

RESOLUTION NO. 105

WHEREAS, THE CITY COUNCIL HAS BEEN CONSIDERING THE ESTABLISHMENT OF CERTAIN PERSONNEL POLICIES FOR THE CITY EMPLOYEES AND IT IS DEEMED NECESSARY AND DESIRABLE TO MAKE THE SAME AVAILABLE IN WRITTEN FORM FOLLOWING THEIR APPROVAL; AND

WHEREAS, THE COUNCIL, BY THIS RESOLUTION, DESIRES TO ADOPT PERSONNEL RULES AND POLICIES, SUBJECT TO SUCH CHANGE AS MIGHT HERE-AFTER BE MADE,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BROOKINGS, IN REGULAR SESSION THIS 14TH DAY OF JULY, 1964, THAT THE FOLLOWING PERSONNEL RULES AND REGULATIONS BE AND THE SAME HEREBY ARE ADOPTED FOR THE CITY OF BROOKINGS, SUBJECT TO BEING HEREAFTER AMENDED BY ACTION OF THE COUNCIL:

PERSONNEL RULES AND REGULATIONS

I. EMPLOYMENT

ALL NEW EMPLOYEES ARE TO COMPLETE A SIX MONTH PROBATIONARY PERIOD OF SATISFACTORY SERVICE BEFORE BECOMING PERMANENT EMPLOYEES.

EACH DEPARTMENT HEAD IS RESPONSIBLE FOR RECRUITING AND EMPLOYMENT OF EMPLOYEES WITH THE COUNCIL AND MAYOR'S APPROVAL.

WHILE IT IS NOT MANDATORY THAT ALL EMPLOYEES RESIDE WITHIN THE CITY, PREFERENCE IN HIRING NEW EMPLOYEES WILL BE GIVEN TO THOSE WHO LIVE WITHIN THE CITY LIMITS OF THE CITY OF BROOKINGS.

A CONDITION OF EMPLOYMENT IS THAT THE APPLICANT MUST EITHER BE A CITIZEN OF THE UNITED STATES OR HAVE AN APPLICATION ON FILE FOR CITIZENSHIP.

II HOLIDAYS

BOTH PERMANENT AND PROBATIONARY EMPLOYEES ARE ALLOWED THE LEGAL HOLIDAYS PROVIDED BY STATE STATUTES.

WHENEVER A HOLIDAY FALLS ON SUNDAY, THE FOLLOWING MONDAY SHALL BE CONSIDERED A HOLIDAY.

HOLIDAYS WHICH OCCUR DURING AN EMPLOYEE'S VACATION OR SICK LEAVE SHALL NOT BE CHARGED AGAINST SUCH LEAVE.

III. VACATION OR ANNUAL LEAVE.

VACATION LEAVE SHALL ACCRUE AT THE RATE OF ONE DAY EACH MONTH.

EMPLOYEES WITH MORE THAN FIVE YEARS CONTINUOUS SERVICE SHALL ACCRUE LEAVE AT THE RATE OF $5/4$ OF A DAY EACH MONTH. (THREE WEEKS PER YEAR.)

CONTINUOUS SERVICE SHALL INCLUDE ABSENCES DUE TO MILITARY SERVICE OR EXTENDED LEAVES WHICH HAVE BEEN APPROVED BY THE MAYOR AND THE COUNCIL.

NEW EMPLOYEES WILL NOT BE PERMITTED TO USE LEAVE DURING THEIR SIX MONTHS PROBATIONARY PERIOD. HOWEVER, LEAVE WILL ACCRUE FROM THE BEGINNING OF EMPLOYMENT. VACATIONS ARE TO BE TAKEN DURING THE YEAR IN WHICH THEY ARE ACCRUED AND MAY NOT BE CARRIED OVER TO THE FOLLOWING YEAR WITHOUT PRIOR WRITTEN APPROVAL OF THE DEPARTMENT HEAD AND THE MAYOR.

IV. SICK LEAVE

SICK LEAVE WILL ACCRUE AT THE RATE OF TWELVE DAYS PER YEAR AND MAY ACCUMULATE TO A MAXIMUM OF SIXTY DAYS. NEW EMPLOYEES WILL ACCRUE SICK LEAVE FROM THE DATE OF EMPLOYMENT. HOWEVER, SICK LEAVE CANNOT BE USED UNTIL EMPLOYEE HAS COMPLETED HIS SIX MONTHS PROBATIONARY PERIOD.

IT IS PROVIDED SICK LEAVE WILL BE AUTHORIZED ONLY FOR THE SICKNESS OF THE EMPLOYEE.

THE EMPLOYEE MAY BE REQUIRED BY THE DEPARTMENT HEAD TO SUBMIT A STATEMENT FROM THE EMPLOYEE'S PHYSICIAN ATTESTING TO HIS REASON FOR ABSENCE. IN THE EVENT OF FAILURE OR REFUSAL TO SUPPLY SUCH STATEMENT OR CERTIFICATE, THE EMPLOYEE WILL FORFEIT ANY SICK LEAVE REQUESTED AND MAY BE TERMINATED AT THE DISCRETION OF THE DEPARTMENT HEAD WITH THE APPROVAL OF THE MAYOR AND COUNCIL.

V. OTHER LEAVE.

LEAVE FOR JURY DUTY, FUNERAL ATTENDANCE OR OTHER EMERGENCIES MAY BE ALLOWED AS DETERMINED BY THE DEPARTMENT HEAD, IF PRIOR APPROVAL IS OBTAINED FROM THE MAYOR.

VI. LAYOFF.

1. THE DEPARTMENT HEAD, WITH THE MAYOR'S AND COUNCIL'S APPROVAL, MAY LAY OFF AN EMPLOYEE ON ACCOUNT OF LACK OF WORK OR FUNDS.

2. THE ORDER OF LAYOFF SHALL BE DETERMINED ON THE BASIS OF THE ADMINISTRATIVE NEEDS OF THE CITY, WITH CONSIDERATION GIVEN TO BOTH THE SENIORITY AND MERIT OF THE PERSONS CONSIDERED FOR LAYOFF, AND EMERGENCY

AND PROVISIONAL EMPLOYEES IN A CLASS OF POSITION SHALL BE LAID OFF BEFORE OTHER PERSONS IN THE SAME CLASS OF POSITION.

3. TWO WEEKS BEFORE THE EFFECTIVE DATE OF THE LAYOFF OF AN EMPLOYEE THE DEPARTMENT HEAD SHALL NOTIFY THE EMPLOYEE OF THE LAYOFF, EXPLAIN TO HIM THE REASONS THEREFOR AND CERTIFY WHETHER HIS SERVICE HAS BEEN SATISFACTORY. A COPY OF THE NOTICE SHALL BE RETAINED IN THE EMPLOYEE'S PERSONNEL FILE.

4. AN EMPLOYEE WHO HAS GIVEN SATISFACTORY SERVICE AND WHO IS LAID OFF SHALL BE ELIGIBLE FOR RE-EMPLOYMENT IN OTHER POSITIONS WHICH REQUIRE BASICALLY THE SAME QUALIFICATIONS AND INVOLVE BASICALLY THE SAME DUTIES AND RESPONSIBILITIES AS THE POSITION FROM WHICH HE IS LAID OFF.

VII. REINSTATEMENT.

THE DEPARTMENT HEAD WITH THE APPROVAL OF THE MAYOR AND COUNCIL, MAY REINSTATE ANY FORMER EMPLOYEE WHO HAS RESIGNED FROM THAT SERVICE WITH A GOOD RECORD OR WHO HAS BEEN LAID OFF FROM IT ON ACCOUNT OF LACK OF WORK OR FUNDS.

VIII. RESIGNATION.

1. AN EMPLOYEE SHALL BE REGARDED AS HAVING RESIGNED HIS POSITION

(A) IF HE FAILS TO REPORT FOR DUTY AND, WHILE ABLE TO NOTIFY HIS IMMEDIATE SUPERIOR OF THE REASON FOR HIS ABSENCE, FAILS TO DO SO FOR TWO WORKING DAYS, OR

(B) IF HE FAILS TO REPORT FOR DUTY UPON THE EXPIRATION OF A LEAVE OF ABSENCE THAT HE HAS TAKEN.

2. AN EMPLOYEE SHALL, IN ORDER TO RESIGN IN GOOD STANDING, GIVE THE CITY WRITTEN NOTICE OF THE RESIGNATION AT LEAST TWO WEEKS BEFORE THE DATE IT IS TO TAKE EFFECT, UNLESS, BECAUSE OF EXTENUATING CIRCUMSTANCES, THE MAYOR AGREES IN WRITING TO A SHORTER NOTICE.

3. A RESIGNATION MADE WITHOUT THE NOTICE REQUIRED BY THESE RULES MAY BE REGARDED AS CAUSE FOR DENYING THE RESIGNING EMPLOYEE FUTURE EMPLOYMENT BY THE CITY.

4. AN EMPLOYEE'S RESIGNATION AND THE CIRCUMSTANCES PERTINENT TO IT SHALL BE RECORDED IN HIS PERSONNEL FILE.

IX. OUTSIDE EMPLOYMENT.

PERMISSION FOR AN EMPLOYEE TO WORK AT OUTSIDE EMPLOYMENT WHILE AN EMPLOYEE OF THE CITY OF BROOKINGS MAY BE GRANTED BY THE MAYOR AND COUNCIL UNDER THE FOLLOWING CONDITIONS;

- (A) EMPLOYMENT MUST BE COMPATIBLE WITH THE EMPLOYEE'S CITY WORK.
- (B) IN NO WAY DETRACT FROM THE EFFICIENCY OF THE EMPLOYEE IN HIS CITY RESPONSIBILITIES.
- (C) IN NO WAY CONFLICT WITH THE INTEREST OF THE CITY OR BE A DESCREDIT TO THE CITY.
- (D) IF IT DOES NOT CONFLICT WITH THE DUTIES OF PERSONS WHO ARE ON EMERGENCY CALLS.
- (E) IF THE PROPOSED WORK DOES NOT ADVERSELY EFFECT THE CITY'S PUBLIC RELATION BY SERIOUSLY COMPETING WITH OTHER TAXPAYERS EMPLOYMENT OPPORTUNITIES.
- (F) IF IT IS CLEARLY UNDERSTOOD THAT IN ANY SITUATION WHERE EXTRA DUTY WOULD BE NECESSARY IN HIS CITY WORK THAT SUCH EXTRA DUTY WILL BE IN PREFERENCE TO HIS OUTSIDE WORK AND THAT SUCH EXTRA DUTY HOURS WILL NOT CONFLICT WITH HIS OUTSIDE WORK.

X. COMPENSATION

IN THE FIXING OF COMPENSATION FOR EACH POSITION IN THE CITY CONSIDERATION SHALL BE GIVEN TO

- (A) THE RESPONSIBILITIES AND NATURE OF WORK OF THE PERSONS OCCUPYING POSITIONS,
- (B) THE ~~COST~~-OF-LIVING INDEX OF THE UNITED STATES BUREAU OF LABOR STATISTICS,
- (C) WAGES AND SALARIES PAID BY PRIVATE EMPLOYERS, BY OTHER GOVERNMENTAL UNITS AND AGENCIES AND BY THE CITY IN OTHER CLASSES OF POSITION IN THE SAME SERVICE,
- (D) THE PRINCIPLE KNOWN AS "EQUAL PAY FOR EQUAL WORK".
- (E) UNUSUAL PROBLEMS OF RECRUITMENT AND TURNOVER IN POSITIONS IN THE CLASS, AND
- (F) OTHER FACTORS RELEVANT TO WHAT IS FAIR COMPENSATION FOR THE CLASS.

XI. HOURS OF WORK

EXCEPT AS THE COUNCIL REQUIRES TO THE CONTRARY, ALL OFFICES OF THE CITY SHALL BE OPEN FOR BUSINESS FROM 8:30 A. M. UNTIL 4:30 P. M. ON ALL DAYS EXCEPT SATURDAYS, SUNDAYS AND LEGAL HOLIDAYS. EMPLOYEES IN THE CITY SERVICE SHALL, EXCEPT AS THESE RULES PROVIDE TO THE CONTRARY, WORK AT LEAST 40 HOURS PER WEEK. AN EMPLOYEE WHOSE DUTIES REQUIRE AN IRREGULAR WORK SCHEDULE SHALL WORK ACCORDING TO A SCHEDULE RECOMMENDED BY HIS SUPERVISOR AND APPROVED BY THE MAYOR AND COUNCIL.

XII. OVERTIME

1. OVERTIME SHALL BE WORK ADDITIONAL TO REGULARLY SCHEDULED WORK AND APPROVED IN ADVANCE BY THE MAYOR AND COUNCIL.
2. OVERTIME SHALL BE KEPT AT THE MINIMUM CONSISTENT WITH MAINTENANCE OF ESSENTIAL CITY SERVICE.
3. COMPENSATION FOR OVERTIME SHALL BE COMPENSATORY TIME-AND-ONE-HALF OFF OR WHERE AUTHORIZED BY THE MAYOR AND COUNCIL; PAYMENT AT THE RATE OF TIME-AND-ONE-HALF. THE TIME OFF MAY NOT BE TAKEN LATER THAN ONE MONTH AFTER IT HAS BEEN EARNED AND CANNOT BE ACCUMULATED AND APPLIED ON VACATION TIME.
4. ON THE BASIS OF THE NATURE OF WORK IN A CLASS OR CONDITIONS OF EMPLOYMENT THE MAYOR AND COUNCIL MAY DENY EMPLOYEES COMPENSATION FOR OVERTIME.

XIII. ATTENDANCE TO DUTY.

1. ALL EMPLOYEES OF THE CITY SHALL BE ON DUTY AT THE TIMES INDICATED BY THESE RULES REGARDING HOURS AND DAYS OF WORK AND LEAVE.
2. AN EMPLOYEE WHO IS ABSENT WITHOUT LEAVE AND WHO FAILS TO RETURN TO DUTY WITHIN 24 HOURS AFTER RECEIVING NOTICE TO DO SO SHALL BE DEEMED TO HAVE RESIGNED HIS POSITION.

XIV. POLITICAL ACTIVITY.

AN EMPLOYEE'S JOB WITH THE CITY INCLUDES GIVING THE BEST SERVICE TO CITY RESIDENTS. THE POLITICAL OPINIONS OR AFFILIATIONS OF ANY CITIZEN MUST NOT HAVE ANY EFFECT ON THE QUALITY OR QUANTITY OF THIS SERVICE. AN EMPLOYEE'S POLITICAL AFFILIATION OR PREFERENCE WILL HAVE NO EFFECT ON HIS BEING HIRED OR RETAINED AS AN EMPLOYEE OF THE CITY.

THERE IS NO RESTRICTION UPON A CITY EMPLOYEE WITH RESPECT TO HIS ENGAGING IN POLITICAL ACTIVITIES SO LONG AS HE CONFINES SUCH ACTIVITY TO HIS NON-WORKING HOURS AND SO LONG AS SUCH ACTIVITIES DO NOT REFLECT DISCREDIT UPON THE CITY GOVERNMENT.

NO EMPLOYEE SHALL USE HIS OFFICIAL POSITION, UNIFORM OR OFFICE IN THE FURTHERANCE OF ANY POLITICAL ACTIVITY IN WHICH HE MAY PARTICIPATE.

XV. PEDDLING OR SOLICITATIONS.

NO PEDDLING, SOLICITATION OR SALES OF SERVICES OR MERCHANDISE WILL BE ALLOWED AMONG EMPLOYEES DURING WORKING HOURS. THIS SAME PROHIBITION WILL APPLY TO SALESMEN AND PEDDLERS VISITING WITHIN CITY DEPARTMENTS DURING WORKING HOURS, UNLESS SUCH SALES ARE INTENDED FOR CITY USE AND SUCH CONTACTS ARE MADE WITH AUTHORIZED REPRESENTATIVES OF THE CITY.

XVI. GIFTS OR TIPS.

AN EMPLOYEE'S SALARY AND AUTHORIZED MILEAGE REIMBURSEMENT ARE THE ONLY PAYMENTS WHICH ARE ALLOWED FOR PROVIDING SERVICES BY THE CITY OF BROOKINGS. THE SERVICES TO THE PUBLIC WHICH THE CITY PROVIDES ARE THOSE WHICH CANNOT BE EFFECTIVELY ADMINISTERED IF ANY EMPLOYEE ACCEPTS PERSONAL REWARDS, GIFTS OR OTHER SPECIAL FAVORS FROM THOSE WITH WHOM HE HAS CONTACT THROUGH HIS JOB WITH THE CITY. BEFORE ANY GIFT IS ACCEPTED BY AN EMPLOYEE HE MUST HAVE THE WRITTEN APPROVAL OF THE MAYOR AND THE COUNCIL.

XVII. CAUSE FOR DISMISSAL.

1. A PERMANENT EMPLOYEE MAY BE DISCHARGED AT ANY TIME FOR JUST CAUSE UPON NOTIFICATION BY THE DEPARTMENT HEAD AS APPROVED BY THE MAYOR AND COUNCIL. IN SUCH CASES THE REASONS FOR DISMISSAL WILL BE STATED IN WRITING TO THE EMPLOYEE. A PERMANENT EMPLOYEE MAY BE DISMISSED FOR ANY OF THE FOLLOWING REASONS OR FOR ANY REASONS OF EQUAL SEVERITY:

(A) VIOLATION OF A LAWFUL DUTY, INSUBORDINATION OR BREACH IN DISCIPLINE.

(B) OBVIOUS NEGLIGENCE OR MISCONDUCT CAUSING DAMAGE TO OR WASTE OF PUBLIC SUPPLIES OR FACILITIES.

(C) ABSENCE FROM DUTY WITHOUT LEAVE.

(D) CHRONIC PHYSICAL OR MENTAL AILMENT.

(E) ABUSIVE LANGUAGE OR CONDUCT.

(F) INCOMPETENCE.

(G) CONVICTION OF A CRIMINAL OFFENSE INVOLVING MORAL INTEGRITY.

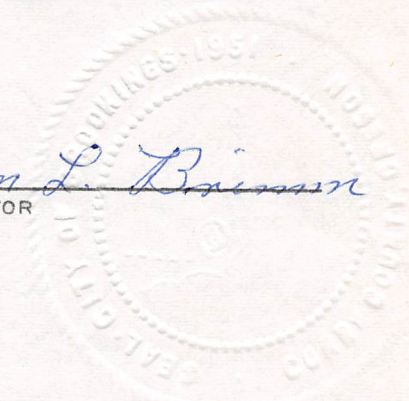
(H) PERSONAL ACCEPTANCE OF A FEE, GIFT OR OTHER VALUABLE THING
IN THE COURSE OF HIS WORK FOR THE CITY WITHOUT PRIOR AUTHORIZATION BY
THE MAYOR AND THE COUNCIL.

(I) FAILURE TO REASONABLY PROVIDE FOR PAYMENT OF PERSONAL DEBTS.

2. A PROBATIONARY EMPLOYEE MAY BE DISCHARGED AT ANY TIME DURING THE
FIRST SIX MONTHS OF HIS EMPLOYMENT BY THE CITY WITHOUT GIVING ANY REASON,
EITHER ORAL OR WRITTEN, FOR HIS DISCHARGE.

ADOPTED BY THE COUNCIL OF THE CITY OF BROOKINGS, OREGON, THIS 14TH. DAY
OF JULY, 1964.

SUBMITTED TO AND APPROVED BY THE MAYOR OF THE CITY OF BROOKINGS, OREGON,
THIS 15TH. DAY OF JULY, 1964.


Byron L. Brimmer
MAYOR

ATTEST:

Don Page Smith
RECORDER-TREASURER