

CHAPTER 8 - EMPLOYEE BENEFITS

SECTION A GENERAL POLICY

1. Kitsap County provides eligible employees with a comprehensive benefits program. An employee benefit is anything of value received in addition to salary to help the County attract and retain quality employees. The County retains sole discretion to review and modify its benefits program.
2. All employees in positions budgeted at .50 FTE and above are eligible for benefits offered by Kitsap County.
3. It is the policy of Kitsap County to administer employee benefits in compliance with applicable Washington State and federal law. This interpretation does not apply to federally mandated employee benefits which do not recognize domestic partnerships eligibility, and which are not otherwise covered under Washington State law or Kitsap County policy.

SECTION B ORIENTATION

1. New Employee Orientation is a responsibility that is shared by the Human Resources Department, Risk Management and the hiring department.
2. Attendance at orientation for new employee(s) is mandatory and includes information on Human Resources and Risk Management policies, procedures and safety related requirements. Employees are also provided information regarding their available employment based benefits.
3. It is the responsibility of the hiring department to provide information to the new employee regarding specific job requirements, duties, responsibilities, hours of work and departmental policies and procedures.

SECTION C INSURANCE AND MEDICAL BENEFITS

1. Medical, vision, dental and life insurance coverage for eligible employees and designated legal dependents commences the first day of the month following hire date. Employees may be enrolled at time of hire, during annual open enrollment as designated by the County or according to special enrollment and eligibility guidelines for County plans. Documentation will be required for enrollment changes outside the annual open enrollment period. Upon separation from employment, coverage ends the last day of the month of separation. At that time, the employee and/or covered dependents may elect to continue their coverage at their own expense under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) as amended.
2. Insurance Premiums: Eligible employees receive County contributions towards medical, vision, dental and life insurance coverage established through the current County benefit plans. The County's contribution towards insurance premiums will be prorated as follows, according to the employee's full-time equivalent (FTE) status, as established and approved by the Employing Official and the Kitsap County Budget Office:

- a. For employees with an established and approved FTE status of .75 and above, the Employer's medical contribution shall be at the full-time contribution level. Employees will pay the remaining balance through payroll deduction.
 - b. For employees with an established and approved FTE status less than .75, but at least .50, the Employer's medical contributions shall be pro-rated at 65% of the Employer's contribution for a full time employee. Employees will pay the remaining balance through payroll deduction.
 - c. For employees with an established and approved FTE less than .75, but at least .50, the Employer's vision, dental, life, and long-term disability contributions shall be at the full-time contribution level. Employees will pay the remaining balances through payroll deduction.
3. Employees may cover legal dependents on the County plans, with applicable payroll deductions based on enrollment. Dependents may be enrolled at time of hire, during annual open enrollment as designated by the County or according to special enrollment and eligibility guidelines for County plans. Documentation will be required to verify dependent eligibility.
4. The County may make available optional or supplemental insurance plans. Premiums for these plans are paid by the employee through payroll deduction.
5. The County will continue to make contributions under County insurance plans in accordance with and as required by applicable laws during job-protected leave, and the Affordable Care Act.

SECTION D RETIREMENT SYSTEM

Employees who are eligible to participate in a Washington State Employees' Retirement System will be enrolled upon employment or verification of eligibility. Contributions by the employee and the County are based upon a percentage of the employee's salary.

SECTION E HOLIDAYS

1. Paid holidays begin at the date of hire. Employees who are on leave without pay for more than one-half of their scheduled shift the working day before or the working day after a holiday shall not receive compensation for that holiday.
2. Non-worked Holidays: Regular full-time employees receive eight hours of holiday pay, regardless of their regular work schedule. Regular part-time employees receive holiday pay on a pro-rated basis, based on FTE status.

3. Holiday Observance:

- a. Kitsap County observes the following as paid holidays:

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|-------------------------------|--|
| New Year's Day | January 1 |
| Martin Luther King Day | Third Monday in January |
| President's Day | Third Monday in February |
| Memorial Day | Last Monday in May |
| Independence Day | July 4 |
| Labor Day | First Monday in September |
| Veterans Day | November 11 |
| Thanksgiving Day | Fourth Thursday in November |
| Day after Thanksgiving | Fourth Friday in November |
| Christmas Day | December 25 |
| One Floating Holiday | Employee's choice |
| Two unpaid holidays | Employee's choice (<u>AS DEFINED IN #5</u>) |

- b. If a holiday falls on a Sunday, it is observed on the following Monday. If a holiday falls on a Saturday, it is observed on the preceding Friday. Employees that work in a seven-day per week and/or twenty-four hour per day programs shall observe the holiday on its actual date.
- c. If the holiday falls on an employee's regularly scheduled day off, that employee receives annual leave based on the employee's established FTE status.
4. Non-exempt employees required to work on an observed holiday shall receive holiday pay based on the employee's established FTE (Full Time Equivalent) status plus their regular rate of pay for the hours worked on the holiday, OR in lieu of holiday pay, the employee may choose to receive their regular rate of pay for the hours worked on the holiday plus annual leave based on the employee's established FTE.
- a. Work on Premium Holidays: Non-exempt employees who work on New Year's Day, Independence Day, Thanksgiving Day or Christmas Day, shall receive holiday pay based on the employee's established FTE (Full Time Equivalent) status plus receive pay for all hours actually worked in an amount equal to one and one-half times the regular hourly rate in pay or compensatory time at a rate of one and one-half times.
- b. Exempt employees required to work on an observed holiday receive annual leave equivalent to the hours worked on the holiday.
- c. The floating holiday is in effect and is available for use on January 1 of each year. The floating holiday may be taken by an employee at any time during the calendar year with prior approval of the Employing Official. The floating holiday shall not accumulate from year to year.
- 1) Floating holiday.
- i. Upon resignation or retirement with two weeks notice, layoff, involuntary termination or death, the employee or beneficiary shall receive payment for an unused floating holiday.

- ii. The floating holiday is to be used in full increments (i.e. 8 hours for 1 FTE, 4 hours for .50 FTE). The floating holiday is not to be split over more than one day.

5. Employees may take two unpaid holidays at any time during the calendar year for reasons of faith or conscience or an organized activity conducted under the auspices of a religious denomination, organization, or church, with prior approval of the Employing Official, in accordance with RCW 1.16.050(3). The unpaid holidays are in effect and available for use on January 1 of each year. The unpaid holidays must be taken in full work day increments, may not be supplemented with paid accrued leave time, and shall not accumulate from year to year. Unpaid holidays taken under this law will not result in adjustments to employee's seniority or continuous service dates.

SECTION F SICK LEAVE

1. Accumulation of sick leave is allowed primarily for the purpose of providing the employee with an economic cushion to be used in the event of a major illness or absence from work for medical reasons or to provide medically necessary care for an eligible family member.

2. Sick Leave Accrual:

- a. Sick leave is accrued each month of employment provided, however, the employee is not in a leave without pay status for more than thirty (30) calendar days. The employee will be provided with an *Employee Paid Sick Leave Notification* at the start of employment. It contains information regarding: authorized use of paid sick leave, the County's paid sick leave accrual year, carryover of paid sick leave, eligibility for use, and information about retaliation.
- b. Accrued sick leave may be used only after it has been accrued.
- c. Eligible full-time employees hired on or after December 1, 2004, accrue 8 hours of sick leave per month.
- d. Eligible full-time employees hired on or after October 1, 1985 and prior to December 1, 2004, accrue 10 hours of sick leave per month.
- e. Eligible full-time employees hired before October 1, 1985, accrue 12 hours of sick leave per month.
- f. Eligible employees who were receiving a higher sick leave accrual rate at the time the above plans were amended shall continue at the higher rate.
- g. Eligible part-time employees' sick leave accrual will be pro-rated based on the employee's FTE status as established and approved by the Employing Official and the Budget Office.
- h. As a minimum under RCW 49.46.210, effective January 1, 2018, FLSA non-exempt (hourly) employees will accrue at least (1) hour for every 40 hours *worked*.

- i. No more than 150 days (1200 hours) of sick leave may be carried from one calendar year to the next.
 - j. Full-time employees hired on or after January 1, 2018 will be advanced 48 hours (six months' accrual) of sick leave for immediate use. Part-time employees will have their sick leave advanced at a prorated amount equal to their budgeted FTE status. Additional sick leave hours will accrue beginning the 7th month of employment. As a condition for the advancement of sick leave, if employment ends prior to the last day of the sixth month of employment, the employee will reimburse the County for sick leave hours used in excess of 8 hours for full-time employees, or the amount that they would have accrued as a prorated amount for each month of employment. The advancement of leave only applies to initial hire. An employee rehired within 12 months of separation will have their accrued, unused sick leave reinstated as required by law and will not be advanced additional leave hours. If an employee is hired from extra help status they will maintain any sick leave balance that they have accrued and will be advanced hours that will result in an amount equal to 6 months' accrual.
 - k. If an employee leaves employment and is rehired within 12 months of separation any accrued, unused paid sick leave will be reinstated to the employee's paid sick leave balance.
 - l. The accrual year for purposes of paid sick leave is January 1 – December 31.
3. Paid sick leave may be used for the following:
- a. An employee's mental or physical illness, injury or health condition;
 - b. Preventive care such as a medical, dental or optical appointments and/or treatment;
 - c. Care of a family member with an illness, injury, health condition and/or preventive care such as a medical/dental/optical appointment;
 - i. "Family member" is defined as a child or parent (including biological, adopted, foster, step, legal guardian, or in loco parentis), a spouse, registered domestic partner, spouse's parent, grandparent, grandchild, or sibling.
 - ii. Accrued sick leave may be used for bereavement leave as provided in this manual under the section related to "Bereavement Leave."
 - d. Closure of the employee's place of business or child's school/place of care by order of a public official for any health-related reasons;
 - e. If the employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking.
 - i. Authorized use of paid sick leave for domestic violence, sexual assault or stalking includes:
 - Seeking legal or law enforcement assistance or remedies to ensure the health and safety of employee's and their family members including, but not limited to, preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault or stalking.

- Seeking treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking.
- Attending health care treatment for a victim who is the employee's family member.
- Obtaining, or assisting the employee's family member(s) in obtaining, services from: a domestic violence shelter; a rape crisis center; or a social services program for relief from domestic violence, sexual assault or stalking.
- To obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault or stalking in which the employee or the employee's family member was a victim of domestic violence, sexual assault or stalking.
- Participating, for the employee or for the employee's family member(s), in: safety planning; or temporary or permanent relocation; or other actions to increase the safety from future incidents of domestic violence, sexual assault, or stalking.

4. Application

- a. Paid sick leave hours will be compensated at an employee's regular rate of pay. Paid sick leave hours will not count towards the calculation of overtime.
- b. All sick leave taken shall reduce the sick leave most recently accrued. Employees will be notified of their paid sick leave balances each month on their pay stub or electronic statement, including:
 - i. Accrued paid sick leave since the last notification
 - ii. Used paid sick leave since the last notification
 - iii. Current balance of paid sick leave available for use
 - iv. *If applicable* – donations via the shared leave program

5. Sick Leave Reporting

- a. Employees shall report to their immediate supervisor or designee their need to use sick leave prior to the start of their shift each day of their absence unless otherwise arranged. If the leave is foreseeable, employees shall give 10 days' notice, or as early as practicable.
- b. Use of sick leave by non-FLSA exempt employees longer than 3 consecutive work shifts may require verification within 10 calendar days following the first day of leave, with the exception of leave for domestic violence. For FLSA exempt employees, use of sick leave may require a certificate from the employee's health care provider, if requested by the Employing Official.
- c. Employees may not use or substitute sick leave when an injury or illness occurs while on previously approved annual leave or compensatory time. Employees may request a change of pre-approved time off prior to the beginning of that leave period if circumstances change.

Any discrimination or retaliation against an employee for lawful exercise of paid sick leave rights is not allowed. Employees will not be disciplined for the lawful use of paid sick leave. If an employee feels they are being discriminated or retaliated against, the employee may contact the Human Resources Department. If an employee is not satisfied with the company's response, the employee may contact the Washington State Department of Labor & Industries. www.lni.wa.gov

6. Sick Leave Cash Payment Upon Retirement or Death:

- a. Upon retirement with the Washington State Retirement Systems, the employee shall receive payment for 50% of all their sick leave balance accrued prior to January 1, 1984, based upon the rate of pay at the time of retirement. If, at any time, the balance of an employee's sick leave bank as of January 1, 1984 is reduced, it may not be replenished for the purposes of sick leave payout.
- b. Upon an employee's death, the beneficiary shall receive payment for all of the employee's sick leave balance accrued prior to January 1, 1984, based upon the rate of pay at the time of death. If, at any time, the balance of an employee's sick leave bank as of January 1, 1984 is reduced, it may not be replenished for the purposes of sick leave payout.
- c. Employees separated from employment for reasons other than retirement from the Washington State Retirement Systems or death, do not receive sick leave pay.
- d. No cash payment shall be made for sick leave accrued and not used after January 1, 1984.

7. Conversion of Sick Leave

Each January, an employee may, at their option, convert their previous calendar year's accumulated and unused sick leave to annual leave on a 10 to 1 ratio provided that the request for conversion is submitted to the Employing Official or designee on or before January 31. Under no circumstances shall an employee carry over to the following year or receive cash payment for converted leave on the books.

SECTION G ANNUAL LEAVE

1. Annual Leave Accrual:

- a. Annual leave is accrued each month of employment provided, however, the employee is not in a leave without pay status for more than thirty (30) calendar days.
- b. Annual leave may be used only after it has been accrued.
- c. Full-time employees hired on or after January 1, 2018 will be advanced 48 hours (six months accrual) of annual leave for immediate use. Part-time employees will have their annual leave advanced at a prorated amount equal to their budgeted FTE status. Additional annual leave hours will accrue beginning the 7th month of employment. As a condition for the advancement of annual leave, if employment ends prior to the sixth month of employment, the employee will reimburse the County for annual leave hours

used in excess of 8 hours for full-time employees, or the amount that they would have accrued as a prorated amount, for each month of employment.

- d. Effective, January 1, 2017, all eligible, full-time, non-represented employees shall earn annual leave as follows:

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|-----------------------------|------------|--------------|
| Upon Hire | 12 days/yr | 8.00 hrs/mo |
| Upon completion of 3 years | 15 days/yr | 10.00 hrs/mo |
| Upon completion of 5 years | 20 days/yr | 13.33 hrs/mo |
| Upon completion of 10 years | 25 days/yr | 16.67 hrs/mo |

- e. Any non-represented employee currently receiving a higher accrual rate will not have their accrual rate reduced. Those employees shall not receive any further increases unless such increases are provided in accordance with the above guidelines.

2. Eligible part-time employees accrued annual leave will be pro-rated based on the employee's FTE status as established and approved by the Employing Official and the Budget Office.

3. No more than 360 hours annual leave may be carried from one calendar year to the next.

4. The County Administrator, or in the Administrator's absence the Chair of the Board of County Commissioners, may approve annual leave accrual rates up to 20 days per year in order to fill positions requiring special experience, training and education. The Director of Human Resources shall review all requests by Employing Officials and submit a recommendation to the County Administrator/Chair of the Board of County Commissioners. The employee shall be eligible to earn additional annual leave in accordance with subsection 1.c. above.

5. As an inducement for the acceptance of employment into a position identified by the Director of Human Resources as a critical labor market skill position, the County Administrator, or in the Administrator's absence the Chair of the Board of County Commissioners, may approve a request by an Employing Official to grant the advancement of up to 80 hours of annual leave on the first day of employment. The employee shall begin accruing annual leave upon completion of the employment period required for the advanced annual leave hours. As a condition for the advancement of annual leave, if employment ends prior to the employment period required for the advancement, the employee will reimburse the County for annual leave hours used in excess of the employee's accrual rate for each month of employment.

6. Annual Leave Cash Payment upon Termination of Employment: Upon termination of the employment relationship due to resignation with two week notice, layoff, dismissal or death, the employee or beneficiary shall be paid for unused accrued annual leave at the rate being paid at the time of separation. Employing Officials may waive the two week notice requirement in consultation with the Human Resources Director. Cash payment for unused accrued annual leave upon termination due to retirement with the Washington State Retirement System shall not exceed 240 hours. However, if an employee has accrued annual leave in excess of 240 hours, the employee may be continued on the payroll for the time equivalent to the amount of excess annual leave.

7. Use of Annual Leave:

- a. Employees should attempt to use annual leave during the year in which it is earned.

- b. Requests for leave must be approved in advance by the Employing Official or designee. If circumstances warrant, Employing Officials may waive advance notice. Annual leave must be taken at times mutually agreeable to the employee and the Employing Official. In the event of conflicts between employees in requests for leave, the employee first requesting prevails. In the event of concurrent requests or conflicting requests for which the sequence of request is unknown, the Employing Official shall make the final determination with consideration towards seniority and prior requests for leave. If an employee is prevented by the Employing Official from taking annual leave and, as a result, the employee has more than 360 hours annual leave accumulated on December 31, then the employee is paid for such leave in excess of 360 hours at the salary rate then being paid to the employee.

8. Annual Leave Donation Policy: Annual Leave Donation Policy permits County employees to donate annual or general leave to eligible employees who would otherwise be in an unpaid status in excess of five (5) consecutive working days due to a catastrophic medical condition, illness, injury or impairment. (See [Appendix B](#) — Kitsap County Annual Leave Donation Plan.)

SECTION H SOCIAL SECURITY

Social Security (Federal Insurance Contributors Act) provides employees and/or their dependents with an income in the event of disability, death or retirement under the Act. Under federal law, a joint contribution by the employee and the County, based upon a percentage of the employee's salary, is paid into the fund.

SECTION I WORKERS COMPENSATION (Industrial Insurance)

1. The County is self-insured for employee injuries suffered during work hours. Compensation is made for medical expenses and time lost from work due to the injury as determined by Washington State Industrial Insurance Regulations.
2. All on-the-job injuries must be reported to the employee's supervisor and the Risk Management Division. The Risk Management Division shall provide the employee with the required forms to be filed.
3. Family Medical Leave (FMLA) runs concurrently with time loss for up to twelve (12) weeks per leave year.
4. Whether or not the time off qualifies under FMLA, the County will continue to pay the County's contribution toward medical, dental and life insurance for an employee who is currently employed in a regular, budgeted position and receiving time loss, for up to six (6) months from date of injury. Employees who supplement time loss benefits with accrued leave(s) to maintain full time pay and status will pay the employee contributions toward coverage through normal payroll deduction. Employees who do not supplement time loss with accrued leave(s) or whose paycheck will not cover the contribution must remit payment to the County for the employee contributions in order to keep benefit coverage intact during the six (6) month period from each date of injury.
5. Employees who supplement time loss with accrued leave to equal their normal FTE paid hours will be considered to be in a paid status for a period up to six (6) months, and will

be eligible to receive all benefits employees on paid status receive, including, but not limited to, health insurance contributions, holiday compensation, and annual or sick leave accruals. An employee who is receiving time loss compensation and is not supplementing to their normal FTE with accrued leave shall be considered to be on leave without pay status, and shall not accrue annual, sick leave or holiday hours.

6. Employment dates, including but not limited to the continuous service date and step increase date, will not be adjusted for periods of unpaid leave for work-related injuries.
7. Employees who receive time loss in excess of six (6) months from the date of injury will be offered COBRA as an option to maintain health and dental insurance coverage. The full cost of COBRA insurance continuation, including a two (2) percent administrative fee is the employee's responsibility.

SECTION J LEAVES OF ABSENCE

1. Civil Leave:

- a. Civil leave with pay shall be allowed to permit an employee to serve as a juror or to testify in any federal, state or municipal court when a subpoena compels such testimony. An employee must notify the immediate supervisor prior to taking civil leave and provide proof of compulsion.
- b. Civil Leave with pay shall only apply to regularly scheduled work hours. Employees placed on juries or subpoenaed as witnesses may request to have a temporary schedule change to coincide with jury duty or court hours, provided that the jury duty placement or subpoenaed testimony requirement is for full day increments. Approval of a schedule change for this purpose is at the discretion of the employing authority.

2. Bereavement Leave:

Bereavement leave with pay is allowed when an employee experiences a death in the employee's immediate family. No more than 24 hours bereavement leave is allowed per occurrence and is not cumulative. Additional time off required for grieving may be authorized as sick leave. An employee must obtain approval of the Employing Official or a designee when taking such leave.

- a. For the purposes of bereavement leave, immediate family members shall include the following, whether related by blood or marriage:
 - i. Spouse/Registered Domestic Partner (RDP)
 - ii. Child, Grandchild, Great-grandchild
 - iii. Sibling
 - iv. Parent, Grandparent, Great-grandparent
 - v. Aunt, Uncle, Niece, Nephew

3. Military Leave:

- a. Any employee who is a member of the Washington National Guard or of the Army, Navy, Air Force, Coast Guard or Marine Corps of the United States or of any organized reserve of the Armed Forces of the United States, shall be entitled to military leave with pay for a period not to exceed twenty-one (21) days from October 1st – September 30th in order that the employee may take part in active duty training. Such military leave shall be granted pursuant to the provisions of RCW 38.40.
- b. Any employee who enters active duty service or training in the Washington National Guard, the Armed Forces of the United States, or the United States Public Health Service may seek a leave of absence as set forth within this Manual and, upon return, shall be entitled to re-employment pursuant to the provisions of RCW 73.16.031 - 73.16.061 and Title 38 U.S.C. § 4301 et seq. An employee is entitled to unpaid military leave for a cumulative length of up to five years, and may be entitled to more time under certain circumstances. Upon returning from a military leave of absence, the employee's seniority, vacation, health, retirement, and other rights and benefits are generally restored as if the employee had never taken a military leave of absence; provided, statutorily mandated National Guard and Reserve training requirements are excluded from the cumulative five-year limit, pursuant to the provisions of Title 38, U.S.C. § 4301 et seq.
- c. Employees with military orders are not required to use or exhaust accrued leave while on military leave.

4. Leaves of Absence Without Pay:

- a. A leave of absence without pay may be granted to County employees at the discretion of the Employing Official. If the leave of absence exceeds five (5) consecutive working days, the following conditions shall be met before granting the leave:
 - i. A written request for a leave of absence without pay must be submitted to the Employing Official on forms prescribed by the Director. The written request must include the reason for leave, the length of time requested and the expected date of return to service. A leave of absence form must then be completed and approved by the Employing Official, then submitted to the Human Resources Department.
 - ii. All earned compensatory time, accrued annual or general leave must be exhausted prior to going into a leave without pay status. If the leave is for medical reasons, accrued sick leave must be exhausted also.
 - iii. Use of the floating holiday before going into a leave without pay status is at the employee's option.
 - iv. The Employing Official must be assured that the granting of leave shall not operate to the detriment of the department.
 - v. Arrangements must be made in advance by the employee to pay for insurance premiums if continued coverage is desired for the duration of the leave.

- vi. The Employing Official must be reasonably assured that the employee shall return to work after the agreed leave time is exhausted.
- vii. The granting of leave without pay is discretionary. The employee must have demonstrated his/her ability and value to the County work force before the leave is considered.
- viii. If during the authorized leave of absence, the Employing Official determines that the absence of the employee is causing a hardship to the department, the employee may be required to return to work. The Employing Official shall send a written notice by certified mail (and/or by electronic mail if address is known), return receipt requested, through U. S. Mail, requiring the employee to return to work. An employee who fails to return to work within three (3) work days of receipt of the notice shall be considered to have abandoned the position. Termination for job abandonment is not grievable.
- ix. All leave without pay in excess of 30 consecutive calendar days results in a suspension of accruals for seniority, vacation, sick leave, longevity, and other benefits except as provided herein during the time of leave.

5. Family and Medical Leave:

The Family Medical Leave Act (FMLA) entitles an employee who has been employed with the County for fifty-two weeks and has worked at least 1,250 hours during the twelve-month period immediately preceding the commencement of the FMLA leave, up to twelve work weeks of FMLA leave during the twelve-month period following the date the employee's first FMLA leave begins for the following reasons:

- a. For the birth of a son or daughter, and to care for a newborn child.
- b. For the placement with the employee of a son or daughter for adoption or foster care.
- c. To care for the employee's spouse, son, daughter or parent with a serious health condition.
- d. Because of a serious health condition that prevents the employee from performing the essential functions of the employee's job.
- e. Veteran's Leave and Exigency Leave

All accrued paid leaves must be exhausted before unpaid FMLA leave commences, with the exception of Workers' Compensation (L& I) leaves that run concurrently with FMLA. (See [Appendix G](#). Kitsap County Family and Medical Leave (FMLA) Policy)

6. Washington Family Leave Act (WFLA)

- The WFLA generally runs concurrently with FMLA. The exceptions are that the WFLA provides additional leave to care for a new born, and the WFLA provides up to 12 weeks

of unpaid leave per 12-month period to care for a registered domestic partner with a serious health condition. The FMLA does not cover domestic partners (See [Appendix G](#)).

Under the law, during a leave covered by the WFLA but not the FMLA (e.g., during the 12 additional weeks of bonding with a new child following exhaustion of FMLA/Pregnancy Disability Leave), health insurance will not be automatically continued unless the employee elects continuation of coverage at his/her expense or is otherwise entitled under the Affordable Care Act. This does not affect the ability of the employee and eligible family members to participate in the County's group health insurance plan during FMLA and/or WFLA.

7. Washington Family Care Act (WFCA)

Under the Washington Family Care Act, employees with accrued annual leave, floating holidays, sick leave, or compensatory time may use their leave to take care of a sick family member. Employees do not have to meet minimum service requirements to be eligible for FCA leave but will have to comply with all notice and document requirements under the applicable policy for the type of leave used.

8. Domestic Violence Leave Act

Pursuant to chapter 49.76 RCW, employees who are victims of domestic violence, sexual assault, and stalking are guaranteed "reasonable leave." The law protects victims of domestic violence, as well as their family members. Family members include children, spouses, registered domestic partners, parents, parents-in-law, grandparents, and individuals with whom the employee has a "dating relationship." Employees are entitled to leave in order to participate in legal proceedings, receive medical treatment and mental health counseling, or obtain support from social services programs. Family members can take leave to assist victims in their endeavors to obtain help or secure safety.

- Employees in need of leave under this law may use annual leave, compensatory time if available, or may take unpaid leave. Employees are required to provide advance notice of the need for leave to their Employing Official when predictable. Where advance notice is not possible, notice must be given no later than the end of the first day that the employee needs the leave. Kitsap County may request that the employee provide timely verification that the employee or the employee's family member is a victim of domestic violence, sexual assault or stalking. This verification may be in the form of a police report, a court document, or a statement from an advocate for victims of domestic violence, an attorney, a member of the clergy, a medical professional, or a statement from the employee. Kitsap County may require proof of familial relationship, in the form of a birth certificate, court document, or other statement. Except where disclosure is authorized or required by law, Kitsap County will maintain confidentiality of all information provided by the employee in conjunction with this leave.

SECTION K COUNTY TRAINING PROGRAM

1. Kitsap County seeks to offer County employees training to increase skills, knowledge and abilities directly related to County employment. Training opportunities may include, but are not limited to:

- On-the-job training
- In-house classes
- Academic classes, or
- Workshops/seminars/conferences sponsored by professional organizations

2. The Kitsap County Training Coordinator is responsible for the implementation of the County-wide training plan and serves as the chair for the Training Committee. (See [Appendix J](#))

SECTION L EMPLOYEE ASSISTANCE PROGRAM (EAP)

Kitsap County offers a free Employee Assistance Program to all employees and their legal dependents. This program provides confidential and professional assistance to help employees and their families resolve problems that affect their personal lives and job performance. Use of the Employee Assistance Program is voluntary.