may request removal of irrelevant or erroneous information in his/her personnel file. If TranGO denies a request to remove the information, the employee may file a written rebuttal statement to be placed in the employee's file.

Personnel files are kept confidential to the maximum extent permitted by law. Except for routine verifications of employment, and except as authorized or required by the Washington State Public Records Act, Chapter 42.56 RCW, as existing or hereafter amended, no information from employee files will be released to the public, including the press, without a written request for specific information. To the extent possible, TranGO will attempt to notify the affected employee when a request for the employee's personnel file, or documents within the employee's personnel file, has been made.

Section 3. Employment References

Aside from confirming dates of employment and final salary, TranGO does not provide employment references without express written consent of the employee. Requests for employment verification should be forwarded to the Finance/HR Director or to the General Manager in the absence of Finance/HR Director.

Section 4. Attendance and Working Hours

Working Hours

The standard office working hours are Monday – Friday 8:00 a.m. to 5:00 p.m.; office staff schedules are staggered to include a 30-minute unpaid lunch break. Driver's schedules and lunch breaks vary depending on their base location and route. Each driver receives either a 30 minute or 1 hour lunch break each day. TranGO may establish other work schedules or vary from these schedules as deemed necessary by the General Manager.

A normal work week for Regular Full-Time Employees consists of forty (40) hours per week. The work week begins on Sunday and ends on Saturday. Each employee's Supervisor is responsible for advising employees of each employee's specific working hours. TranGO shall provide as much notice as possible of a schedule change. Notwithstanding the foregoing, an employee's Supervisor may change scheduled hours and provide for emergencies or illness to keep all routes running, as determined in the sole discretion of TranGO.

Regular Part-Time Employees and Temporary Employees will work hours as specified by the employees' Supervisor.

All hours worked are in the service of TranGO, inclusive of travel time to and from approved or required training, actual training hours, and travel between transit base locations for route coverage.

Overtime

All TranGO positions are designated as either "exempt" or "non-exempt" according to state and federal law. Non-exempt employees that work in excess of regular hours on any workday may be taken off as flex time and must be taken within the same work week of accrual, at a rate of one (1) hour for one (1) hour. If flex time is not taken within the same work week, time worked in excess of forty (40) hours will be paid at one and one-half time on the paycheck following the pay period the time was accrued.

All overtime and/or flextime must be authorized in advance by the employee's Supervisor.

The overtime rate of pay is calculated at one and one-half the employee's regular rate of pay for all time worked beyond the established work period (i.e., for all hours worked in excess of 40 hours per week). When computing overtime or eligibility for overtime, holiday, vacation, sick leave, or bereavement leave will not be counted as hours worked.

To the extent possible, opportunities to work overtime should be distributed reasonably and equally between eligible employees, except when assignment of overtime is required due to lack of participation, or in the event of an emergency (as determined by TranGO).

Exempt employees are not eligible to receive overtime pay or flex time in lieu of such pay.

Attendance

Punctual and consistent attendance is a condition of employment. Supervisors are responsible for maintaining accurate attendance records of each of their respective employees.

Employees unable to work or unable to report to work on time must notify their Supervisor as soon as possible, preferably before the workday begins, and no later than thirty (30) minutes prior to the employee's scheduled start time. If the absence continues in excess of one day, the employee is responsible for reporting to their Supervisor each day. If the Supervisor is not available, the employee may leave a message with the General Manager; the message must state the reason for being late or unable to report for work.

Employees are expected to be at work on time, even during inclement weather. A Supervisor may, in their sole discretion, allow employees to be late or leave early during severe weather conditions; however, any absence from work due to inclement weather will be charged to accrued vacation time.

Any employee who is absent without authorization or notification, consistent with this policy, may be subject to disciplinary action up to and including possible termination.

Breaks and Meal Periods

Employees must take one (1) 10-minute break for every four hours worked. Employees can take rest periods intermittently if: (1) The intermittent breaks add up to 10 minutes over the four-hour period, and (2) each intermittent break is long enough to give a true break from work and an opportunity for relaxation. Employees cannot waive their rest periods. All breaks should be arranged so that they do not interfere with TranGO business or service to the public. Breaks may not be added to the meal period nor subtracted from quitting time. Meal periods are scheduled by an employee's Supervisor. The scheduling of meal periods may vary depending on department workload. Meal periods are unpaid.

Payroll Records

The official payroll records for all TranGO employees are stored and maintained by the Finance/HR Director. Each Supervisor shall turn in work records or leave and overtime accrual records, as applicable, for each employee in their department each pay period or as otherwise requested by the Finance/HR Director. The records shall indicate whether leave was taken and/or overtime worked.

Section 5. Leaves of Absence and Time Off

Types of Leave

TranGO has the following different types of leave:

1. Vacation Leave
2. Sick Leave
3. Family and Medical Leave
4. Domestic Violence Leave
5. Leave without Pay
6. Jury and Witness Leave
7. Military Leave
8. Administrative Leave
9. Bereavement Leave

TranGO also recognizes certain state and federal holidays which may result in employee absences due to closures, or to additional compensation for work performed by eligible employees during a recognized holiday.

Vacation Leave

Unless otherwise provided by a separate written contract, Regular Full Time Employees earn vacation leave at the rates shown on the following schedule:

Term of Employment (completed):

Years of Employment	Hours Earned per Year
0-4	80 hours (approx. – 3.07 hours per pay period)
5-9	120 hours (approx. – 4.61 hours per pay period)
10+	160 hours (approx. – 6.15 hours per pay period)

The employee's anniversary date (the date they were hired) starts an employee's time period for accruing, using, and carrying over any allowed amounts of vacation leave. An "employment year" shall be one (1) year from date of hire, and each successive period thereafter.

Employees may not take paid vacation leave until they have actually earned the vacation. New employees accrue vacation leave upon hire but may not take vacation within the first six (6) months of employment or until their Trial Period is completed.

Vacation time shall be scheduled and taken at a time that is approved by the employee's Supervisor, and that will not unreasonably interfere with operations of TranGO. Any Regular Full-Time Employee that desires to take more than two (2) consecutive weeks of vacation must obtain approval from the General Manager. In most circumstances there should be a 30-calendar day work period between extended vacation periods.

A Regular Full-Time Employee may accrue a maximum of 160 hours. Once an employee reaches the maximum 160 hours, no additional vacation will be accrued until the maximum has been reduced. It is the employee's responsibility to track their own leave time.

Proration for Employees Working Less than 36 hours per week based on hours worked.

Regular Part-Time Employees working less than 24 hours per week and temporary employees do not accrue vacation leave.

Employees on leave without pay do not accrue vacation leave.

Each Supervisor is responsible for scheduling its employees' vacations without undue disruption of operations. Leave requests should be submitted at least two (2) weeks prior to taking vacation leave. Leave requests are prioritized by order of when they are received by the supervisor.

In the event of any conflict between this section and the terms of a separate contract, the terms set forth in the separate contract shall be controlling.

Employees whose employment is terminated will receive vacation pay at 100% the total dollar value for any unused vacation leave accrued at the time of termination. If an employee dies, pay for accrued and unused vacation leave will be paid in a lump sum to the employee's estate.

If a paid holiday falls within an employee's vacation period, it will be counted as a holiday and not vacation leave.

Sick Leave

Punctual and consistent attendance is an essential function of each employee's job and a condition of continued employment with TranGO. Each employee is expected to be at the employee's place of work and be prepared to work at the designated starting time and continue to work until the designated quitting time.

If an employee is unable to work, or unable to report to work on time because of an illness, the employee should notify their Supervisor or their designee, as soon as possible, ordinarily before the workday begins, informing them of the reason for being late or being unable to report to work. If an absence continues beyond one day, then the employee is responsible for reporting to Supervisor, or their designee each day. Any unauthorized absence, including tardiness, may be considered an absence without pay and may be cause for disciplinary action, including termination. Each Supervisor shall submit documentation to the Finance/HR Director at the end of each pay period including the amount of sick leave used by each member of the staff under their supervision.

Regular Full-Time Employees (36+ hours) accrue 8 hours of sick leave for each month of continuous employment with TranGO. Regular Part-Time Employees (24-35 hours) accrue sick leave prorated based on hours worked.

Employees do not accrue sick leave benefits during a leave without pay.

A Regular Full-Time and Regular Part-Time Employee may accrue a maximum of 360 hours of sick leave. Once an employee reaches the maximum of 360 hours, sick leave will continue to accrue, but the maximum accrued will be reduced to 360 hours. It is the employee's responsibility to track their own leave time.

Temporary Employees and Regular Part-Time Employees working less than 24 hours per week will be provided with sick leave benefits as required by state or federal law. Paid sick leave accrues for Temporary and Regular Part-Time Employees working less than 24 hours per week at the rate of one (1) hour for every 40 hours worked, including overtime hours. Paid sick leave begins accruing for these employees on the date of hire. Once an employee reaches the maximum of 360 hours, sick leave will continue to accrue, but the maximum accrued will be reduced to 360 hours.

If an employee is terminated or separated from employment, pay for accrued and unused days of sick leave will be paid at 25% the total dollar value. Provided, if an employee is rehired within 12 months of termination, any previously accrued unused sick leave will be reinstated upon the employee reimbursing TranGO for any amount paid for sick leave at termination, and the previous period of employment shall be counted for the purposes of determining an employee's eligibility to use sick leave. Reinstated employees are entitled to use sick leave accrued beginning on the 90th calendar day after commencement of their employment.

Allowable Uses of Sick Leave: Paid sick leave is available for employees to care for their health and the health of their immediate family members. Sick leave may be used for the following:

- (a) The employee's own health condition (illness, injury, physical or mental disability, including pregnancy or childbirth) that is not job related; to accommodate the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an employee's need for preventative medical care.
- (b) Forced quarantine of the employee in accordance with community health requirements (i.e., exposure to contagious disease such that presence at TranGO would jeopardize the health of others).
- (c) Caring for an Immediate Family Member with a health condition with an illness, injury or serious health condition that requires treatment or supervision.
- (d) Actual periods of temporary disability associated with pregnancy or childbirth. Employees may request additional time off beyond the actual period of disability, and, if authorized, may use vacation leave, or leave without pay to cover such absence.
- (e) Preventative medical, dental, or optical appointments for the employee or Immediate Family Member, provided the employee must make a reasonable effort to schedule such appointments at times which have the least interference with the workday.
- (f) Closure of TranGO or the employee's child's school/place of care by order of a public official for any health-related reasons.
- (g) Absences that qualify for leave under the Domestic Violence Leave act, RCW 49.76.
- (h) Use of prescription drug that impairs job performance or safety.

Employees must provide reasonable notice to their Supervisor of an absence from work for the use of paid sick leave to care for themselves or an Immediate Family Member. If an absence is foreseeable, the employee must provide notice to his/her supervisor of at least ten (10) days before the first paid sick leave is used. If unforeseeable, the employee must contact his/her supervisor as soon as possible. In the event it is not possible to provide notice of an unforeseeable absence, a person, on the employee's behalf, may provide such notice. If possible, the notification should include the expected duration of the absence.

TranGO may request, at TranGO's discretion, that employees provide documentation from their health care provider to support any request for sick leave extending in excess of three (3) working days, or if a pattern of abuse is apparent. TranGO may also request the opinion of a second doctor, at TranGO's expense, to determine whether the employee suffers from a chronic physical or mental condition, which impairs the employee's ability to perform the essential functions of the employee's job. Any failure to give notice or file a physician's certificate as required herein may be cause for denial of sick leave with pay for the period of absence.

Employees that are habitually absent due to illness or disability may be terminated if the employee's disability cannot be reasonably accommodated.

If a Regular Full-Time or Regular Part-Time Employee uses all of the employee's accumulated sick leave, then the employee may require a leave without pay from their Supervisor. The Supervisor shall forward any requests for unpaid leave to the General Manager for final consideration. Any such request for leave shall be made in writing, in advance of taking leave, and may be authorized by the General Manager, pursuant to the terms and conditions set forth in Subsection F below, in writing, at the General Manager's sole discretion. Employees shall not donate vacation leave to another employee for sick leave without

obtaining express written consent from the General Manager. If approved, the terms and conditions of the leave donation shall be documented in writing and signed by the donating and recipient employee.

Family and Medical Leave

Washington Family and Medical Leave, RCW 50A, as amended, is a mandatory statewide insurance program that provides paid time off to employees to give or receive care. This is not a protected leave, but rather a wage insurance program. Qualifying employees will be allowed leave as provided in RCW 50A, as amended.

Domestic Violence Leave

Employees who are victims of domestic violence, sexual assault, or stalking may take a reasonable amount of leave from work to take care of legal or law enforcement needs, get medical treatment, social services assistance, mental health counseling, to participate in safety planning, to relocate temporarily or permanently, or to take other actions to increase the safety of the employee or employee's Family Members from future domestic violence, sexual assault, or stalking.

Family Members of a victim are also eligible to take a reasonable amount of leave to assist the victim in obtaining treatment or seeking other assistance.

TranGO will determine what constitutes a reasonable amount of leave, which given the nature of domestic violence, will depend on the individual circumstances leading to a request for domestic violence leave and may vary from employee to employee, at TranGO's discretion.

An employee may use available vacation, sick leave, or take unpaid time when taking domestic violence leave.

Whenever possible, employees requesting permission to take domestic violence leave must provide at least two weeks advance notice. If two weeks' notice is not possible, then the employee must provide as much advance notice as possible.

The request for leave must be in writing and provide sufficient information for TranGO to evaluate the request. All requests for domestic violence leave should be directed to the General Manager or his/her designee, and shall provide the following:

1. A police report indicating the employee or employee's Family Member is a victim of domestic violence; or
2. A court order providing protection to the employee or the employee's Family Member; or
3. Documentation from a healthcare provider, advocate, clergy, or attorney stating that the employee is a victim of domestic violence and the employee's direct participation, or assistance (in case of a Family Member) is needed to help the individual obtain treatment or seek assistance: or
4. An employee's written statement that the employee or the employee's Family Member is a victim and needs assistance; or
5. If the employee is requesting leave to assist a Family Member who is a victim of domestic violence, TranGO may request a birth certificate, court document or other similar record or a statement from the employee to establish the familial relationship.

Verification must be provided in advance of taking domestic violence leave, when possible. When it is not possible to provide verification in advance, employees must provide verification within five (5) working days of returning from domestic violence leave.

All verification and information related to domestic violence leave will be maintained as confidential and will only be released when requested or consented to by the employee, ordered by a court or administrative agency, or otherwise required by applicable federal or state law.

Leave Without Pay

Leave without pay may be allowed for specific periods, for any reasons applicable for leave with pay and for any periods beyond those covered by permissible leaves with pay. Additionally, TranGO may grant leaves of absence without pay for absence from work not covered by any other type of leave or if other leave balances are exhausted. If TranGO determines that granting a leave without pay would be detrimental to TranGO, the employee's request may not be approved. The General Manager grants or denies all leave without pay.

Only Regular Full-Time Employees who have satisfactorily completed their Trial Period are eligible for leave without pay. The following requirements apply:

1. Leave may be granted to a Regular Full-Time Employee for a period of up to ninety (90) days upon the approval of the General Manager. Further extensions are at the discretion of the General Manager
2. Accrued compensatory time, if any, sick leave, and vacation leave must be exhausted prior to taking any leave without pay.
3. An employee's benefits are suspended during the period of unpaid leave until the employee returns to work. Vacation, sick leave and/or any other benefits do not accrue while an employee is on leave without pay.
4. In certain circumstances, self-payment of benefits may apply as provided in the Insurance Benefits section.

If an employee is returning from a leave of absence without pay, the employee is not guaranteed the same position, equal pay, or status.

While on leave of absence without pay, an employee is not eligible to accrue sick leave, vacation, seniority, holiday pay or for payment of medical insurance premiums by TranGO. However, if an employee takes a leave of absence without pay that commences after the first working day of a month, the employee shall receive his/her regular TranGO payment of medical, vision, dental, and life insurance benefits for that entire month.

Administrative Leave

On a case-by-case basis, TranGO may place an employee on administrative leave with or without pay for an indefinite period of time, as determined by the General Manager to be in the best interest of TranGO. Administrative leave is typically used during the period of an investigation or in conjunction with other administrative proceedings.

1. TranGO provides all employees with jury duty leave for the full period of jury duty service. Regular Full-Time and Regular Part-Time Employees shall receive paid jury duty leave each time the employee is called for jury service. In the event jury leave extends longer than two weeks, exempt salaried employees should contact the Board of Directors of TranGO to discuss whether further paid leave will be provided. Payment provided by the courts during periods of paid jury duty leave must be turned over to TranGO, excluding expense reimbursements, such as mileage. An employee must provide the employee's Supervisor with a copy of the jury duty summons as soon as possible after receiving it. Upon completion of jury duty, the employee may be required to provide the employee's Supervisor with proof of jury service.
2. All employees summoned to testify in court are allowed time off for the period the employee serves as a witness. In general, witness duty leave is unpaid unless the employee is called as a witness by TranGO in a case involving TranGO. For exempt salaried employees, however, salary payment will continue except for full-day absences caused because the employee is a party in a lawsuit. Vacation leave may be used.

Military Leave

1. Employees. TranGO provides military leave while an employee is performing military service in accordance with federal and state law. Military leave must be requested in advance to the employee's Supervisor to provide TranGO with an opportunity to arrange coverage for the employee's job. Regular Full-Time and Regular Part-Time Employees receive military leave up to 21 working days per year for military service. For the purposes of this Section, a year shall be from October 1 to September 30 to align with the federal fiscal year. In general, if military service extends beyond 21 workdays, the additional leave will be unpaid. Exempt salaried employees who serve longer than 21 days should contact the Board of Directors of TranGO to discuss whether further military leave will be provided. Military service includes active military duty and reserve or National Guard training. If eligible, an employee must provide the employee's Supervisor with copies of the employee's military orders as soon as possible after the employee receives those orders. Reinstatement upon return from military service will be determined in accordance with applicable federal and state law. Employees will be protected against loss of income as a result of participation in annual encampment or training duty in the military reserves or National Guard for up to 21 days per year. TranGO will pay the difference between what an employee earns from the military service and what the employee would have earned as normal straight time earnings on the job. Payment procedures will be at TranGO's convenience.
2. Spouses and Registered Domestic Partners – Military Family Leave. TranGO provides job protection for spouses or registered domestic partners ("Spouse") of military personnel in military conflicts, including active military duty, reserve or National Guard in accordance with the Washington Military Family Leave Act, RCW 49.77, as amended (the "Act"). Regular Full-Time and Regular Part-Time Employees may take up to 15 days of unpaid military family leave before an impending deployment of their military service member Spouse or when such Spouse is on leave from deployment. Such leave is without pay unless the employee has accrued vacation leave and chooses to substitute vacation leave for unpaid leave. Employees are required to give notice of their intent to take military family leave within 5 business days of receiving official notice of

deployment or the leave from deployment in order to receive military family leave. TranGO may request verification from an employee in the form of deployment notification letters, marriage certificates, current military identification, proof of military service or military employment verification. There are no limits to deployments and an employee is allowed 15 days of military family leave for each deployment, regardless if they are in the same year; however, each must be a new assignment. "Military conflict" shall be as defined in the Act. In the event of a conflict between the terms of this paragraph and the Act, the Act shall prevail.

Bereavement Leave

TranGO provides Regular Full-Time and Regular Part-Time Employees with paid leave for up to three (3) days in the event of the death of an Immediate Family member. In the event the death takes place out of state, the employee may request additional leave without pay or vacation leave from the employee's Supervisor.

Holidays

1. Regular Holidays

The following are recognized as paid holidays for all Regular Full-Time, Regular Part-Time and Trial Employees:

New Year's Day	January 1st
Martin Luther King Day	3rd Monday in January
President's Day	3rd Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19th
Independence Day	July 4th
Labor Day	1st Monday in September
Veteran's Day	November 11th
Thanksgiving Day & Day After	4 th Thursday and Friday in November
Christmas Day	December 25 th

Holiday pay is to be paid for the same number of hours the employee would have been scheduled, had the employee worked that day. For example, if an employee is normally scheduled to work eight hours each day for five days, then the employee would receive eight hours of holiday pay.

Whenever a holiday falls on a Sunday, the following Monday shall be observed as the holiday. Whenever a holiday falls on a Saturday, the preceding Friday shall be observed as the holiday.

Nonexempt, Regular Full-Time, Regular Part-Time, and Trial Employees shall be paid for the holiday at the employee's regular hourly rate of pay plus the employee's regular rate of pay for any time worked on the holiday. Such time must be pre-authorized by the employee's Supervisor.

2. Religious Holidays

TranGO recognizes that some employees may wish to observe, for a reason of faith or conscience, or an organized activity conducted under the auspices of a religious denomination, church, or religious organization certain days which are not included in TranGO's holiday schedule. Employees who would like to take a day off for such reasons may be permitted to do so (2 days per calendar year) if the absence from work will not result in an undue hardship on the conduct of TranGO business and if prior approval has been obtained from the employee's Supervisor. Employees may use vacation hours or take unpaid leave on such occasions.

If possible, an employee should submit a written request for an unscheduled holiday provided in this section to the employee's Supervisor a minimum of two (2) weeks prior to the requested day. The religious holiday leave shall not be deemed approved unless it has been authorized on the proper form by the employee's Supervisor.

The two (2) religious holidays allowed by this section must be taken during the calendar year, if at all, and do not carry over from one year to the next.

Section 6. Recruiting and Hiring

Hiring

Each applicant for employment shall prepare and submit a cover letter, a resume, and complete and sign an application form prior to being considered for a position with TranGO. Any applicant supplying false or misleading information is subject to immediate termination, if hired.

Applicants will be required to present a valid Washington State Driver's License with any necessary endorsements. The driving records of applicants will be checked. Applicants with poor driving records, as determined by TranGO, may be disqualified for employment with TranGO.

TranGO may administer pre-employment examinations to test the qualifications and ability of applicants, as determined necessary by TranGO. TranGO may contract with any competent agency or individual to prepare and/or administer examinations.

After a conditional offer of employment has been made and prior to commencement of employment for TranGO, TranGO may require an applicant selected for employment to successfully pass a medical examination, which may include testing for alcohol, marijuana, and controlled substances. The purpose of the examination is to determine if the individual is physically able to perform the job and to ensure the individual's physical condition will not endanger the health, safety, or well-being of other employees or the public. The offer of employment may be conditioned upon the results of the examination.

TranGO requires that, as a condition of employment, prospective employees submit to background checks. Prospective employees will be required to complete TranGO background check disclosure and authorization forms.

Prospective employees will be notified within 10 days of TranGO receiving the results. The Finance/HR Director will notify the individual of the receipt of the results. If there is no criminal record, the individual will be deemed to have successfully completed the background check and advised of the results of the background check and the availability of the record or, as may otherwise be required by law, provided

with a copy of the results of the background check and a copy of the FTC publication "A Summary of Your Rights Under the Fair Credit Reporting Act". If there is a criminal record, TranGO will consider the following factors in deciding whether the individual is acceptable for employment:

- i. The nature and severity of any offense the individual is convicted of;
- ii. The age of the individual at the time of the crime;
- iii. The time that has elapsed since the commission, conviction, and completion of punishment;
- iv. The nature of the position applied for; and
- v. Contractual conditions.

If after review, the individual is found to be acceptable for employment, the individual will be advised of such and TranGO will follow the same procedure as listed above for no criminal record.

If after review, the individual is found to be unacceptable for employment, the individual will be advised of such and TranGO will follow the same procedure as listed above for no criminal record, and will provide the individual with a letter notifying prospective employee of the following:

- i. The nature of the adverse action taken;
- ii. The name, address and telephone number of the consumer reporting agency that provided the report and a statement that such agency did not make the adverse decision and cannot provide the individual with the specific reasons supporting the action;
- iii. The individual's right to obtain another copy of the report from the agency, free of charge, if requested within 60 days of receiving notice of an adverse action; and
- iv. Notice of the individual's right to dispute the accuracy or completeness of any information provided by the agency.

The individual may request within 5 days of mailing the notification letter a personal interview with the Finance/HR Director and the hiring Supervisor to explore the circumstances surrounding the conviction.

Background information received shall be confidential and shall not be disclosed except at the direction or consent of the individual, or pursuant to state or federal law.

An individual may be disqualified from consideration if: 1) found physically unable to perform the duties of the position (and the individual's condition cannot reasonably be accommodated in the workplace); 2) the candidate refuses to submit to a medical examination or complete medical history forms; or 3) if the examination reveals use of alcohol and/or controlled substances; or 4) the individual refuses to submit to a background check or complete the required forms and authorizations.

Residency preference shall not be a condition of employment or continued employment with TranGO; however, an employee's selection of residence shall not interfere with the employee's daily work for TranGO.

Temporary Employees

With the approval of the General Manager, TranGO may engage Temporary Employees during emergencies or other peak workload periods, to temporarily replace regular employees absent due to

disability, illness, vacation, or other approved leave, or to temporarily fill a vacancy until a regular employee is hired, for a time period not to exceed five (5) months.

Normal employee withholding will apply to all Temporary Employees. Temporary Employees will normally not be placed on the state PERS retirement system, although there are a few exceptions depending upon eligibility criteria. Temporary Employees are eligible for overtime pay and sick leave as required by law. Temporary Employees are not eligible and do not receive vacation, health insurance, holidays, or other benefits during their employment.

Employment of Relative (Nepotism)

Without the approval of the Board of Directors of TranGO, TranGO does not employ relatives in Regular Full-Time or Regular Part-Time positions where:

1. One relative would have the authority or practical power to supervise, appoint, remove, discipline, or evaluate the performance of the other.
2. One relative would be responsible for auditing the work of the other.
3. Other circumstances exist which would place the relatives in a situation of foreseeable or perceived conflict between TranGO interests and their own personal interests.

If two TranGO employees marry, become related, or begin sharing living quarters with one another, and in TranGO's judgement, the potential problems noted above exist or reasonably could exist, only one of the employees will be permitted to remain employed with TranGO, unless reasonable accommodations, as determined by the General Manager can be made to eliminate the potential problem. The decision as to which relative will remain employed with TranGO must be made by the two employees within thirty (30) calendar days of the date they marry, become related, or begin sharing living quarters with each other. If no decision has been made during this time, TranGO reserves the right to terminate either employee.

For the purposes of this policy, "relatives" are defined as the employee's mother, father, sister, brother, spouse, registered domestic partner, children, parent-in-law, son or daughter-in-law, grandparents, or grandchildren. This policy shall also apply to persons related by blood or marriage residing in an employee's home.

Trial Period

All newly hired employees, former employees who have been rehired, or employees promoted to a new classification within TranGO, enter a Trial Period which is considered an integral part of the selection and evaluation process. During the Trial Period an employee is required to demonstrate suitability for the position through actual work performance. The employee may be terminated at any time, with or without notice or cause during the Trial Period.

Unless otherwise provided by a separate written contract or agreement, the normal Trial Period is six (6) months from the employee's date of hire, rehire, or promotion; however, longer periods may be established for positions requiring technical, professional, specialized, unusual, or unique skills or qualifications at the discretion of the General Manager. An employee's Trial Period may be extended for up to an additional six (6) months (when needed due to circumstances such as extended illness or a need to continue to evaluate marginal performance) to properly evaluate the employee's performance. The Trial Period will not be shortened for any reason.

Regular Full-Time and Part-Time employees accrue vacation and sick leave during the Trial Period but are not eligible to use vacation leave until after their Trial Period is completed.

Promotions and Transfers

TranGO encourages promotion from within the agency whenever possible. All openings will be posted so that employees are aware of opportunities and can apply for positions in which they are interested and qualified.

Following promotion to a new position, a new Trial Period of six (6) months will be required to be completed. In the event the promoted employee fails to satisfactorily perform during the Trial Period, as determined by their supervisor, the employee may be considered for transfer back to the previous position held by the employee, if available. The time required to interview for a TranGO position by an employee will be paid as time worked up to a maximum of eight (8) hours. Travel expenses necessary to participate in required interviews must be borne by the employee.

Demotion

TranGO will endeavor to preserve the employment relationship with employees who have demonstrated loyalty and dedication to TranGO, whenever feasible, even during periods of organizational change.

Demotion occurs when an employee moves from one job to another job in a lower salary range. Demotions may be either voluntary, initiated by the employee, or involuntary, initiated by TranGO.

Transfers will be coordinated by the initiating Supervisor and approved by the General Manager.

Demoted employees will receive a pay adjustment to the new position pursuant to the salary matrix as approved by the Board of Directors. Demoted employees generally will not be placed in Trial Service status unless requested by the hiring Supervisor and approved by the General Manager. Employees demoted for disciplinary reasons will be expected to satisfactorily complete a performance improvement plan with predetermined time-frames to achieve acceptable performance standards.

Acting Appointments

Acting appointments of current employees, excluding temporary employees, may occur for employees who are qualified, interested, and available, to fill vacant positions within TranGO for an interim period not to exceed nine months.

Acting appointment to the position of General Manager requires approval of the Board of Directors. Acting appointment to all other positions requires approval of the General Manager.

Orientation and Training

TranGO will conduct orientation programs to help familiarize employees with new jobs, TranGO and to conduct or sponsor training programs for employees as it deems appropriate.

I. Fit for Duty

It is the policy of TranGO that applicants to whom a conditional offer of employment has been extended, and current employees, may be required to submit to medical tests, procedures, or examinations whenever management feels such actions are necessary for the safe or efficient operation of TranGO.

Successful applicants for employment may be required as a condition of employment to pass a medical examination to establish their fitness to perform the essential functions of the job for which they have applied without endangering the health and safety of themselves or others and with or without reasonable accommodation. If management determines that a medical examination is appropriate to a particular position, all applicants for the job to whom a conditional offer of employment has been made will be examined.

Section 7. Compensation

Salary Classification and Grades

Each position within TranGO is classified into one of the agency's classifications for salary purposes, based upon job qualifications, level of responsibility, difficulty, working conditions, skill, hazard, and amount of supervision required for the specific position. Each classification is designated a particular hourly rate shown on TranGO's salary matrix and is approved by the Board of Directors of TranGO.

Employee Pay Rates

Employees shall be paid within the limits of the wage range to which their positions are assigned.

Newly hired employees will typically start their employment at the minimum wage rate for their classification. A new employee may be employed at a higher wage rate than the minimum when the employee's experience, training, or proven capability warrant a starting rate greater than the minimum. The General Manager may start an employee at the maximum rate of Step C on the approved Salary Matrix.

Payroll

Paydays are Bi-Weekly on Fridays by direct deposit.

TranGO will withhold from the employee's paycheck those deductions required by law and any voluntary deductions authorized by the employee or statute.

Unless state or federal law provides otherwise, TranGO reserves the right to change policies, including paydays, as the agency deems necessary and appropriate, without advance notice.

Travel

Permission for Travel – All travel away from TranGO must be approved in advance by the appropriate Supervisor. If private automobiles are used, employees will be reimbursed at the mileage rate set by the Internal Revenue Service. Travel should be engaged in and reimbursed according to the procedures below.

All travel must be approved in advance by the employee's immediate supervisor.

Employees holding jobs that are designated as requiring extensive travel will be expected to travel as a condition of employment. For all other jobs, travel is considered only an incidental function of the position but may be required.

Employees should provide their immediate Supervisor with a copy of their itinerary before leaving on business travel.

Employee expenses for approved travel will be paid or reimbursed according to the accepted per diem schedule posted by the Washington State Office of Financial Management when properly documented by the employee and approved by the immediate Supervisor. Per diem will be divided into quarters for calculation of reimbursement (MN-6AM, 6AM-Noon, Noon-6PM, 6Pm-MN). Employees are expected to exercise prudent discretion in incurring expenses while traveling on business. Any travel expenses deemed unreasonable relative to the circumstances will not be paid or reimbursed and are the employee's personal responsibility.

Employees may obtain a cash advance for approved business travel by submitting a travel advance request to the Finance/HR Director. Cash advances and TranGO credit cards that incur expenses to TranGO are TranGO property, and their use is not to be abused and must be properly documented and approved as outlined above.

All travel costs must be reconciled within ten (10) working days after the travel is complete. All costs reimbursed to employees by outside funding sources shall be turned over or reimbursed to TranGO and the TranGO reimbursement system utilized.

Employees will only be reimbursed for the travel expenses of their spouse if the presence of the spouse is deemed by the General Manager to have a bona fide business purpose.

Employees who know they will have a special request for travel expense reimbursement should seek approval for the expense from their immediate Supervisor before the expense is incurred.

Time spent traveling in automobiles, airplanes, or other means of conveyance by non-exempt employees (those not under contract with TranGO) on trips away from home on TranGO business during or outside normal working hours are considered hours worked for pay purposes.

Employees traveling on TranGO business are representatives of TranGO and are expected to maintain a high level of professionalism and to follow all of TranGO policies and rules.

Compensation Upon Termination

When an employee's employment with TranGO is terminated, the employee will receive the following compensation:

1. Regular wages for all hours worked up to the time of termination which have not already been paid.
2. Any overtime or holiday pay due.
3. A lump sum payment of any accrued but unused vacation and sick leave as provided in these Personnel Policies.

Section 8. Benefits

Insurance Benefits

Regular Full-Time Employees and Regular Part-Time Employees are eligible to participate in TranGO's insurance programs on the first of the month following hire. The programs and criteria for eligibility will be explained at the time the employee becomes eligible to join. TranGO reserves the right to make changes in the carriers and provisions of these programs when deemed necessary or advisable.

Upon mutual agreement between the employee and TranGO, and in accordance with the terms and conditions of the insurance policy, TranGO will continue health insurance coverage at the employee's expense during an approved unpaid leave of absence. COBRA continuation rights may apply in the event coverage is not extended through TranGO. An administrative handling fee over and above the cost of the insurance premium may be charged to the employee or his/her dependents who elect to exercise their COBRA continuation rights.

Upon an employee's termination or separation from TranGO employment, at the employee's option and expense, the employee may elect to continue TranGO health insurance benefits to the extent provided under COBRA.

While an employee is receiving Worker's Compensation benefits, TranGO may continue to pay the employee's health insurance premiums for one (1) month, after which the employee may choose to use his/her COBRA rights and self-pay insurance premiums, if eligible.

Unemployment Compensation

Employees may qualify for state unemployment compensation after termination from TranGO employment, depending on the reason for termination and if certain qualifications are met.

Retirement Benefits

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

All Regular Full-Time Employees and eligible Regular Part-Time Employees are covered under an applicable retirement system offered by the Washington State Department of Retirement Systems (i.e., PERS). Benefit levels and contribution rates are set by the State of Washington.

If an eligible employee intends to retire, the employee should notify their Supervisor at least three months, but preferably six months, prior to the employee's preferred retirement date.

Disability Benefits (Workers Compensation)

TranGO employees are covered by the State Workers' Compensation Program while working for TranGO. For qualifying cases, State Industrial Insurance pays employees for workdays lost and medical costs due to job-related injuries or illnesses. All job-related accidents shall be reported immediately to the employee's Supervisor.

When an employee is absent for one or more days due to an on-the-job accident or illness, the employee is required to file a claim for Workers' Compensation. If an employee files a claim, TranGO will continue to pay (by use of accrued but unused sick leave or vacation) the employee's regular wages pending notice of the employee's receipt of Worker's Compensation benefits.

TranGO may require an examination at TranGO's expense, performed by a physician of TranGO's choice, to determine when an employee may return to work and if the employee is capable of performing the essential functions of the employee's position.

Hepatitis B Exposure and Vaccination

TranGO recognizes that employees incur some risk of infection and illness each time they are exposed to blood or other potentially infectious materials. While the risk to employees of exposure to bodily fluids due to casual contact with individuals in the work environment is very low, TranGO regards any such risk as serious.

Consequently, TranGO directs adherence to universally recognized precautions. Universally recognized precautions require that employees approach infection control as if all direct contact with human blood and body fluids is known to be infectious for HIV, HBV and/or other blood borne pathogens.

To reduce the risk to employees by minimizing or eliminating employee exposure incidents to blood borne pathogens, TranGO has developed and implemented an Exposure Control Plan.

The Exposure Control Plan includes training followed by an offer of immunization with Hepatitis B vaccine for all employees who have occupational exposure as determined by TranGO.

Hepatitis B vaccination shall also be available to all unvaccinated employees who render assistance in any situation involving the presence of blood or other potentially infectious materials. Vaccinations will be made available as soon as possible and not later than twenty-four (24) hours after the incident.

Hepatitis B vaccination series will not be required to be given to employees who have previously received the complete Hepatitis B vaccination series, or an antibody test has revealed that the employee is immune to Hepatitis B, or there are medical reasons not to give the vaccine.

The Hepatitis B vaccination series is available to all employees who have occupational exposure, and it is available at no cost to the employee and shall be made available to the employee at a reasonable time and location. The vaccination series shall be administered by, or under the supervision of, a licensed physician or by another licensed health care professional and shall be provided according to recommendations of the United States Public Health Service that are current at the time the evaluation of the procedures take place.

Further, the Hepatitis B vaccination series is available to any employee who initially declines the vaccination, but later decides to accept it while they are still employed by TranGO.

Said Hepatitis B vaccination series shall be available after the employee has received training required by the Department of Labor and Industries and within ten (10) working days of the employee's initial assignment.

The reporting procedures to ensure that all incidents that involve the presence of blood or other potential infectious materials require that the incidents be reported before the end of the work shift. Documentation of incidents that involve blood or other potentially infectious materials shall include:

- Name of all employees that may have been exposed
- Date and time of the incident
- Description of the incident

- Location of the incident

Participation in a pre-vaccination screening program for antibody status is not a condition for receiving Hepatitis B vaccination.

All laboratory tests shall be conducted by a laboratory licensed by the state for clinical laboratory improvement amendments.

Employees who decline the Hepatitis B vaccination offered by TranGO shall sign a declination form which will state as follows:

"I understand that due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring Hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with Hepatitis B vaccine, at no charge to myself. However, I decline Hepatitis B vaccination at this time. I understand that by declining this vaccination, I continue to be at risk of acquiring Hepatitis B, a serious disease. If, in the future, I continue to have occupational exposure to blood or other potential infectious materials and I want to be vaccinated with Hepatitis B vaccine, I can receive the vaccination series at no charge to myself."

Such declination form, once signed, shall be placed in the personnel file of the employee.

Section 9. Employee Responsibilities and Conduct

General Code of Conduct

Employees are expected to represent TranGO to the public in a professional manner, which is courteous, efficient, and helpful. Employees should maintain a clean and neat appearance appropriate to each employee's work assignments, as determined by their Supervisor.

Since the proper working relationship between each employee and TranGO depends on an employee's ongoing job performance, professional conduct, and behavior, TranGO has established certain minimum standards of personal conduct. Among TranGO's expectations are basic tact and courtesy towards the public and fellow employees; adherence to TranGO policies, procedures, safety rules and safe work practices; compliance with directions from Supervisor; preserving and protecting TranGO equipment, facilities, and resources; and providing orderly and cost-efficient services to TranGO customers and the general public.

TranGO may ask employees to perform duties that are outside the employee's regular assignments. This is no reflection on employee worth to TranGO but is a necessary arrangement for most small agencies.

To make the most efficient use of personnel, TranGO also reserves the right to change employee work conditions and duties originally assigned. If these arrangements become necessary, TranGO expects employee cooperation.

Personal Appearance/Uniforms

It is the policy of TranGO that an employee's dress, grooming, and personal hygiene should be appropriate to the work situation. However, radical departures from conventional dress or personal grooming standards are not permitted, regardless of the nature of the job performed.

- (1) Employees often have contact with the public and therefore represent TranGO in their appearance. A properly attired employee helps to create a favorable image for TranGO. Accordingly, the personal appearance of office workers is to be governed by the following standards:
 - (a) Employees are expected to dress in a manner that is normally acceptable in business establishments, or dress with required uniforms; and
 - (b) Hair and/or facial hair should be clean, neatly trimmed, or arranged in a manner which does not involve a safety hazard.
- (2) If an employee reports for work improperly dressed or groomed, their immediate Supervisor should instruct the employee to return home to change clothes or to take other appropriate corrective action. Nonexempt employees (those employees subject to the minimum wage and overtime requirements of the Fair Labor Standards Act and/or Washington Minimum Wage Act) will not be compensated during such time away from work, and repeated violations of this policy will be cause for disciplinary action.
- (3) At its discretion, TranGO may allow employees to dress in a more casual fashion than is normally required. On these occasions, employees are still expected to present a neat appearance and are not permitted to wear ripped or disheveled clothing, athletic wear, or similarly inappropriate clothing.

PRESCRIBED UNIFORMS FOR OPERATORS & MAINTENANCE PERSONNEL

The following are prescribed uniforms for operators and maintenance employees of TranGO:

- a. Blue or black coat, long parka with TranGO logo provided by TranGO.
- b. Optional black zip up vest with TranGO logo provided by TranGO.
- c. Shirts with TranGO logo provided by TranGO. Shirt style and color may change, however only the current issue is allowed.
- d. Pants will be black, khaki, navy, charcoal gray. Jeans may be worn as long as they are in good repair and are not faded, torn, or frayed. Shorts, just above the knee or longer when standing, and capris may be worn (same colors as stated for pants) and are allowed from May through September or as weather permits. No spandex.
- e. Belts are to be black or brown.
- f. Black, brown, or white shoes. Platform soles, heels over 2" high, open toes, moccasins, sandals, clogs (including crocs) or open heels are not permitted for safety reasons.
- g. Black, brown, navy, gray, or white socks are allowed.
- h. Company (logo) baseball cap is optional and must be worn with the bill facing forward.
- i. Name badges (TranGO issued) are to be worn.
- j. Patches must be authorized in advance and sewn on.
- k. Any retired styles (with TranGO logo) will be returned to TranGO for disposition.

Reporting Improper Governmental Action

1. General Policy: In compliance with the Local Government Employee Whistleblower Protection Act, RCW 42.41, as currently enacted or hereafter amended, TranGO encourages employees to disclose an improper governmental action taken by TranGO officials or employees without fear of retaliation. This policy also safeguards legitimate interests by encouraging complaints to be made first to TranGO, with a process provided for speedy dispute resolution.
2. Key Definitions:
 - a. Improper Governmental Action: any action by a TranGO officer or employee that is:
 - i. Undertaken in the performance of the official's or employee's official duties, whether or not the action is within the scope of the employee's employment; and
 - ii. In violation of any federal, state, or local law or rule, is an abuse of authority, is a substantial and specific danger to the public health or safety or is a gross waste of public funds.

"Improper governmental action" does not include personnel actions (hiring, firing, complaints, promotions, and reassignment, for example). In addition, employees are not free to disclose matters that would affect a person's right to legally protected confidential communications.
 - b. Retaliatory Action: any material adverse change in the terms and conditions of an employee's employment.
 - c. Emergency: a circumstance that if not immediately changed may cause damage to persons or property.
 - d. Procedure for Reporting Improper Government Action: TranGO employees who become aware of improper governmental action should follow this procedure:
 - i. Bring the matter to the attention of the employee's Supervisor, if non-involved, in writing, stating in detail the basis for the employee's belief that an improper action has occurred. This should be done as soon as the employee becomes aware of the improper action. The Supervisor will refer the matter to the Finance/HR Director.
 - ii. If an employee believes the improper action involves a Supervisor, the employee may raise the issue directly to the Finance/HR Director.
 - iii. The Finance/HR Director shall promptly investigate the report of improper government action. After the investigation is completed (within thirty (30) days of the employee's report), the employee will be advised of the results of the investigation, except that personnel actions taken as a result of the investigation will be kept confidential.
3. If an employee fails to make a good faith effort to follow this policy, the employee is not entitled to the protection of this policy against retaliation, pursuant to RCW 42.41.
4. In the case of an emergency, where an employee believes that damage to persons or property may result if action is not taken immediately, the employees may bypass the above procedure and report the improper action directly to the appropriate government agency for investigating the improper action.

Also, an employee may report information about improper governmental action directly to an outside agency if the employee reasonably believes that an adequate investigation was

not undertaken by TranGO to determine whether an improper government action occurred, or that insufficient action was taken by TranGO to address the improper action or that for other reasons the improper action is likely to recur.

5. Protection Against Retaliation – It is unlawful for TranGO to take retaliatory action because an employee, in good faith, provided information that improper government action occurred.

Violence in the Workplace

The safety and security of all employees is of primary importance of TranGO. Threats, stalking, insubordination, or the refusal by an employee to follow management's instructions concerning a job-related matter, threatening and abusive behavior or acts of violence against employees, visitors, customers and/or TranGO facilities or property by anyone on or in TranGO property, on a TranGO controlled site, or in connection with TranGO employment or TranGO business will not be tolerated (even those made in jest).

Violations of this policy will lead to immediate corrective action up to and including termination and/or referral to appropriate law enforcement agencies for arrest and prosecution. TranGO reserves the right to take any necessary legal action to protect its employees.

Any person who makes threats, stalks, exhibits threatening or intimidating behavior, engages in violent action, or possesses a firearm or other weapons on TranGO premises, in TranGO equipment and transit vehicles, on a TranGO controlled site, or in connection with TranGO employment or TranGO business shall be removed from the premises as quickly as safety permits and shall remain off TranGO premises pending the outcome of an investigation. Employees must cooperate in any investigation, including submitting to searches of person or property and physical examinations conducted by appropriate law enforcement personnel. Following investigation, TranGO will initiate an immediate and appropriate response. This response may include but is not limited to suspension and/or termination of any business relationship, reassignment of job duties, suspension, termination of employment, and/or civil or criminal prosecution of the person or persons involved.

All employees are responsible for notifying their Supervisor of any threats that they witness or receive or that they are told another person witnesses or received. Even without a specific threat, all employees should report any behavior they have witnessed that they regard as potentially threatening or violent or that could endanger the health or safety of an employee when the behavior has been carried out on TranGO premises, in TranGO equipment and transit vehicles, on a TranGO controlled site, or is connected to TranGO employment or TranGO business. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threatening behavior and the person or person being threatened.

Transit Vehicles and Equipment

TranGO vehicles, equipment, services, and supplies are to be used for official business only. If an employee is assigned a TranGO vehicle, the employee is responsible for providing maintenance to the assigned vehicle and for keeping accurate records of its use. An employees' misuse of TranGO services, vehicles, equipment, or supplies can result in disciplinary action including termination.

Accidents and/or Property Damage

All accidents occurring on TranGO property or in the performance of TranGO duties need to be reported to the employee's Supervisor as soon as possible. The employee should fill out an accident form within 24 hours of the occurrence. The appropriate law enforcement personnel may be asked to investigate any accident involving persons not employed by TranGO.

Automobile Usage

TranGO will attempt to provide vehicles for business use as appropriate to allow employees to drive on TranGO business, and to reimburse employees for business use of personal vehicles. Employees using their personal vehicle for TranGO business must possess a valid Driver's License and provide proof of current insurance coverage.

Time spent by non-exempt employees in driving a TranGO or personal automobile on TranGO business during normal working hours is to be considered hours worked for pay purposes. Commuting time before the start and after the end of the workday traveling from the employee's place of residence to actual place of performance of the principal activity or activities which the employee is employed to perform is not treated as work time for pay purposes.

Drug Free Workplace – Drugs, Narcotics and Alcohol

Policy:

TranGO is committed to providing and maintaining a safe and productive work environment that is free from the adverse effects of drugs, alcohol, and other job-impairing substances. Our concern is to ensure that employees report to work in condition to perform their duties safely and efficiently in the interest of TranGO and its customers. In addition, various federal and state laws prohibit the possession, distribution, and use of controlled substances, unless in compliance with licensing requirements or a physician's prescription. Violations of federal and state laws may result in legal sanctions, including criminal prosecution.

TranGO strictly prohibits the manufacture, possession, distribution, sale, dispensing or use of alcohol or controlled substances on TranGO premises or while working. When employees are on the job, they are expected to be physically free from any impairment or substance that would contribute to an injury, property damage, or that would interfere with productivity. They are to be free from illegal drugs or impairing levels of legal substances.

TranGO will not tolerate the illegal use of drugs and by law, we cannot. Even though the state of Washington has legalized the use of marijuana, it is still considered an illegal drug in federal law and is therefore prohibited. Under the federal Drug-Free Workplace Act, in order for this Transit Authority to be considered a "responsible source" for the award of federal contracts, we have developed the following policy.

Procedures:

- (1) Unless state or local law provides otherwise, TranGO will not hire alcoholics or drug abusers whose current use of such substances prevents them from performing their jobs or who would constitute a direct threat to the property or safety of others. It is a violation of this policy to refuse consent for these purposes or to test positive for alcohol or illegal drugs. Policy violations will result in discipline and may result in termination. Tests that are paid for by TranGO are the property of TranGO, and the examination records will be treated as confidential and held in separate medical files. However, records of specific examinations, if required by law or regulation, will be made available to the employee, persons designated and authorized by the employee, public agencies, relevant insurance companies, or the employee's doctor.
- (2) Any location at which TranGO's business is conducted is declared to be a DRUG-FREE WORKPLACE. This means:
 - (a) All employees are absolutely prohibited from unlawfully manufacturing, selling, distributing, dispensing, possessing, or using illegal drugs, controlled substances, narcotics, or alcoholic beverages in the workplace;
 - (b) The following is a partial list of controlled substances. Narcotics (heroin, morphine, etc.); Cannabis (marijuana, hashish); Stimulants (cocaine, diet pills, etc.); Depressants (tranquilizers); Hallucinogens (PCP, LSD, "designer drugs," etc.).
- (3) Any employee violating the above policy is subject to discipline, up to and including termination, for the first offense. Violations include, but are not limited to, possessing illegal or non-prescribed drugs and narcotics or alcoholic beverages at work; being under the influence of those substances while working; using them while working; dispensing, distributing, or illegally manufacturing or selling them on TranGO premises and work sites, or refusing to participate in required drug testing. Employees, their possessions, and TranGO-issued equipment and containers under their control are subject to search and surveillance at all times while on TranGO premises or work sites or while conducting TranGO business.
- (4) Employees have the right to know the dangers of drug and alcohol abuse in the workplace, TranGO's policy about them, and what help is available to help combat drug and alcohol problems.
- (5) Information will be provided to employees. Additional information is available in the employee break area. Information will be available to Supervisors to assist in identifying and addressing illegal drug use and alcohol abuse by employees.
- (6) Any employee convicted of violating a criminal drug statute in this workplace must inform TranGO of such conviction (including pleas of guilty and nolo contendere) within five (5) days of the conviction occurring. Failure to inform TranGO subjects the employee to disciplinary action up to and including termination for the first offense.
- (7) By law, TranGO will notify the federal contracts officer within ten (10) days of receiving such notice from an employee or otherwise receiving notice of such a conviction.

- (8) TranGO reserves the right to offer employees convicted of violating a criminal drug statute or violation of this policy participation in an approved rehabilitation or drug abuse assistance program. If such a program is offered and accepted by the employee, the employee must satisfactorily participate in the program as a condition of continued employment.
- (9) TranGO will provide a statement/policy notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in the workplace is prohibited and specifying sanction for violations.
- (10) TranGO will establish an ongoing drug-free awareness program that informs employees about the dangers of drug abuse, TranGO's drug-free policy, and the penalties for convictions of drug violations in the workplace.
- (11) TranGO must impose sanctions on employees convicted in a court of competent jurisdiction for drug activity in the workplace within thirty (30) days of receiving notice by:
- (a) Taking appropriate personnel action against the employee, up to and including discharge; or
 - (b) Requiring the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by federal, state, local health, law enforcement or other appropriate agency.
 - (c) Treatment/therapy expenses will be covered to the extent of TranGO medical benefit coverage for those employees enrolled in the plan.
- (12) Any supervisor who notices an employee exhibiting unusual behavior patterns which appear to be drug, narcotic, or alcohol related should report the observed behavior to the General Manager. Concerns regarding the General Manager should be reported to the Board of Directors of TranGO.
- (13) Employees, under the influence of drugs, narcotics, or alcohol will be required to leave the premises. The employee's Supervisor should arrange to have such employees escorted home.
- (14) Employees must report their use of over-the-counter or prescribed medications to their immediate Supervisor and General Manager if the use might impair their ability to perform their job safely and effectively. A determination will then be made as to whether the employee should be able to perform his job safely and properly.
- (15) Employees experiencing problems resulting from drug, narcotic, or alcohol abuse or dependency should seek counseling help prior to any policy violation. Participation in counseling, including TranGO-sponsored or required counseling, is confidential and should not have any influence on performance evaluations. Job performance alone, not the fact that an employee seeks counseling, is to be the basis of all performance evaluations.

DRUG AND ALCOHOL POLICY

Policy:

Transportation is a vital service to our community and our customers. To ensure that this service is delivered safely, we are dedicated to providing and maintaining a drug and alcohol-free working environment. It is TranGO's policy to:

- Assure that employees have the ability to perform assigned duties in a safe, healthy, and productive manner;
- Create a workplace free from the adverse effects of drug and alcohol abuse or misuse;
- Prohibit the unlawful distribution, possession, manufacture, or use of controlled substances.
- Encourage and support appropriate professional assistance to interested employees with drug and alcohol problems.

TranGO cares about the health and well-being of its employees. Illegal drugs in the workplace are a danger to us all. They impair safety and health, promote crime, lower productivity, and quality, and undermine public confidence in the work we do. We urge anyone who believes that they are having an alcohol or chemical dependency problem to seek treatment before their job performance and employment are endangered. The FTA regulations prescribe much of the content of this policy. For purposes of clarification, portions of the policy that are adopted by TranGO (without a specific FTA requirement) are italicized.

Employees are encouraged to request a copy of the applicable job description to help inform their physician of the requirement for safe performance of their safety sensitive duties. If a drug test detects opioids, the employee has the responsibility to have their prescribing physician contact the Medical Review Officer within 5 days.

Applicability of Policy: This policy applies to all safety sensitive TranGO employees: full-time, part-time, and temporary. This policy is intended to comply with 49 CFR part 40 and part 655 as amended, The United States Department of Transportation (USDOT) defines safety sensitive positions as:

- Operation of a revenue service vehicle, even if it is not in revenue service
- Operation of a non-revenue service vehicle that requires a CDL
- Dispatch or controlling movement of a revenue service vehicle
- Maintenance of a revenue service vehicle or equipment used in revenue service.

The safety sensitive positions within TranGO that meet the definitions as required by the USDOT are CDL bus drivers, substitute drivers (including supervisors with CDLs), and mechanics. Personnel that occasionally cover driving duties, including dispatchers, also fall under the definition because they could be called upon to perform safety sensitive functions even though it is not their normal job duty.

Dispatch functions are not considered "safety sensitive" because their primary duty is to take reservations. Dispatchers are not responsible for the movement of a vehicle, unless they are providing back-up driving, or supporting maintenance activities.

For CDL bus drivers, or employees performing driving duties, all related business on or off property is subject to this policy. Employees who perform safety-sensitive functions for TranGO will be subject to specific alcohol and drug testing as required by federal regulations. Adherence to the TranGO Alcohol and Drug Policy and participation in testing procedures is a condition of employment.

This policy is intended to comply with all the applicable Federal regulations governing alcohol and drug misuse in the transportation industry. Regulations issued by the U.S. Department of Transportation (found in 49 CFR part 655) mandate urine drug testing and Evidential Breath Alcohol Testing (EBT) for safety-sensitive positions.

This policy sets forth TranGO's program for alcohol and drug abuse testing and reporting guidelines for safety-sensitive employees operating a vehicle requiring a Commercial Driver's License.

All affected employees will receive 60 minutes of training regarding this policy. In addition, supervisory personnel will receive 60 minutes of alcohol training and 60 minutes of drug training for the purposes of making reasonable suspicion determinations for testing.

The behaviors prohibited by USDOT rules include:

Consumption of alcohol:

- four hours prior to performing a safety-sensitive function
- eight hours following an accident
- while on-call (or subject to call-back)
- having a blood alcohol concentration of .04 or greater when performing a safety sensitive function

Testing for alcohol is conducted immediately prior to, during or after performing safety sensitive duties. Ingestion of prohibited drugs at all times. Prohibited drugs are defined in 49CFR Part 655 as amended.

Testing for drug/drug metabolites can be conducted anytime that a safety sensitive employee is on duty.

Procedures:

- (1) **Testing:** Testing will be conducted in a manner to assure a high degree of accuracy and reliability by using the techniques, chain of custody procedures, U.S. Department of Transportation chain of custody and control form with unique identification number, equipment and laboratory facilities which have been approved by the U.S. Department of Health and Human Services as called for in the regulations (49 CFR Part 40 as amended). Both alcohol and drug testing will be conducted in an environment which affords maximum privacy.
- (2) **Confidentiality:** TranGO will maintain the employee's privacy, strictly adhere to all standards of confidentiality, and assure all employees that testing records and results will be released only to the following:
 - To the employee if they request in writing.
 - NTSB during an accident investigation.
 - Decision-maker in a lawsuit, grievance, or other proceeding initiated on behalf of the employee.
 - Representative of the United States Department of Transportation with authority to monitor contracts and compliance with USDOT regulations.
 - Subsequent employers, if requested in writing by the employee.
 - Other identified individuals if requested in writing by the employee.
 - USDOT authorities.
 - Washington State Department of Licensing
 - Transportation agencies with regulatory authority over TranGO programs.
 - As otherwise required by law

Confidentiality is maintained throughout the drug/alcohol testing process. All positive test results are first forwarded to the Medical Review Officer (MRO). The MRO reviews the individual medical history and affords the employee an opportunity to offer any clarifying information that would explain a positive or non-negative test. In cases where disciplinary action or termination results from a non-negative or positive test, such information is shared only with those in a supervisory capacity involved in that action.

- (3) **Discipline for Non-Compliance or Positive Test Results:** While TranGO is anxious to assist employees with alcohol or chemical dependence problems, employees are expected to remember that safety is TranGO's first priority. Therefore, employees MUST NOT report for work or continue to work if they are under the influence or impaired. Failure to observe the Prohibited Conduct rules established in this policy will result in disciplinary action regardless of whether or not an employee is participating in a treatment program. Such employees are expected to observe

all other job performance standards and work rules, including attendance required of all employees.

Any employee who refuses to comply with a request for testing, who provides false information in connection with a test, or who attempts to falsify test results through tampering, contamination, adulteration, or substitution shall be removed from duty immediately. Refusals are defined in 49CFR Part 40 and Part 655 as amended. Such refusals will be treated as a positive test, with the employee subject to referral to treatment, and discipline up to and including termination. TranGO reserves the right, at their discretion, to enter into a Conditional Retention Agreement and additional testing in accordance with SAP requirements.

An individual who refuses to submit or has a verified positive drug or alcohol test will be removed immediately from the safety sensitive function and will be referred to the closest SAP (Substance Abuse Professional) as recommended by s TranGO's contractor. *The current contractor for drug and alcohol services is QCL.* An individual having a verified positive drug or alcohol test or refusing to submit to a test must be referred to and evaluated by an SAP.

An individual who has an opioid detected, and the MRO reports that they are "medically unqualified" to continue safety sensitive work will be removed from duty immediately.

The employee will be placed on unpaid leave for a maximum of 30 days. *During that time, the employee may use any sick or vacation leave accrued.* The employee may consult their physician to address the return of a result of "medically unqualified."

TranGO may seek an independent evaluation of the medical qualification prior to re-instatement to safety sensitive work. TranGO may extend the unpaid leave in circumstances where medical evaluation requires additional time. If the individual is unable to verify that they are "medically qualified" will be terminated from employment.

Confirmed positive drug or alcohol test results or a refusal to test shall be reported as a positive test to the Department of Licensing (DOL) for all CDL holders in accordance with RCW 46.25.

When an employee is instructed to proceed to a collection site for drug and/or alcohol testing, they must go directly to the site. Notification times are documented by supervisory staff within TranGO. The collection site documents arrival time. Failure to promptly arrive at the site for collection will result in disciplinary action. Arrival at a local site must occur within 30 minutes of notification. Employees will be instructed to report to a collection site when they can be reasonably expected to access the site within 30 minutes. A supervisor will transport employees for post-accident testing to eliminate any potential for delays other than those attributed to law enforcement investigation. Delayed arrival at the collection site requires a written report by a supervisor indicating the cause of delay.

If there is a negative dilute test result, TranGO will accept the test result and there will be no retest, unless the creatinine concentration of a negative dilute specimen was greater than or equal to 2mg/dL, but less than or equal to 5mg/dL.

A dilute negative test result with a creatinine level greater than or equal to 2mg/dL but less than or equal to 5mg/dL requires an immediate recollection under direct observation (49CFR Part 40, section 40.67).

Test refusals are defined in 49CFR Part 40 and Part 655 as amended, and include the following scenarios:

- Failure to provide breath or urine sample.
- Insufficient volume without valid medical explanation.
- Tampering, adulterating, or substituting specimen.
- Failing to appear for test within a reasonable time.
- Leaving the scene of an accident without just cause prior to submitting to a test.
- Failing to remain readily available following an accident.
- Failing to permit an observed or monitored collection when required
- Failing to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed test.
- Possessing or wearing a prosthetic or other device used to tamper with the collection process at the time of collection.
- Admitting to the adulteration or substitution of a specimen to the collector or MRO.
- Failing to take a second test as directed by the collector or TranGO's DER.
- Failing to undergo a medical examination required by the MRO or TranGO's DER.
- Failing to cooperate with any part of the testing process.
- Failing to sign Step 2 of Alcohol test form.
- MRO verified adulterated/substituted sample.
- Once test is underway, failing to remain at site and provide a specimen.

Note: For pre-employment it is NOT a refusal if the employee fails to appear for a test. For pre-employment, it is NOT refusal if the employee fails to remain at site prior to commencement of test. For pre-employment, it is NOT a refusal if the employee aborts the collection before the test commences.

- (4) Types of Testing: The USDOT requires that all safety sensitive employees of TranGO will be subject to testing prior to employment, randomly, for reasonable suspicion, following an accident/incident, and prior to return to duty (after failing a test) or upon the completion of a substance abuse treatment program (follow-up).

- **Pre-employment testing:** Drug testing is required for new hires, transferring employees, or staff returning from a leave of 90 days or more (if they have been unavailable for random selection). Prior to testing, the employee/applicant will be notified in writing of the requirement to pass a drug test. Receipt by TranGO of a satisfactory (negative) result is required prior to performance of safety sensitive duties. TranGO may choose to hire and begin non-safety sensitive training prior to receiving a negative drug test. However, a positive pre-employment drug test will result in immediate termination. No waiver or acceptance of previous employer's statement will be accepted. The only acceptable drug test result for pre-employment is "negative."

- **Reasonable Suspicion Testing:** All TranGO employees are subject to a fitness for duty evaluation including a drug or alcohol test when there is reason to suspect impairment. Drug testing may occur any time an employee is on paid work time. Alcohol testing must be conducted immediately prior to, during, or immediately after performing safety sensitive job duties. A referral for testing will be determined based on physical behavior, performance, contemporaneous observation. Such referrals will be made by supervisory personnel who are trained to detect the signs and symptoms of drug and alcohol use. Supervisors must receive 120 minutes of training on making reasonable suspicion determinations for drugs (60 minutes) and alcohol (60 minutes).

- **Post-Accident/Incident Testing:** As defined by the USDOT, an accident means an occurrence associated with the operation of a vehicle, if as a result:
 - (a) An individual dies;

 - (b) An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident;

 - (c) With respect to an occurrence in which the mass transit vehicle involved is a bus or automobile, one or more vehicles incurs disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle.

Post-accident alcohol and drug testing is required by the USDOT under the following circumstances:

- **Fatal accidents:** As soon as practicable following an accident involving the loss of human life, TranGO shall test each surviving covered employee operating the transit vehicle at the time of the accident. TranGO will also test any other covered employee whose performance could have contributed to the accident, as determined by TranGO using the best information available at the time of the decision.

- **Non-fatal accidents:** As soon as practicable following an accident not involving the loss of human life, in which the transit vehicle is a bus or automobile, TranGO shall test each covered employee operating the transit vehicle at the time of the accident unless TranGO determines, using the best information available at the time of the decision, that the covered employee's performance can be completely discounted as a contributing factor to the accident. TranGO shall also test any other covered employee whose performance could have contributed to the accident, as determined by TranGO using the best information available at the time of the decision.

Following an accident under the above circumstances, the employee will be tested as soon as possible, but not to exceed eight hours for alcohol testing and 32 hours for drug testing. Employees involved in accidents must refrain from alcohol use for eight hours following the accident or until a drug/alcohol test is administered.

Employees who leave the scene of an accident without valid appropriate authorization prior to the testing will be considered to have refused the test and be subject to discipline up to and including termination. Employees can be authorized to leave the scene in the following manner:

- (a) transported for medical care by emergency personnel. Drug and alcohol screening must be completed if consent can be given by the employee. If no consent is available (unconscious person), law enforcement medical records may be utilized.
- (b) by their supervisor (after law enforcement has released them).

The Supervisor must transport them to drug/alcohol screening when they are released from the scene.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a covered employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

In any case, drug and alcohol testing must be conducted in accordance with this section. Any other TranGO employee whose performance may have contributed to accidents under this section will be tested, for example, maintenance and dispatching employees.

- **Random Testing:** Employees in safety-sensitive positions will be subjected to random, unannounced, and immediate testing on all days and hours of work throughout the year. TranGO will test individuals at the rate required in 49CFR Part 40 and Part 655 as amended. For purposes of generating random testing and MRO review, TranGO

contracts with QCL. QCL utilizes a scientifically valid method for computer based random draws. DrugPak software uses an algorithm that programs the random number generator attached to each employee's social security number. Each active employee has an equal chance of being pulled at each random draw. Compliance with testing administration is the responsibility of the General Manager.

- *Return-To-Duty Testing: TranGO requires return-to-duty testing for employees that have signed a "Conditional Retention Agreement" and have completed an initial and follow-up assessment with an SAP. The return to work test MUST be performed (for either drug or alcohol based on the positive prior result) prior to an employee resuming safety sensitive work after evaluation and treatment. Employees that test positive are subject to immediate termination for misconduct. All return to duty testing must be conducted under direct observation in accordance with 49CFR Part 40 subpart O.*
- *Follow-up: Follow-up testing schedules will be determined by the SAP with a minimum requirement of 6 tests in 12 months and may continue for up to 60 months. The employee MUST pay for the follow-up testing. Follow-up testing is non-negotiable. An employee in follow-up testing is also subject to random testing. TranGO's "Conditional Retention Agreement" requires compliance with return to duty testing and must show evidence of treatment as required by the SAP. Follow up alcohol testing must be conducted just before, during or just after actual performance of safety-sensitive functions.*
- *A new employee that was participating in an SAP required program of follow-up testing and treatment, will be required to complete their course of testing and treatment as assigned. Failure to complete the SAP required treatment and follow-up testing will result in immediate termination.*

- (5) **Drug Testing Procedures:** Prohibited drugs are any illegal controlled substance as identified in 49CFR Part 40 as well as any drug not approved for medical use by the USDA or the USFDA. Illegal use includes use of, or impairment by, any illegal drug, misuse of legally prescribed or over the counter drugs, or illegally obtained prescription drugs. The USDOT also requires testing for the following four drugs; ***semi-synthetic opioids*** (i.e., hydrocodone, oxycodone, hydromorphone, oxymorphone).

Drug testing is done through collection of urine samples, which are split for separate analysis. Drug testing is conducted according to 49 CFR Part 40 as amended. An initial screen is performed on the primary sample to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites. Confirmatory tests are secondary analytical procedures performed on a different aliquot of the original specimen to identify and quantify the presence of a specific drug or drug metabolite. Laboratories are required to: 1) test all DOT specimens for specimen validity (including adulterants and urine substitutions); and 2) follow all U.S. Department of Health and Human Resources (HHS) protocols for doing so.

There are certain situations that may require the employee to provide, at the collection site, another urine or breath sample.

Directly observed collections will occur only when there is a specific reason to believe that an employee may be attempting, or have sufficient reason, to evade the testing process.

Observed collections are required in compliance with 49CFR Part 40 and Part 655 as amended.

Items such as prosthetic devices designed to carry clean urine will be checked by observers with both male and female donors. The observer will have the employee raise and lower clothing, and then put it back into place for the observed collection. An observed collection immediately following the initial collection is required when:

- the employee's urine sample is outside the normal temperature range.
- the collection site person observes conduct that clearly and unequivocally indicates an attempt to adulterate or substitute the sample.
- following a positive, adulterated or substituted test, and the split sample is not available for testing, the specimen is invalid with no medical explanation.

The Medical Review Officer (MRO) reviews and interprets an individual's confirmed positive test by 1) reviewing the individual's medical history, including any medical records and biomedical information provided; 2) affording the individual the opportunity to discuss the test result; 3) deciding whether there is a legitimate medical explanation for the result, including legally prescribed medication; 4) verification of an existing and current prescription for an opioid; and

5) has the authority to order additional testing.

The MRO also has the following responsibilities with regard to drug and alcohol testing:

- They receive the results of drug tests from the laboratory.
- Review documentation for fatal and correctable flaws.
- Investigate and correct problems when possible.
- Make at least 3 attempts in 24 hours to contact the employee. If unable to contact, notify the employer of the need to speak to employee.
 - When the MRO contacts an employee to verify the validity of an Opioid result, the employee has 5 days to have their prescribing physician contact the MRO.
 - If the prescribing physician does not contact the MRO, the MRO may report a result including, "a safety risk associated with continued use" or report that the employee is "medically unqualified" based on CDL requirements.
 - The MRO may report a safety risk, or that an employee is medically unqualified, even if the drug test is reported as negative.
- Interpret lab reports, including verification of lab positives.
- If appropriate, request the laboratory to analyze the original specimen again to verify the accuracy of the reported test result.
- Notify each employee that has a verified positive test result that he or she has 72 hours to request a split sample analysis. If requested, the MRO directs (in writing) the laboratory to ship the split specimen to another DHHS certified laboratory for analysis. TranGO will cover the cost of the analysis.
- Cancel the test and report the cancellation and reasons to the DOT, the employer, and the employee if analysis of the split specimen fails to confirm the presence of

drug(s) or metabolite(s) found in the primary specimen, or if the split specimen is unavailable or inadequate.

- Notifies TranGO when a retest is required- "Specimen unsuitable: cannot obtain a valid drug test result" and no suitable explanation or valid prescription provided by the donor or the split sample is not available for testing following a positive, adulterated, or substituted test result.
- Notifies TranGO to require the employee to return to the collection facility for an observed collection when a test is invalid with no medical explanation.
- If a negative test is required, as in the case of pre-employment, return-to-duty and follow-up testing, the MRO will require a clinical evaluation.
- During MRO review of an invalid result, if an employee admits to adulterating or substituting a specimen, the MRO will report the result as a refusal to test (which is a positive result).
- Receives documentation of serious illness, injury, inability to contact the MRO, or other unavoidable circumstances that prevented the employee from contacting the MRO within 72 hours of being notified of the verified positive result.
- Direct the analysis of the split specimen if he/she concludes that there is legitimate explanation for the employee's failure to contact the MRO within 72 hours. If the MRO concludes that there is no legitimate explanation for the employee's failure to contact the MRO within 72 hours, then the MRO is not required to direct the analysis of the split specimen to be performed.
- Maintains all necessary records and sends test result reports to TranGO.
- Protects the employees' privacy and testing program confidentiality.

The MRO is directly responsible for informing employees of their right to request split specimen testing and processing employee's request for split sample tests:

- The request must be made by the employee within 72 hours after MRO notification.
- Requests after 72 hours may be accommodated if the MRO concludes there was a legitimate explanation for failure to make a request within 72 hours.
- Split specimen results are reported to TranGO regardless of who pays for the test. TranGO will pay for split sample analysis upon written request from the employee.

- (6) Alcohol Testing Procedures: No safety sensitive employee shall report for duty within four hours of using alcohol or use alcohol while subject to being on call. The use of any beverage or mixture, including any medication, containing alcohol during or prior to performing a safety-sensitive function is also prohibited.

Testing for alcohol must be conducted immediately before, during, or just after performing a safety-sensitive function. Alcohol testing is performed by gathering a sample through an Evidentiary Breath Testing (EBT) device. A positive EBT test is defined by the USDOT as a blood alcohol concentration of 0.04 or greater. Tests for alcohol concentration will be conducted using National Highway Traffic Safety Administration approved EBT devices operated by trained technicians. An employee who tests at concentrations of 0.04 or above will be retested at least 15 minutes from the first test, but not more than 30 minutes. This is considered a confirmatory test.

- (a) A confirmatory result of 0.02 to 0.039 will result in immediate removal from safety sensitive duty for 8 hours.
- (b) A confirmed alcohol concentration of 0.04 or greater will be considered a positive alcohol test and a violation of this policy and will result in referral to an SAP for assessment. The employee will be subject to discipline, up to and including termination. TranGO reserves, at their discretion, the right to enter into a Conditional Retention Agreement with the employee. If an Agreement is initiated, the employee must continue to comply with all SAP requirements in order to continue employment. The results of a confirmatory test are deemed final.

(7) Responsibilities and Qualifications of Professionals Involved in Testing

(a) TranGO has contracted with QCL in Ephrata, WA to provide Medical Review Officer (MRO) services. The MRO reviews, interprets and verifies test results. An MRO must be a licensed physician (either medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result, together with his/her medical history, and any other relevant bio-medical information. MRO's must meet the credentialing requirements of 49CFR part 40.121, as amended. In addition, the MRO will:

- Notify TranGO when a retest is required.
- Notify TranGO of use of other performance deteriorating substance by a safety-sensitive employee.
- Report adulterated specimens directly to TranGO rather than the employee. Adulterated specimens are considered test refusals.
- Maintain all necessary records.
- Provide employees with an opportunity to discuss or explain a confirmed test result.
- Verify laboratory results.
- Verify test as positive if employee refuses to participate in verification process.
- Inform an employee of their right to request testing of the split sample as noted in the drug test policy. Testing of the split sample will be paid by TranGO.
- Must notify TranGO when a retest is required from an employee.

(b) To be permitted to act as an SAP in the DOT drug and alcohol testing program, an individual must meet each of the requirements of 49CFR Part 40.281:

They must have one of the following credentials:

- be a licensed physician (Doctor of Medicine or Osteopathy);
- be a licensed or certified social worker;
- be a licensed or certified psychologist;
- be a licensed or certified employee assistance professional;
- be a state-licensed or certified marriage and family therapist;

- or be a drug and alcohol counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission (NAADAC); or by the International Certification Reciprocity Consortium/Alcohol and Other Drug Abuse (ICRC); or by the National Board for Certified Counselors, Inc., and Affiliates/Master Addictions Counselor (NBCC).

(c) A Substance Abuse Professional must have:

- Specific knowledge of and clinical experience in diagnosis and treatment of drug and alcohol related disorders;
- No conflicts of interest or financial interest in referrals.

For purposes of this policy, TranGO contracts with QCL for SAP referrals in our service area. The SAP will meet face-to-face with an employee with a confirmed positive test result. The SAP will complete assessment procedures and will monitor the completion of treatment programs. The SAP will stay neutral without a conflict of interest. The SAP will provide the employee and TranGO with return-to-duty requirements. In the event of any change in TranGO's termination decision, the SAP will provide TranGO with the information for follow-up testing.

(d) A Breath Alcohol Technician (BAT) must be:

- Trained to proficiency in the operation of the EBT they are using;
- Trained in testing procedures (49 CFR part 40);
- Certified through an NHTSA approved course of instruction;
- Demonstrate competence in operation of EBT.

Law enforcement officers who have been certified by state or local government to conduct breath alcohol testing are qualified as BATs.

(8) Transit Authority staff responsible for program administration: For further information regarding the drug and alcohol program, employees can contact:

(a) Finance/HR Director (Jackie Gleason) at 1-509-557-6177

(9) *Transit Authority staff trained to order reasonable suspicion testing:*

- (a) General Manager (Brent Timm)*
- (b) Operations Manager (Mike Foth)*
- (c) Driver Supervisor/Trainer (Frank Foth)*
- (d) Finance/HR Director (Jackie Gleason)*

Political Activity

Employees may participate in political or partisan activities of the employee's choosing provided that TranGO resources and property are not utilized, and the activity does not adversely affect the employee's job responsibilities. Employees may not campaign on TranGO time or while representing TranGO in any way. Employees may not allow others to use TranGO facilities or funds for political activities; this includes but is not limited to posting personal campaign posters on equipment and facilities, charging copying costs or using TranGO equipment to copy political materials, and using agency resources to support or oppose a current ballot measure.

If an employee meets with or may be observed by the public or otherwise represent TranGO to the public, while performing the employee's regular duties, the employee may not wear or display any button, badge, or sticker relevant to any candidate or ballot issue during working hours. Also, employees shall not solicit, on TranGO property or time, for a contribution for a partisan political cause.

Except as noted in this policy, employees are otherwise free to fully exercise the employee's constitutional First Amendment rights.

Smoking

For health and safety considerations, TranGO prohibits smoking and vaping in all TranGO facilities, including TranGO-owned buildings, vehicles, and offices or other facilities rented or leased by TranGO, including within 25 feet of an entrance or exit.

Personal Possessions

TranGO furnishes desks, closets, and/or lockers for security of employee coats, purses, and other personal possessions. TranGO does not, however, assume responsibility for any theft or damage to personal belongings of employees, and TranGO reserves the right to search employee desks, lockers, and personal belongings brought onto TranGO premises, if necessary.

Telephones

TranGO telephones are primarily for business use. It may be necessary for an employee to occasionally place or receive personal telephone calls during normal work hours (for example, because of childcare responsibilities), but employees should keep the personal use of business phones to a minimum and of short duration to avoid interfering with business operations. International calls are normally not permitted except for emergency purposes. If an employee needs to make an emergency international call, the employee must first obtain his/her Supervisor's approval. The employee is responsible for any charges incurred.

Cell Phones

Cell phones are provided to TranGO employees in order to increase the efficiency of an employee's workload or to provide a tool to be used in cases of emergencies and during travel. It is required that the company issued cell phone be turned on and in use during work hours (employee's shift). The use of cell phones (including ear pods or Bluetooth devices) while driving is prohibited.

TranGO issued cell phones should be used for business only and should not be used for non-business purposes. However, use of the TranGO issued cell phone to call home, for the purpose of rearranging an employee's work schedule or in order to receive messages from answering machines that may pertain to the workplace are permissible but should be limited in duration and frequency. If using a TranGO issued phone for a personal call is unavoidable and results in charges to TranGO, then the employee will be expected to reimburse TranGO for the overage charges. Employees should be aware that all messages are being archived for the purpose of Public Records requests and inquiries.

TranGO does not prohibit employees from using personal cell phones. However, all personal cell phone use should occur in private (i.e., not in front of customers) and should not interfere with the employee's work for TranGO. Whether an employee's personal use of a cell phone is interfering with the employee's work will be solely determined by their Supervisor.

Any violation of this policy may result in disciplinary action, including termination.

Computer System, E-Mail, and Internet

TranGO furnishes computers and other electronic devices for use in conducting agency business. TranGO computer systems are for business use only. All information, documents, and files stored on the computer system in any form are TranGO property and may be accessed, used, or reviewed by TranGO management at any time.

The electronic mail system accessible on some computers may be used for business or personal communication within TranGO. Use of the system for communication outside TranGO for personal communications or for solicitation of other employees without prior approval from a Supervisor is prohibited. All communication over the e-mail system must be appropriate to a business setting. E-mails from TranGO computers and/or TranGO employees may be public records subject to retention and disclosure under the Washington State Public Records Act, RCW 42.56. TranGO may access, read, review, copy, or delete any messages transmitted over the TranGO e-mail system at any time. Emails are archived for Public Records requests.

Although the Internet is accessible from most TranGO computers, it is primarily for TranGO business. Limited personal use of the Internet is available as long as employees use it during breaks, lunch, or after hours and do not disrupt TranGO business. Display or transmission of sexually explicit or other discriminatory images or messages is prohibited. Display or transmission of disparagement of others based on their race, national origin, sex sexual orientation, pregnancy, age (over 40), honorably discharged military or veteran status, disability, or other protected class status is not permitted.

Social Media

TranGO recognizes the popularity of using social media and networking tools and services, including but not limited to Facebook, Twitter, Instagram, LinkedIn, Pinterest, and Blogs, among the general population. TranGO further recognizes that its employees may subscribe to and/or utilize any of these (or other) social networking tools and services.

TranGO does not prohibit employees' personal use of social networking tools and services. However, TranGO expects employees to limit personal use of social networking tools and services while working at or for TranGO, and to use social networking tools and services in a manner that is tactful, legal, consistent with TranGO rules and regulations, and not disruptive of their work performance for TranGO. Whether an

employee's personal use of social networking tools or services is interfering with the employee's work, or is otherwise in violation of this policy, will be solely determined by the General Manager.

TranGO employees are personally responsible for the content they publish on any social media site or network. Employees should be mindful that what is published may be a public record subject to Washington State public disclosure laws, and/or remain public for a long time. Thus, employees are encouraged to take measures to protect their privacy while using social networking tools and services and not to use social networking services to discuss TranGO business or activities.

TranGO discourages employees from identifying their employer (TranGO) on their personal social networking sites. In the event an employee elects to identify TranGO as their employer, the employee must refrain from engaging in political or religious activities or discussions on their social networking sites. In addition, the employee must post a disclaimer that makes it clear that they are speaking for themselves, and not on behalf of TranGO. For example, the employee may post the following disclaimer: "The postings on this site are my own and do not represent TranGO's positions, strategies, or opinions."

The content of any posting or update may not contain anything that could reasonably be considered as contrary to TranGO's policies, or otherwise offensive, disparaging, or disruptive to TranGO or about any TranGO employee, supplier, or customer. Offensive content may include, 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 a characteristic protected by local, state, and/or federal laws or regulations.

TranGO employees are required to respect and abide by copyright, fair use, and financial disclosure laws when using social networking tools and services. Employees are prohibited from posting any information or otherwise engaging in activities on social networking sites that may be illegal under local, state, and/or federal laws.

TranGO employees are prohibited from disclosing any confidential or other proprietary information of TranGO or its suppliers and/or customers. Employees are required to obtain permission to publish or report on conversations that are meant to be private or internal to TranGO, or its suppliers and/or customers. Employees shall not cite or reference TranGO employees, customers, or suppliers without their express approval.

TranGO employees should at all times adhere to the rules, policies, and regulations of TranGO. To that effect, this policy should be read in conjunction with other TranGO policies.

TranGO employees should be aware that, as an employee of TranGO (a public agency), any posting on a social networking site which mentions their work may constitute a public record and be subject to retention and disclosure under state law.

TranGO reserves the right to monitor any and all social networking sites maintained by employees to ensure compliance with this policy.

Media Contact

The General Manager or designated management team member shall be responsible for all official contacts with the news media during working hours, including answering questions from the media. The General Manager may designate specific employees to give out procedural, actual, or historical information on particular subjects.

Personal Finances of Employees

TranGO employees are expected to discharge their financial obligations promptly so that creditors will not have to ask TranGO for assistance in collecting amounts owed to them. TranGO will comply with any writ of garnishment or attachment, notice of levy by the Internal Revenue Service or other taxing authority, or any other similar order requiring payment of a portion of an employee's compensation to someone other than the employee. Any garnishment, levy, or similar order will be withheld from the employee's paycheck; the amount deducted should not exceed that permitted by law.

No employee will be terminated for the fact that his/her earnings have been subjected to garnishment for one indebtedness. However, garnishments for three or more separate indebtedness which are served upon TranGO within a consecutive twelve-month period may result in discipline, up to and including termination, depending upon the circumstances of the case, the recommendation of the immediate supervisor, and unit manager and any legal restrictions. TranGO will not deny employment to or terminate employment of any person solely because that person has filed a petition for bankruptcy.

TranGO will not disclose employee financial information to outside parties without express written permission from the employee, except as required by law.

Solicitations

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

1. Persons not employed by TranGO may not solicit, survey, petition, or distribute literature on TranGO premises at any time. This includes persons soliciting for charities, salespersons, questionnaire surveyors, labor union organizers, or any other solicitor or distributor. Exceptions to this rule may be made in special circumstances where TranGO determines that an exception would serve the best interests of TranGO or TranGO employees.
2. Employees may not solicit for any purpose during work time. Reasonable forms of solicitation are permitted during non-work time, such as before or after work or during meal or break periods. Soliciting employees who are on non-work time may not solicit other employees who are on work time. Employees' lunchroom is considered a non-work area under this policy.

Safety

All employees are responsible for maintaining a safe work environment and following TranGO safety rules. An employee should promptly report all unsafe or potentially hazardous conditions to the employee's Supervisor. TranGO strives to make every effort to remedy problems as quickly as possible.

In case of an accident involving a personal injury, regardless of how serious, an employee should immediately notify the employee's Supervisor.

Anyone operating or riding in a TranGO vehicle, or operating a personal vehicle while conducting TranGO business, must wear a seatbelt at all times.

Driver's License Requirements

As part of the requirements for specific TranGO positions, an employee may be required to hold a valid Washington State Driver's license. If an employee's license is revoked, suspended, or lost, or is in any other way not current, valid, and in the employee's possession, the employee shall promptly notify the employee's Supervisor and will be immediately suspended from driving duties. The employee may not resume driving until proof of a valid, current license is provided to his/her Supervisor.

Depending on the duration of license suspension, revocation, or other inability to drive, an employee may be subject to disciplinary action, including termination.

Outside Employment

Employees may not directly or indirectly, engage in any outside employment or have a financial interest, which may, in TranGO's opinion, conflict with the best interests for TranGO or interfere with the employee's ability to perform the employee's TranGO job.

Ethics

It is the policy of TranGO that employees adhere to ethical standards and principles in the delivery of services provided by TranGO.

1. Employees are expected to always conduct themselves in a polite, professional manner, treating customers, vendors, co-workers and/or others with whom business is being conducted, whether on or off TranGO property, courteously and respectfully.
2. Employees are expected to act in a professional manner whenever acting as an agent of TranGO using best judgment as to the appropriate conduct in a given situation.
3. Employees are expected to dress appropriately for the job, as outlined in the dress code policy whenever interacting with customers, vendors and/or other business contacts for any related purposes.
4. Employees are expected to uphold the confidentiality agreement entered into at the time of hire and must act with utmost discretion when engaging in off-hours social situations so as not to accidentally disclose TranGO confidential business information.
5. Gifts and gratuities- Employees, officers, board members or agents of TranGO may not accept or solicit gifts, gratuities, favors or anything having monetary value from current or potential subcontractors.
6. Business Entertaining – Because TranGO is funded by public funding sources, business entertaining on behalf of TranGO is not an appropriate use of TranGO funds. Reimbursement for such expenses will not be allowed.
7. Personal conflict of interest- Employees, officers, board members or agents of TranGO may not participate in the selection, award, or administration of a contract if there is a perceived or real conflict of interest. A conflict of interest arises when an employee, officer, board member or agent of TranGO has a financial or other interest in an entity submitting a bid or quote or an entity that your organization selects for an award. A conflict of interest arises under the same circumstances if the entity is owned or operated by the employee, officer, board member or agent, or:
 - Any member of their immediate family.
 - Their business partners.
 - Any organization that employs or will soon employ them.
8. Organizational conflict of interest – Organizational conflicts of interest exist when the nature of work to perform under a proposed contract, without some restrictions on future activities, may result in an unfair advantage to a specific contractor or impair their objectivity in managing the subcontract.
 - a. Examples of organizational conflicts of interest include, but are not limited to:

- i. Not disclosing information related to an upcoming call for projects to all potential bidders at the same time.
 - ii. Obtaining assistance from a potential subcontractor in developing specifications or a Request for Proposals (RFP).
- 9. Debarment and suspension – No project may be awarded to and paid for using FTA funds to a contractor or subcontractor which has been debarred or suspended (FTA Circular 4220.1F, Chapter IV).
- 10. Bonus or commission – No bonus or commission may be paid using FTA/WSDOT Funds.
- 11. False or fraudulent statements of claims – all information provided must be accurate and complete to be best of a person's knowledge.

Participation in Trade/Professional Organizations/Community Affairs

TranGO encourages employees to participate in certain trade and professional associations.

The General Manager will govern which professional organizations and community affairs TranGO will participate in, based on the nature of the association, the benefit to TranGO, the cost, and if the association aligns with TranGO interests. Supervisors will aid the General Manager in choosing employees with interests in the designated associations. Participating employees may not speak on behalf of TranGO while participating in this capacity. The employee may or may not be compensated for their involvement.

Section 10. Discipline, Complaints, and Terminations

Discipline

Each employee is expected to exercise good judgement, loyalty, common sense, dedication, and courtesy in the performance of his/her duties. Each employee's primary mission is to provide courteous, orderly, efficient, safe, and economic delivery of services to TranGO customers and the general public.

The General Manager or Supervisor has full discretion and authority to impose disciplinary action in accordance with TranGO policies and the circumstances of the particular case.

Acts, error, or omissions, which discredit the public service or impair the provision of orderly services to the customers of TranGO may result in discipline, including termination.

The following are examples of the types of behavior which may result in discipline:

- 1. Violation of the drug and alcohol policies.
- 2. Violation of a lawful duty.
- 3. Insubordination.
- 4. Absence from work without first notifying and securing permission from the Supervisor.
- 5. Habitual absence or tardiness for any reason.
- 6. Unsatisfactory job performance, as determined by TranGO.
- 7. Conviction of a felony or a misdemeanor involving moral turpitude.
- 8. Commission of a crime, regardless as to whether the employee is ultimately convicted, while on duty (including paid breaks and training) for TranGO.
- 9. Acceptance of fees, gratuities, or other valuable items in the performance of the employee's official duties for TranGO.

10. Inability, refusal, or failure to perform the duties and the assigned job.
11. Violation of duties or rules imposed by these Personnel Policies, or by any other TranGO rule, regulation, or administrative order.

The above list is not all-inclusive, but only serves as a general guide. TranGO may discipline or terminate employees for other reasons not stated above.

The need for disciplinary action is usually evaluated on a case-by-case basis. While TranGO recognizes the benefit of using progressive discipline, TranGO is not required or obligated to use progressive discipline before imposing a particular type of disciplinary sanction, including possible termination.

During the course of any investigation into an employee's conduct that may result in discipline, employees are prohibited from discussing the matter with other employees or individuals who participated in the investigation without the prior knowledge and consent of the General Manager. Investigations are not a matter for discussion with the general public.

In the event that discipline is necessary, any of the following types of disciplinary actions may be used, depending on the particular situation:

1. Verbal Warning – A verbal warning is a counseling session between the Supervisor and employee on the subject of the employee's conduct and performance, or the employee's failure to observe a guideline, rule, regulation, or administrative instruction. It is intended to increase the employee's efficiency and value to TranGO by changing the employee's conduct, attitude, work, habits, or work methods. Following the counseling session, the Supervisor will document the verbal warning and place it in the employee's personnel file.
2. Written Reprimand – A written reprimand is a formal written disciplinary action for misconduct, inadequate performance, or repeated lesser infractions. Written reprimands are placed in the employee's personnel file.
3. Suspension With Pay (Administrative Leave) – A suspension with pay, where the employee is placed on administrative leave, may be utilized by TranGO pending the results of an investigation or disciplinary action where TranGO determines that factors such as public confidence, the safety of the employee, or the efficient functioning of TranGO call for such a suspension. A suspension with pay or administrative leave may be imposed at any time during the investigation or discipline process.
4. Suspension Without Pay – A suspension is a temporary, unpaid absence from duty, which may be imposed as a penalty for significant misconduct or repeated lesser infractions. A suspension is a severe disciplinary action, which is made part of the employee's personnel file.
5. Termination – Employees are employed on an **at-will** basis and may be terminated at any time from employment with or without cause, regardless of whether disciplinary action is or is not imposed as provided in this section. The General Manager must approve all terminations before such a decision is communicated to an employee.

The list of possible discipline set forth above is by way of illustration and not limitation. Other forms of discipline may include demotion or transfer of positions within TranGO. Employment with TranGO is "**at-will**," and TranGO is not required to utilize any or all of the above listed disciplines in any particular order or within any particular timeframe.

Disciplinary Procedure

In the event an employee's Supervisor determines that discipline is necessary, with the exception of verbal warnings or placement on Administrative Leave, the employee shall be given written notice of the proposed discipline, and an opportunity for an informal meeting before the Supervisor prior to issuance of the discipline.

The written notice shall include the following information:

1. The policies, rules, or codes of conduct allegedly violated;
2. A brief description as to how the employee's conduct violated those policies, rules, or codes of conduct; and
3. Notification that a pre-disciplinary meeting before the Supervisor has been scheduled, including the date, time, and place of the hearing, to enable the employee to present a defense to the allegations set forth in the written notice.

The employee may have one representative present during the meeting and may present evidence in the employee's defense. The employee is not required to attend the pre-disciplinary meeting. If the employee does not attend the scheduled meeting, the Supervisor may impose the recommended or proposed discipline. The Supervisor will issue their final decision on the proposed discipline within five (5) days of the meeting, which shall be final and binding on the employee, and not subject to appeal or the complaint procedure below.

All documents related to any disciplinary proceedings will be included in the employee's personnel file and shall not be removed or destroyed except in compliance with the record retention schedules promulgated by the Washington Secretary of State Archives.

Complaint Procedure

TranGO recognizes that sometimes situations arise in which an employee may feel that the employee has not been treated fairly or in accordance with TranGO policies. For this reason, TranGO provides procedures for resolving complaints.

Step 1 – The employee should first try to resolve any problem or complaint with the employee's Supervisor. The employee must notify the employee's Supervisor of the basis of the complaint, either orally or in writing, within ten (10) days of the action or event giving rise to the complaint. The Supervisor will respond to the employee, in writing, within five (5) days following the meeting with the employee.

Step 2 – If an employee does not believe that communications between and employee and the Supervisor was successful, the employee may attempt to resolve the problem with the Finance/HR Director, or if the complaint involves the Finance/HR Director, the General Manager, of TranGO. The employee shall make a written complaint with the Finance/HR Director or General Manager within ten (10) days of the final communication by the employee's Supervisor regarding the complaint. The Finance/HR Director or General Manager will respond to the employee in writing within ten (10) days after receipt of the written complaint from the employee.

Step 3 – If an employee does not believe that the communications between the employee and the Finance/HR Director was successful, the employee may attempt to resolve the problem with the General Manager, or if the complaint involves the General Manager, the Board of Directors of TranGO. The

employee shall make a written complaint with the General Manager or Board of Directors within ten (10) days for the final communication by the Finance/HR Director or General Manager regarding the complaint. The General Manager or Board of Directors will respond to the employee in writing within ten (10) days, or thirty (30) days for the Board of Directors, after receipt of the written complaint from the employee. The response by the General Manager or Board of Directors shall be final and binding on the employee and not subject to appeal.

Termination

Employees are employed on an **at-will** basis and may be terminated at any time from TranGO with or without cause and with or without notice. No employee will be disciplined or terminated for a discriminatory or otherwise illegal reason.

Layoff

TranGO may lay off employees for lack of work, budgetary restrictions, or other changes that have taken place. Temporary Employees or employees who have not completed their Trial Period will be laid off before regular employees are affected.

In determining who is to be laid off, consideration will be given to individual performance and the qualifications required for remaining jobs. Seniority will be considered when performance and qualifications are equal.

Employees who are laid off may be eligible to be re-employed if a vacancy occurs in a position for which they are qualified.

Resignation

An employee is requested to provide two (2) weeks' notice of resignation. This time limit may be waived by the employee's Supervisor. Management and supervisory positions are encouraged to provide 1 months' notice of resignation.

Seniority

Seniority is defined as the length of an employee's continuous service with TranGO, beginning with the employee's date of hire. For all applications of seniority, the ability of the employee shall mean the job-related qualifications, skills, and ability (including physical fitness and ability) of an employee to perform the essential functions of his/her position. TranGO will determine whether an employee is qualified to perform the employee's required work. In determining if the employee is qualified to perform the required work and the essential functions of the employee's job, TranGO may review and may consider, among other things, the employee's ability, as defined above, safety record, and disciplinary history. In the event two or more employees are deemed equally qualified by TranGO, then seniority may be used as a tiebreaker.

In the event of layoffs and/or recall from layoff, the qualifications, skills, work history and ability of an employee to perform the essential functions of a particular position may be considered prior to seniority in selecting individuals for layoff or recall from layoff. An employee will lose all seniority in the event the employee quits, is terminated, is absent for three (3) consecutive working days without notifying TranGO,

is laid off for a period in excess of twelve (12) months, is off work because of paid or unpaid medical leave of absence in excess of twelve (12) months or retires.

If an employee is on an unpaid or paid leave of absence for more than 180 consecutive days, the employee's seniority will be frozen, and the employee will not continue to accrue seniority until the employee returns to active service in his/her former position.

Death

Upon death of an employee, all compensation due shall be paid to the surviving spouse, beneficiary, or the estate of the employee.

Section 11. Performance Evaluation

TranGO Supervisors should conduct performance evaluations of each regular employee on a periodic basis. Each employee will receive an evaluation at the end of their Trial Period; performance evaluations should be conducted around the employee's annual hire date.

Written performance evaluations include the Supervisor's written evaluation of each employee's job performance, comments and recommendations, an action plan for the employee, and performance goals for the next evaluation period. Employees are given the opportunity to examine the written evaluation and make written comments about any aspect of the evaluation before it is placed in the employee's personnel file. The employee may request the evaluation be reviewed by the General Manager or designee.

Between scheduled evaluations, Supervisors should discuss with employees any performance issues that require attention and should keep records of any significant incidents.