

**SILVER LAKE WATER AND SEWER DISTRICT  
SNOHOMISH COUNTY, WASHINGTON  
RESOLUTION NO: 831**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE  
SILVER LAKE WATER AND SEWER DISTRICT, SNOHOMISH  
COUNTY, WASHINGTON, ADOPTING A POLICY FOR ALTERNATIVE  
WORK SCHEDULES AND AMENDING CHAPTER 3.10.040(4) OF THE  
DISTRICT CODE**

**WHEREAS**, Silver Lake Water and Sewer District ("District") needs to ensure that the District's water and sewer systems can provide uninterrupted service for community use, hygiene, and sanitation, to prevent the spread of illness and maintain public health; and

**WHEREAS**, during the COVID-19 Emergency, in order to maintain social distancing in the District's workplace, employees worked varied schedules, staggered shifts, and remotely, while maintaining essential water and sewer services to the public; and

**WHEREAS**, as a result of the COVID-19 Emergency, there is a dramatic shift in the workforce underway that has resulted in low unemployment, a competitive job market, and many employers are enacting remote work and/or flexible work schedules to hire and retain their workforces; and

**WHEREAS**, flexible work schedules can reduce the impact that the District's workforce has on regional traffic as part of a region-wide effort; and

**WHEREAS**, flexible work schedules make the District a competitive employer in a tight labor market without impacting costs to rate payers; and

**WHEREAS**, flexible work schedules increase hours of the day that the District's workforce is available to provide services; and

**WHEREAS**, flexible work schedules may provide employees with flexibility to obtain an appropriate work life balance;

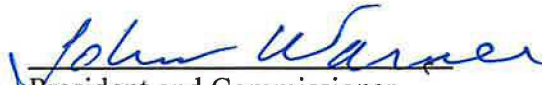
**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of Silver Lake Water and Sewer District, as follows:


**Section 1:** A new policy permitting alternative work schedules for the District's employees, Exhibit 1, attached hereto and incorporated by reference is adopted.

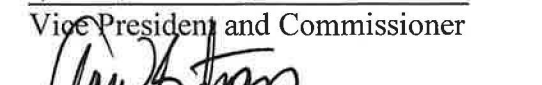
**Section 2:** Chapter 3.10.040(4) and Chapter 3.15.270(5) of the District Code is amended as set forth in Exhibit 2, attached hereto and incorporated by reference is adopted.

**Section 3:** This resolution shall be effective on the date of adoption as set forth below.

**ADOPTED** by the Board of Commissioners at a regular open public meeting of the Silver Lake Water and Sewer District, Snohomish County, Washington this 9<sup>th</sup> day of June 2022.

  
\_\_\_\_\_  
President and Commissioner

  
\_\_\_\_\_  
Vice President and Commissioner

  
\_\_\_\_\_  
Secretary and Commissioner

### CERTIFICATION

I, the undersigned, Secretary of the Board of Commissioners of Silver Lake Water and Sewer District, Snohomish County, Washington (the "District"), hereby certify as follows:

1. The attached copy of Resolution No. 831 (the "Resolution") is a full, true, and correct copy of the Resolution duly adopted at a regular meeting of the Board of Commissioners of the District, held at the regular meeting place thereof on June 9, 2022 as that Resolution appears on the minute book of the District; and the Resolution will be in full force and effect immediately following its adoption; and

2. A quorum of the members of the Board of Commissioners was present throughout the meeting and a majority of those members present voted in the proper manner for the adoption of the Resolution.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 9<sup>th</sup> day of June 2022.

**SILVER LAKE WATER-SEWER DISTRICT,  
SNOHOMISH COUNTY, WASHINGTON**

  
\_\_\_\_\_  
Anne Backstrom, Secretary

**EXHIBIT 1**

**SILVER LAKE WATER AND SEWER DISTRICT  
Alternative Work Schedules**

**PURPOSE:**

To establish a policy and procedures to allow employees to work Alternative Work Schedules.

**ORGANIZATIONS AFFECTED:**

All divisions/All employees

**REFERENCES:**

Fair Labor Standards Act (FLSA) – 40-hour work week, where a work week is a period of 168 hours during 7 consecutive days. It may begin on any day of the week and at any hour of the day established by the employer.

**POLICY:**

The District believes that an Alternative Work Schedule can reduce the impact that the District’s workforce has on traffic challenges as part of a region-wide effort, make the District a more competitive employer, and provide employees with alternatives to obtain an appropriate work life balance. All work schedules must comply with the requirements of the Fair Labor Standards Act (FLSA).

Employees can be assigned or request one of the following three work schedules:

- A. **Standard Schedule, 5/8’s:** Five (5) consecutive 8-hour days, Monday through Friday, 8:00 a.m. to 4:30 p.m., core business hours. For example:

	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<b>WEEK 1</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>8</b>
<b>WEEK 2</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>8</b>

- B. **9/80’s:** A combination of eight, 9-hour days, one 8-hour day, and one “flex” day off during a two-week period that results in 80 scheduled work hours. For example:

	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<b>WEEK 1</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>4/4</b>
<b>WEEK 2</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>Off</b>

For a 9/80 schedule, the “flex” day off must be scheduled in a manner where there can be two 40-hour FLSA work weeks within the two-week period. In the example shown

above, where Friday is the “flex” day, the FLSA work week would begin and end on Friday, halfway through (4 hours) the scheduled 8-hour workday. If the “flex” day is Monday for an employee, the FLSA work week begins/ends halfway through the Monday scheduled for 8 hours for that employee.

- C. **Flex Time:** A flexible schedule of forty (40) hours per week with starting and ending times set by agreement between the employee and their supervisor a portion of which may be outside of core business hours (M – F, 8:00 a.m. to 4:30 p.m.).

**PROCEDURES:**

9/80's and Flex Time are considered an Alternative Work Schedule. If an employee is not already assigned to one of these schedules the District is willing to consider requests. Decisions regarding such schedules will take into consideration the operational needs of the District with consideration of the interests of the employee. This policy does not guarantee that Alternative Work Schedules will be granted, nor should it be considered a guarantee of any specific hours of work for any employee at any time.

An alternative work schedule is not appropriate for all positions, or in all settings, or for all employees. For the purpose of fairly determining how Alternative Work Schedule requests will be considered/approved, the following procedures shall be followed:

- A. All Alternative Work Schedules must be approved by the employee's division manager, and the General Manager. Alternative Work Schedules will be initiated on a trial basis and may be discontinued at any time at the request of the employee, the division manager, or the General Manager. The District reserves the right to suspend or modify Alternative Work Schedules.
- B. Any request for Alternative Work Schedules will have to take into consideration the availability of employees during core business hours of 8:00 a.m. to 4:30 p.m. to serve the public.
- C. Alternative Work Schedules may be denied to employees who do not meet and maintain performance expectations as determined by their supervisor.
- D. Employees are required to take the same alternating “flex” day off if they work a 9/80 schedule (e.g., regular flex day off is Monday, cannot switch to Tuesday or any other day) to comply with the definition of a workweek under the FLSA.
- E. Employees working a 9/80 schedule must maintain the same start and end time of the 8-hour day that is split between work weeks under the FLSA, to ensure 40 hours are worked in each week.

- F. Working an Alternative Work Schedule does not change the length of an 8-hour holiday. If a normally scheduled workday falls on a holiday, then a non-exempt employee working a 9/80 schedule will be required to:

Make up the difference between the 8-hour holiday and their normal workday by using paid leave in accordance with District policy. Typically, an employee would need to supplement the 8-hour holiday with one hour of paid time off to account for a scheduled 9-hour day.

- G. If a District Observed Holiday falls on an employee's flex day where the employee is off, a compensating day off with pay (8-hour day) shall be given for each holiday so occurring. This day will be tracked as a Floating Holiday in the employee's leave accrual and must be used in the same calendar year that it was awarded.

**Requesting an Alternate Work Schedule:**

To request an Alternative Work Schedule, employees should fill out a Work Schedule Change Request Form and submit it to their manager. You will find this form on the District's Intranet Site, under HR Benefits Links.

The manager will inform the employee of the decision; the approved Alternative Work Schedules and the date that the schedule shall take effect.

## EXHIBIT II

### Amendment to Chapter 3.10.040, On-call compensation and overtime calculations | Silver Lake Water and Sewer District Code

#### 3.10.040 On-call compensation and overtime calculations.

(4) *Regular Overtime.* For employees that work a Standard Schedule of five (5) consecutive 8-hour days, the district shall pay overtime for all work that is performed by an employee which exceeds eight hours in a day or 40 hours in a work week. For employees that work a 9/80 schedule consisting of eight (8) 9-hour days and (1) 8-hour day with a flex weekday off over a two-week period, comprised of two (2) 40-hour FLSA work weeks, the district shall pay overtime for work performed that exceeds nine (9) hours in a day or forty (40) hours in a work week. For employees that work a Flex Time Schedule, the district shall pay overtime for all work performed that exceeds forty (40) hours in a work week.

For employees that work a Standard Schedule of five (5) consecutive 8-hour days or a Flex Time Schedule, the district's "work week" commences on Sunday at 12:00 a.m. (midnight) and runs to 12:00 a.m. (midnight) on the following Saturday. For employees that work an 9/80 Schedule, the work week will be established to begin and end at 12:00 p.m. (noon) of the day of the week scheduled as the "flex day". The general manager or designee may establish other schedules with approval of the board of commissioners.

All overtime must be assigned, requested, and/or approved in advance by the general manager or designee. The district shall include paid time off, as outlined in Chapter 3.15 SLWSDC or its successor, in its calculation of overtime.

### Amendment to Chapter 3.15 Art. IV Holidays | Silver Lake Water and Sewer District Code

#### 3.15.270 Holidays. (new section)

(5) Employees working a 9/80 alternative work schedule shall receive eight (8) hours of holiday or floating holiday pay for each observed holiday or floating holiday. If the observed holiday falls on a day where the employee is schedule to work nine (9) hours, the employee must use one (1) hour of paid time off. If the observed holiday falls on the employee's "flex day" off, the employee shall accrue eight (8) hours of floating holiday in lieu of the observed holiday in the employee's floating holiday leave bank. If a floating holiday in lieu of an observed holiday is accrued in the month of December, the employee may carry eight (8) hours of floating holiday to the next fiscal year.