

## **EMPLOYMENT OF PERSONNEL**

Puget Sound Educational Service District (PSESD) recognizes that our staff serve as the foundation to supporting the quality, equity, and effectiveness of educational programs provided by the ESD through partnerships with K-12 education, early learning, higher education, and public and private organizations. Each employee provides a vital contribution to the success of PSESD fulfilling its mission (End).

### **Employment Criteria**

As a regional education agency established by the Washington state legislature, ESDs are only licensed to operate in Washington state. PSESD's current infrastructure and resources support this agency role and in-state, regional service delivery model. The agency's infrastructure and service delivery model does not support telework outside of Washington state. In addition, as a public agency, legal compliance which varies from state to state (e.g., state taxes, unemployment insurance, workers' compensation, minimum wage, break laws, employment laws, etc.) is beyond the scope of the ESD infrastructure and established purpose.

Therefore, to protect the purpose and intent of the ESD as established in RCW 28A.310.010, PSESD employees must reside in Washington state, and the work of PSESD employees onsite or via telework must occur within Washington state, unless the work is associated with work-related travel (e.g., conference, etc.) or is limited/incidental (e.g., while on leave, responding to an urgent email or participating in an unavoidable meeting). Staff seeking pathways to support family outside of Washington state while maintaining their current employment can explore other PSESD policies that may meet their needs such as annual leave, family, and medical leave, etc.

Personnel shall be hired in accordance with PSESD policies. Qualified applicants for position vacancies that meet the established criteria shall be considered for employment.

Recruitment and selection processes shall be administered by the Human Resources Department. All matters pertaining to recruitment, selection, and assignment of personnel shall be authorized by the Superintendent or designee.

### **Other Employment Procedures**

Job descriptions are designed to identify typical functions generically descriptive of the work performed in like positions. Each job description shall contain a title, department, supervisor, purpose and essential functions.

Each employee will be assigned to a regularly scheduled work week in accordance with established policy.

Notification of available positions shall be made to enable employees to be considered for new or vacant positions. When applicable, position openings will be posted so current employees receive consideration for employment. Employees must complete their probationary period prior to being considered for available positions.

The Superintendent may appoint Assistant Superintendents, Executives and such other personnel as may be necessary. The Superintendent shall confer with their Executive Leadership Team prior to appointing internal candidates to vacated positions. The Superintendent will ensure that personnel appointed to vacant positions meet the qualifications established for the position(s) and any applicable certification requirements. The Superintendent shall uphold the agency's commitment to racial equity and nondiscrimination.

### **Proactive Approach for Navigating and Avoiding Potential Conflicts of Interest in Employment**

Puget Sound Educational Service District is committed to a work environment that is collegial, bias-free, respectful, and free from relationships that cause a real or perceived conflict of interest. No district employee will engage in or have a direct financial interest in any activity which conflicts with his/her duties and responsibilities. Further, no district employee may employ or use any person, money, or school property under the employee's official supervision, control or direction for the private gain of that employee or another, control or direction for the private gain of that employee or another.

#### **Workplace Relationships Among Relatives**

A variety of affiliations and relationships may also cause potential conflicts of interest including family members working together or close personal relationships between co-workers. No relative of an employee shall be shown preference for employment in either a temporary or regular position. No employee will be placed in a position wherein direct administrative or supervisory authority or influence is exercised by a close relative or by any other. A close relative is defined as a parent, sibling, spouse/domestic partner, child, mother/father-in-law, or brother/sister-in-law. In some cases, a concern over conflict of interest may arise involving other close relatives - such as aunts, uncles, cousins, or relatives by marriage.

In any case, when employees are unsure about a potential conflict because of family relationships that can develop in the workplace, they should fully disclose the circumstances in writing to their supervisor.

If a situation arises in which one family member has influence over another family member's conditions of employment, the following should occur:

- one employee may apply to transfer to another area of work; or
- the reporting structure in the department may be revised so that one employee no longer has direct influence over the other employee's conditions of employment.

### **Close Personal Relationships**

Personal relationships (including romantic and/or sexual) between individuals in inherently unequal positions, where one individual has real or perceived authority over the other in their professional roles, may be inappropriate in the workplace and are strongly discouraged. This applies to employees, contractors, job applicants, and students and includes anyone who holds a position of authority or perceived authority over another individual. Authority or influence within the work environment may result from actual supervision, or mentoring, reviewing, advising, evaluating, teaching, or personal relationships with external partners where a real or perceived power imbalance exists.

If such a relationship exists or develops, even if it is consensual, it must be disclosed. This excludes relationships where one party does not have real or perceived authority or influence over the other's condition of employment or the ability to directly impact the other's career progression.

Disclosure of such relationships creates a transparent and equitable environment that ensures the PSESD mission is met with mutual professional respect and accountability while also maintaining public trust and avoiding conflict of interest. Disclosure of a relationship that potentially can cause a real or perceived conflict of interest must be made to the program executive, who will partner with Human Resources to address. Confidentiality will be maintained to the extent it is practical and reasonable. A failure to disclose a relationship that can cause a real or perceived conflict of interest may result in disciplinary action.

Appropriate action upon disclosure will depend on the facts of the situation. The employees involved are expected to work cooperatively with Human Resources to achieve a resolution. Actions to resolve the situation may include, but are not limited to:

- Reassignment of one party to sever the supervisory relationship
- Recusal of the supervisor or individual in the position of authority or perceived authority from all official matters affecting, or appearing to affect, the subordinate
- Administrative inquiry into the matter to determine if any inappropriate action(s) occurred as a result of the relationship, which could result in administrative action, including disciplinary action. Such findings may also be considered when making administrative decisions to include staffing arrangements and resources.

When relationships develop into situations that may be viewed as harassment or discrimination regardless of the relationship, employees should contact the Executive Director, Human Resources who serves as the agency's Compliance Officer.

Adopted: September 1979  
Revised: September 1980  
Revised: July 1986  
Revised: May 1994  
Revised: February 2014  
Revised: October 2023

Relevant PSESD Board Governance Policies: EL 4 Treatment of Staff

Cross References:     Operating Policy No. 1000 Nondiscrimination  
                          Operating Policy No. 5010 Nondiscrimination and Affirmative Action  
                          Operating Policy No. 1010 Racial Equity  
                          Operating Policy No. 5420 Telework  
                          Operating Policy No. 1020 Prevention of Harassment, Intimidation and  
                          Bullying  
                          Operating Procedure 1020P Prevention of Harassment, Intimidation and  
                          Bullying  
                          Operating Policy No. 3205 Sexual Harassment of Students Prohibited  
                          Operating Policy No. 3207 Prohibition of Harassment, Intimidation and  
                          Bullying - Students  
                          Operating Policy No. 5011 Sexual Harassment of District Staff Prohibited  
                          Operating Policy No. 5211 Conflict of Interest and Outside Employment

Legal References:     RCW 28A.310.250 Certificated employees of district — Contracts of  
                          employment — Nonrenewal of contracts — Notice.