

RESOLUTION #775

A RESOLUTION OF THE CITY OF CANBY ADOPTING A PERSONNEL POLICY MANUAL FOR THE EFFICIENT AND EFFECTIVE MANAGEMENT OF MUNICIPAL EMPLOYEES.

WHEREAS, the best practices recommended by insurance and risk management professionals include the development and implementation of a set of policies to guide and protect both employees and managers in the course of their work; and

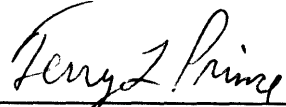
WHEREAS, such policies spell out service and behavioral expectations in order that all employees of the City have a common understanding of them; and beyond what is covered in bargaining agreements; and

WHEREAS, no portion of the personnel policy manual shall be in conflict with the provisions of any current bargaining agreement; now therefore

BE IT RESOLVED that the Personnel Policy Manual of the City of Canby, attached hereto as Exhibit "A", is hereby adopted and implemented by the Canby City Council.

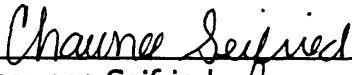
This resolution shall take effect February 20, 2002.

ADOPTED this 20th day of February, 2002, by the Canby City Council.



Terry L Prince, Mayor

ATTEST:



Chaunee Seifried,
City Recorder, Pro-Tem

Personnel Policies



These personnel policies and procedures are designed to inform all employees of the day-to-day administrative working of the City.

They are also meant to provide employees with an understanding of what is expected of them and to provide consistent, fair and uniform treatment to all.

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City Of Canby

10.0 General Purpose

These personnel policies and procedures are enacted by the City of Canby and are designed to inform any employees of the day-to-day administrative working of the City. They are also meant to provide employees with an understanding of what is expected of them and to provide consistent, fair and uniform treatment to all. The rules and procedures contained herein shall apply to all City of Canby employees. Where the provisions of a collective bargaining agreement with the City differ from these rules, the language in the bargaining agreement shall prevail.

In the event of the amendment of any ordinance, rule, or law incorporated in this document or upon which these provisions rely, these rules shall be deemed amended in conformance with those changes.

The City reserves the right to change any of these policies and procedures at any time. Although it is the City's policy not to terminate the employment relationship with the City unless it has just cause to do so, these policies and procedures do not and are not intended to constitute a contract of employment or a promise or guarantee of specific treatment in specific situations.

THE CITY SPECIFICALLY RESERVES THE RIGHT TO REPEAL, MODIFY OR AMEND THESE POLICIES AT ANY TIME, WITH OR WITHOUT NOTICE. NONE OF THESE PROVISIONS SHALL BE DEEMED TO CREATE A VESTED CONTRACTUAL RIGHT IN ANY EMPLOYEE NOR TO LIMIT THE POWER OF THE CITY ADMINISTRATOR OR COUNCIL TO REPEAL OR MODIFY THESE RULES. THE POLICIES ARE NOT TO BE INTERPRETED AS PROMISES OF SPECIFIC TREATMENT.

AUTHORITY AND RESPONSIBILITY

The Mayor and the City Council shall have authority over all matters of personnel policy through adoption and implementation of the City budget, pay plans, collective bargaining agreements, and ordinances and resolutions adopting and/or amending the personnel rules and regulations.

The City Administrator may interpret the language of the rules and regulations in any case where interpretation is in question, and may specifically delegate the authority for the enforcement of these rules and regulations.

The City Administrator shall be responsible for ensuring the effective implementation of these rules and regulations and may further establish, amend or otherwise modify these rules and regulations pursuant to City Council policies. The City Administrator shall advise the City Council on any changes concerning these rules and regulations.

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10.1 Employment Relationship

Unless subject to collective bargaining agreements, employment with the City of Canby is voluntary, or "At Will" on the part of both parties. Either the employee or the City may terminate the employment relationship at any time, subject to the terms and conditions set forth by the respective collective bargaining agreements.

State Policy: 40.060.01 At Will Employment
(REFERENCE: ORS 240.145(3); 240.205; 240.240)

No one in the organization has the authority to enter into any employment agreement contrary to the provisions outlined in the handbook and it cannot be altered except in writing and signed by the City Council, City Administrator, and the employee. The City of Canby is not bound by any oral promises concerning your length of employment.

City Of Canby

11.0 Code of Ethics for City Employees

City employees have a special responsibility to act on behalf of the public good and to ensure that the public's trust in government is respected. Public service requires a continual effort on behalf of employees to guard against conduct that is not only illegal but also conduct that could appear inappropriate to a reasonable observer even if the conduct is not against the law. Just because an action is legal doesn't necessarily mean it is right or good. Conduct that could appear dishonest to an observer will undermine the public trust even if the conduct is not illegal. The code of ethics is intended to convey the general expectations of what is considered to be appropriate conduct for a City of Canby employee.

City employees shall not serve on City policy boards or committees except as specifically provided by ordinance or as required as part of his/her official City duties. City employees may not use City time to participate in matters of personal interest. When giving testimony unrelated to his/her assigned City responsibilities, City employees should recognize themselves as private citizens and not use information or facts that have come to them by virtue of his/her employment and are not subject to disclosure to the public. In matters of personal interest, employees should conduct themselves so as not to impair their working relationship with other employees or with public officials.

In general, City employees are encouraged to not accept personal gifts. However, State law does provide certain guidelines for the receipt of gifts as a public employee and the City of Canby will comply with those standards. Pursuant to ORS (Oregon Revised Statutes) Chapter 244, Government Standards and Practices, the following restrictions apply to the acceptance of gifts or gratuities:

- City employees may receive food, lodging and travel when participating in an event which is related to the employee's official position and when the employee is appearing in his/her official capacity. Food and/or beverages consumed by the employee in the presence of the purchaser or provider is acceptable.
- Receiving entertainment gifts is acceptable only a) when the entertainment is experienced in the presence of the provider, and b) when the value of the entertainment does not exceed \$100 per person on a single occasion and is not greater than \$250 in any one calendar year.
- Gifts exchanged between co-workers for occasions such as birthdays and holidays are not prohibited. Gifts for employees' awards, volunteers and community cooperation are also allowed.
- Employees shall not accept any special favors, gifts, or gratuities resulting from or related to employment with the City unless otherwise specified in this policy. In this regard, the appearance of impropriety can be as damaging as actual impropriety and is equally to be avoided.
- Department Heads may allow acceptance of nonmonetary gifts of nominal value (e.g., under \$100) at holidays or special occasions that are available to be shared by all employees in a nonbiased or nondiscriminatory manner or on behalf of an area nonprofit public service agency.

Any person who observes unlawful or improper action(s) by a City employee is expected to report them. The matter should be reported to the employee's immediate supervisor. If the supervisor appears to be involved in the improper action, the report can be made to the department director, City Administrator or City Attorney.

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12.0 Conduct and Appearance of City Employees

The City of Canby is committed to providing efficient, courteous, friendly service to its citizens consistent with its mission statement and embodying the highest standards of public service. Each employee in his or her position represents the City to the public; therefore, it is the obligation of every employee to be safe, courteous, friendly and efficient in the performance of his/her duties, to treat all those encountered in the course of work professionally and with dignity, and to present a well-groomed personal appearance and dress consistent with his/her job assignment.

The City of Canby is also committed to promoting a work environment based on mutual trust, acceptance, productivity and respect for the dignity of every member of the City staff. We are committed to opposing behavior that detracts from the ability of each employee to perform at his/her highest level to fulfill the mission of the City. Employees have the responsibility of working cooperatively with co-workers to create and maintain a positive work environment. This includes respecting the individual rights of others.

Employees of the City of Canby shall maintain the ethical standards required of a public employee, and shall insure that off-the-job conduct does not impair their effectiveness on the job. The expected standard of conduct for all employees in the City service shall be in the public interest as opposed to individual interest. In addition, each employee shall exhibit care and responsibility with public property and shall strive to reduce costs of materials and services in the performance of his/her duties.

The continued employment of every employee shall be conditional upon good behavior and satisfactory performance of duties. Examples of appropriate behavior in the workplace include, but are not limited to: 1) presenting a cooperative and professional image 2) treating others with respect 3) working effectively with others and functioning as part of a team 4) being flexible to accept changes in a positive manner, and 5) communicating effectively in a constructive, respectful manner including the proper use of tone and volume.

Failure to meet the expected standards of conduct and appearance may be grounds for disciplinary action, up to and including termination. Causes for disciplinary action include, but are not limited to, the following:

- Improper use of an employee's position for personal gain;
- Inefficiency or incompetence;
- Neglect of duty or negligence of duty causing risk of personal injury to the employee or any other employee or a member of the public or causing risk of

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Conduct and Appearance of City Employees (Continued)

- damage to property;
- Insubordination and/or discourteous treatment of a Supervisor, Department Director, City Administrator, City Councilor, the public or a fellow employee;
- Gambling for items of value during working hours or on City premises, including participating in internal pools or wagers;
- Solicitation of a contribution, response or action in the name of the City designed to further a political or charitable cause while on duty;
- Acceptance of gratuities or gifts in violation of State ethics laws or City policy;
- Theft of, damage to, negligence or improper or unauthorized use of City vehicles, equipment or property;
- The use of intoxicants or illegal use, possession, distribution or sale of controlled substances on the job or on City premises or reporting for work under the influence of intoxicants or controlled substances;
- Habitual or excessive absence or tardiness or abuse of sick leave privileges;
- Absence from duty without authorization or failure to follow department notification procedures regarding absence or tardiness;
- Violation of safety rules or policies; damage to or negligence in the care and handling of City property;
- Conviction of a felony or conviction of any crime where the conviction would impair effectiveness as a City employee or bring discredit or reproach on the City or department involved;
- Dishonesty;
- Fraud in securing employment;
- Claim of sick leave under false pretenses or misuse of sick leave;
- Fighting or violence in the workplace or worksite;
- Possession of firearms or lethal weapons except for police officers and others authorized to carry firearms;
- Willful violation of any provision of City ordinances, rules or policies, or any provision of department/s rules and regulations;
- Other conduct unbecoming public service or reflecting discredit on the city or any department.
- Discipline of employees is subject to collective bargaining agreements and shall be in accordance with the terms and requirements of the respective agreements.

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13.0 Equal Employment Opportunity/ Non-Discrimination/Harassment

The City of Canby is an equal employment opportunity employer. The City employs, retains, promotes, terminates, and otherwise treats all employees and job applicants on the basis of merit, qualifications, and competence. This policy shall be applied without regard to any individual's sex, race, color, religion, national origin, age, marital status, or disability.

The City of Canby 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 essential duties and responsibilities of the job.

Employees with life threatening illnesses, such as cancer, heart disease, or AIDS/HIV conditions, or communicable diseases such as tuberculosis or influenza, are treated the same as all other employees. They are permitted to continue working so long as they are able to maintain an acceptable level of performance and medical evidence shows they are not a threat to themselves or their co-workers. The City will work to preserve the safety of all of its employees and reserves the right to reassign employees or take other job actions when a health or safety risk to fellow City employees or the public exists.

Harassment:

It is the policy of the City of Canby to promote and support the individual human dignity of all of its employees and to insure a positive work environment for all employees, free of any form of harassment. Harassment can interfere with the employee's work performance and can create an intimidating, hostile, or offensive atmosphere. The City regards harassment as a serious transgression. In response to a formal report of harassment, the City will seek to protect all parties involved from retaliation, false accusations, or future harassment, and where indicated, will take prompt and adequate remedial measures.

Definition:

1. Harassment includes unsolicited remarks, gestures or physical contact, display or circulation of written materials or pictures derogatory towards either gender or toward racial, ethnic or religious groups, or basing personnel decisions on an employee's response to such harassment.

City Of Canby

Equal Employment Opportunity/Non-Discrimination/Harassment (Continued)

2. Sexual harassment is defined as deliberate or repeated behavior of a sexual nature that is unwelcome. It can include verbal behaviors such as unwanted sexual comments, suggestions, jokes or pressure for sexual favors; non-verbal behavior such as pats or squeezes, or repeatedly brushing against someone's body.

Reporting Harassment:

1. Supervisors and managers are responsible to insure that harassment does not occur in their work areas. They are expected to treat any observed or reported incident of harassment as a potentially serious breach of City policy as well as a potential violation of the law.

2. An employee who feels harassed or is aware of harassment of another employee should report this to an immediate supervisor, department head, or the City Administrator immediately. The report may be informal or formal. A formal report shall include a written statement or a grievance under a labor agreement.

3. Should an issue of harassment be raised, all related matters will be kept confidential to the greatest extent possible throughout the investigation, counseling and disciplinary stages. Any department head receiving notice of harassment shall notify the City Administrator, who will direct an investigation and insure that the charge is resolved appropriately.

Response to Reports of Harassment:

1. Reports concerning harassment will be forwarded to the City Administrator unless there is an allegation against that person, and if so, then reports will be forwarded to the City Attorney. Whenever supervisory employees become aware of allegations of harassment, they will make a written record of allegations and will forward the record to the City in accordance with this policy.

2. Complaints and cases of harassment will be dealt with promptly. An employee who harasses another employee will be disciplined as in any other case of serious, illegal employee misconduct. Retaliation of any kind directed against an employee because that employee reported harassment is absolutely prohibited.

3. A supervisor or department head who receives a harassment complaint must take immediate and appropriate confidential corrective action, even before investigation, to insure that the behavior the complainant finds offensive is not repeated during investigation. This may include the separation of the accused employee from his or her accuser.

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Equal Employment Opportunity/Non-Discrimination/Harassment (Continued)

Investigation:

1. The City Administrator or the City Attorney will begin an investigation, if necessary. The first pre-investigation step shall be to inquire of all persons reporting as to whether the record now includes all allegations of harassment. The investigation will be conducted promptly on a priority basis.
2. The investigation will be directed at ascertaining the facts concerning the allegations. If, in the course of investigation, evidence of harassment involving other employees is found, the City shall initiate separate investigations.
3. If the complainant does not wish that further investigation or action be taken, he or she must so state in writing. The supervisor or department head that receives a complaint shall inform the complainant that a confidential written record must be kept if further investigation is done or disciplinary action taken.
4. The accused shall be advised of the allegations and afforded an opportunity to reply orally or in writing. The accused employee shall also be advised that any retaliatory conduct will be subject to separate disciplinary action.
5. The results of the investigation shall be reduced to writing. A finding shall be made that there is or is not reasonable cause for disciplinary action. The report will also include any recommendations to remedy any harm that was suffered by the victim/s.
6. Nothing in this section shall limit the authority of the City to modify policies or practices to correct any appearance of harassment without finding reasonable cause for disciplinary action or taking any disciplinary action.
7. Disciplinary action shall be in accordance with applicable collective bargaining agreements, if any.
8. All investigative materials shall be collected and kept in one file. The investigation file shall remain with the City Administrator. In the event that the investigation involves the City Administrator, then the file will reside with the City Attorney. The file shall be kept for as long as required by law.

City Of Canby

14.0 Job Attendance

In accordance with the City's commitment to provide the highest level of public service to its citizens, each employee is required to meet certain standards of attendance and punctuality. Continued employment carries with it the personal responsibility of each employee to be on the job on time every scheduled workday. Recurring and excessive absences and/or tardiness is disruptive to work schedules, costly to the City and its residents, and detrimental to the morale and efforts of employees who maintain a good work record. Employees who do not maintain a satisfactory record of attendance (i.e. failure to report for work) and punctuality will be subject to disciplinary procedures up to and including termination.

Hours of Work/Work Schedules

A work day and work week shall be established by the department director which is consistent with the law, collective bargaining agreements and operating needs of the department, and kept on file with the Payroll Division of the Finance Department. The standard schedule shall be either eight hours per day for a five-day week or ten hours a day for a four-day week; however, department directors may establish alternate or flexible work hours, work days or work weeks to accommodate the department's operating requirements. Alternate or flexible work schedules shall be established in writing and may be changed by the City Administrator for any reason. Employees working alternate schedules shall be held to the same standard of attendance and punctuality as those working a standard schedule.

Meal Periods/Rest Periods

Pursuant to State of Oregon Wage and Hour Law (OAR 839-20-030) all employees who work shifts of six or more hours are entitled to a meal period of not less than thirty (30) minutes and a rest period of not less than ten (10) minutes for every segment of four hours worked.

City of Canby employees are provided either thirty (30) minutes or one (1) hour per eight- (8) hour shift as a meal period depending on department operating needs. This time is unpaid as long as an employee is relieved of all duties. Any work to be performed during a lunch period must be approved in advance by the supervisor. If an employee performs any job duties during the meal period, the time shall be paid. In addition, City employees are provided a 15-minute rest period during each one-half shift. It is the responsibility of the immediate supervisor to ensure that all employees have meal/rest periods available to them that are appropriate to their department operations.

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Job Attendance (Continued)

Departments should consult any applicable collective bargaining agreements for variations to these policies.

Attendance/Punctuality

All employees are expected to report for work on every scheduled workday at their scheduled starting time, unless authorized for a different work schedule by their immediate supervisor. Employees shall comply with departmental notification procedures if unable to report for work on time or if an extraordinary circumstance occurs which will cause them to be absent. Excessive absence or habitual tardiness may be cause for disciplinary action. It shall be the responsibility of the department director in coordination with subordinate supervisors and managers to ensure that standards of attendance and punctuality are maintained within his/her department. Any employee who is absent from work for three or more days without authorization shall be considered to have abandoned his/her position and shall be assumed to have resigned. When mitigating circumstances are found to have existed at the time of the absence, the individual may be reinstated to their position at the sole discretion of the City Administrator.

Work Location

All employees shall report to their assigned work location every scheduled working day unless prior authorization is received from the immediate supervisor for an employee to work in or report to a different location

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City Of Canby

14.1 Employee Injuries, Return to Work Recommendations, and Light-Duty Work Questionnaires

When an employee injures himself or herself, it is important that the right paperwork is filled out in a timely manner. This protects both the employee and the City throughout the whole process.

When an employee injures himself or herself, and/or ends up going to the doctor the Department Head must:

1. Have the employee fill out a safety incident report for the Safety Committee
2. Make sure the employee goes to the doctor with a current job description and a Return to Work Recommendation Form. The employee should not come back to work without that form. The Return to Work Forms will be retained in the employee's medical file in the Payroll Department.
3. Have the employee fill out an 801 form. The 801 form protects the employee's right to worker's compensation coverage if the accident occurred in the course of his/her work for the City.

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RETURN TO WORK RECOMMENDATIONS

NOTE: Employee must bring job description to physician's office.

Patient's Name:	_____
Diagnosis:	_____

TO BE COMPLETED BY ATTENDING PHYSICIAN:

I saw and treated the above named employee on: _____

I have read the above named employee's job description: ☐ Yes ☐ No

☐ I recommend that this employee return to work, with no limitations, on _____

☐ The employee may return to work, but may perform his/her job duties with the limitations indicated below:

LIMITATIONS:

1. In an eight-hour day, the employee may engage in the following activities:

- | | | | | | | |
|----|------------|--------------------------|-----------|--------------------------|-----------|------------------------------------|
| a. | Stand/Walk | <input type="checkbox"/> | None | <input type="checkbox"/> | 1-4 Hours | |
| | | <input type="checkbox"/> | 4-6 Hours | <input type="checkbox"/> | 6-8 Hours | |
| b. | Sit | <input type="checkbox"/> | 1-3 Hours | <input type="checkbox"/> | 3-5 Hours | <input type="checkbox"/> 5-8 Hours |
| c. | Drive | <input type="checkbox"/> | 1-3 Hours | <input type="checkbox"/> | 3-5 Hours | <input type="checkbox"/> 5-8 Hours |

2. The employee may use his/her hands for the following repetitive movements:

- ☐ Single Grasping
- ☐ Pushing and Pulling
- ☐ Fine Manipulation

3. The employee may use his/her feet for repetitive movement, as in operating foot controls:

☐ Yes ☐ No

4. The employee is able to perform the following movements:

		Frequently	Occasionally	Not At All
A.	Bend	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B.	Squat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C.	Climb	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D.	Lift	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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- ☐ **Sedentary Work:**
The employee may occasionally lift a maximum of 10 pounds, and may carry such articles as docket, ledgers and small tools. The definition of sedentary work is that which involves sitting, but a certain amount of walking and standing is often necessary to carry out job duties. A job is sedentary if walking and standing are only occasionally necessary, and the other sedentary criteria are met.
- ☐ **Light Work:**
The employee may occasionally lift a maximum of 20 pounds, and may frequently lift or carry objects that weigh up to 10 pounds. These weights may appear negligible, but a job in this category can accommodate frequent walking or standing. The job still involves sitting most of the time, though some pushing and pulling of arm and leg controls is permissible.
- ☐ **Medium Work:**
The employee may occasionally lift a maximum of 50 pounds, and may frequently lift or carry objects that weigh up to 25 pounds.
- ☐ **Heavy Work:**
The employee may occasionally lift a maximum of 100 pounds, and may frequently lift or carry objects that weigh up to 50 pounds.
- ☐ **Very Heavy Work:**
The employee may occasionally lift objects that weigh more than 100 pounds, and may frequently lift or carry objects that weigh 50 pounds or more.

☐ The limitations and restrictions specified above are in effect until _____.

☐ The employee is totally incapacitated at this time. The employee will be reevaluated on _____.

Date _____

I hereby authorize my attending physician and/or hospital to release any information or copies thereof acquired in the course of my examination or treatment for the injury identified above, to my employer or his representative.

Date _____

City Of Canby

AUTHORIZATION TO RELEASE INFORMATION

I hereby authorize my attending physician and/or hospital to release any information or copies thereof acquired in the course of my examination or treatment to the City of Canby or to a representative of the City of Canby.

Patient's Signature

Address

City, State, Zip Code

Date Release Authorized

City Of Canby

15.0 Drug Free Workplace

The City of Canby recognizes that the use of drugs and alcohol which adversely affect job performance may constitute a serious threat to the health and safety of the public and employees and to the efficient delivery of City services. The use of illegal substances and abusive use of controlled substances by employees not only affect job performance, but decrease productivity, lower morale, and create a hazardous environment. City employees are expected and required to report to work on time and in appropriate mental and physical condition for work.

Pursuant to the Drug Free Workplace Act of 1988 and in response to the growing awareness of substance abuse, the manufacture, distribution, dispensation, possession, or use of unlawful drugs while on City premises or while conducting City business is strictly prohibited and will not be tolerated. Violations of this policy will result in (but will not be limited to) disciplinary action, up to and including termination. The following conduct is prohibited while on duty or on paid standby:

1. Unlawful buying, selling, transportation, possession, providing or use of drugs
2. Use of alcohol
3. Being under the influence of alcohol
4. Being under the influence of illegal drugs
5. Having a detectable odor of alcohol on the breath
6. Failure to report limitations or impairment caused by prescribed drugs or over the counter drugs

This policy is not intended to prohibit the safe and legal use of prescription and non-prescription medications. However, employees taking medication that may impede or otherwise affect their ability to safely and efficiently perform job assignments shall report the medication to their supervisor or Department Director immediately.

Employees needing help in dealing with substance abuse problems are encouraged to use the Employee Assistance Program and health insurance plans, as appropriate. It is the desire of the City to help these employees, while at the same time ensuring that they will not endanger themselves or other persons. However, violations of this policy will result in disciplinary action. Continued poor performance, or failure to successfully complete a rehabilitation program, are grounds for dismissal.

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Drug Free Workplace (Continued)

Employment with the City is conditional upon the employee's acceptance of the terms of this policy. As mandated by the Drug Free Workplace Act, any conviction for a violation of a criminal drug statute occurring in the workplace shall be reported to the City in writing no later than five calendar days after the conviction. Once a verifiable conviction is reported, the City will be required to notify the Federal Justice Department within ten days after receipt. Incumbents in positions covered by the Department of Transportation's Mandatory Drug and Alcohol Testing Regulations will also abide by those requirements

As part of the City's efforts to educate all employees about the potential personal and professional hazards of substance abuse, the City will provide an annual mandatory educational program. The City will provide a copy of the drug policy to all employees and include this policy in its orientation to new employees. Supervisors will also be trained to help employees recognize, document and handle performance-related issues including the potential for both prescription and non-prescription drugs to impair work performance. Additional information is available through the City's Employee Assistance Program or by contacting the Administration Office.

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15.1 Pre-Employment Drug Testing

The City of Canby, in a positive effort to provide a healthy and safe working environment for all its employees and the citizens of the community, requires a pre-employment drug screen. Finalists for City jobs must successfully pass the drug screen test as a final condition of the job offer. The confirmed presence of any illegal drug in a urine or blood sample will be cause for disqualifying an applicant. If an applicant is taking prescription medication, this must be substantiated by a physician's report or statement. The report should indicate whether or not the taking of these legal drugs will prevent or alter the person's ability to perform essential job duties. If the report indicates the person cannot perform essential job duties while under the influence of these prescribed legal drugs, this shall be grounds for disqualification.

15.2 Controlled Substances & Alcohol Use & Testing Program

Employees covered by the Federal Highway Administration (USDOT)

Reference-Appendix A:

Employee Acknowledgment Form and Information

Reference- Appendix B:

City of Canby Safety Handbook

City Of Canby

16.0 Union Rights

The City recognizes the following unions as the exclusive bargaining representative for the designated employees of the following bargaining units:

A. (Appendix C)

Local 350-6, Council 75
American Federation of State, County, and Municipal Employees
AFL-CIO

B. (Appendix D)

Police Union

All City employees have a right to belong to an appropriate bargaining unit unless they are exempt as defined by law, or exclusion by union contracts. Additional conditions of membership are described in each labor contract.

Each bargaining unit separately negotiates contracts for its employees with the City. Wages, benefits and conditions of employment of union employees will be provided as specified in the respective labor agreement. Employees are not granted regular time off with pay to perform union activities unless specifically provided for in the labor agreement (vacation, comp-time or personal holiday time can be used). City equipment and facilities are not to be used for union activity unless specifically provided for in the labor agreement or unless approved by the City Administrator.

City Of Canby

17.0 Personnel Records

The City Administrator, or the management person/confidential employee designated by the City Administrator, shall initiate and maintain a personnel file for each employee of the City. This collection of files shall be kept in the Administration Office. The personnel file will contain the employee's name; positions and departments to which the employee has been assigned while employed by the City; employment application materials; notification of employment; salary history; changes in employment status; performance, progress, and merit evaluations; training records; written disciplinary actions; written commendations; and any other pertinent information required to allow the City to comply with Federal, State, and other agency laws, rules, and regulations. Department Heads may maintain a separate training record for employees in their department. These training records shall be considered a part of the employee's personnel record.

Employee personnel records are confidential and shall be accessible only to the following persons/agencies:

- The Employee
- The City Administrator
- Confidential employees if any, designated by the City Administrator
- The Employee's Management Supervisor
- Federal, State, and other agency representatives that have lawful access to the records
- Legal counsel employed by the City

No portion of the employee's personnel file shall be made available to any other person than those listed above without the written consent of the employee or by order of a court of competent jurisdiction.

An employee may place pertinent and appropriate information in their personnel file with the approval of the City Administrator.

Any general inquiries regarding either current or former employees shall be limited to the following information, unless authorization has been given in writing by the employee involved:

- Verification of the individual's employment status with the City
- Verification of the employee's starting and ending date of employment
- Verification of the positions the employee has held while employed by the City
- Verification of the employee's salary range

An employee may obtain copies of any portion of their personnel file by making a written request to the City Administrator. The written request is then maintained in the personnel file.

City Of Canby

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Personnel Records (continued)

Administration:

1. Identification of information to be included in the employee's personnel file:
 - a. Permanent Documents. Documents retained in the folder throughout the association of an employee with the City:
 1. Employee application
 2. Job performance ratings and evaluations
 3. Personnel data card
 4. Personnel action forms
 - b. Temporary documents (Personnel). Documents which have limited retention of three (3) calendar years or less unless otherwise provided pursuant to labor agreement. Examples include:
 1. Administrative correspondence relating to leave/vacation requests.
 2. All other administrative documents of limited informational life span.
 3. Letters of appreciation, commendation, or discipline.
2. Items not included in the Official Personnel File and/or Official Finance Department records of the city may not be used for either promotional or disciplinary proceedings, unless the employee falsified time and information.
3. This policy will be periodically reviewed to ensure compatibility with current accepted personnel procedures.
4. These records are maintained during the tenure of the employee and for seven years after the employee leaves city employment.

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City Of Canby

18.0 Employment of Relatives

It is the policy of the City of Canby that two relatives may not be employed, or considered for employment whenever one person might have supervisory or management responsibilities affecting the other in such matters as wage and salary administration, employee evaluation, transfer, promotion, assignment of work, discipline, adjustment of grievances, or any other recommendations of personnel action, or whenever such employment is deemed by the City Administrator to be a conflict of interest.

For the purposes of this policy, relatives are defined as being an individual's spouse, mother, father, son, daughter, mother-in-law, father-in-law, grandfather, grandmother, stepson, stepdaughter, stepparent, sister, brother, sister-in-law, brother-in-law, uncle, aunt, niece, nephew, grandchild, or any other relative.

If any of these conditions exist the City will ask that one of the employees transfer to another position, provided openings exist for which he/she is qualified, or resign within 120 calendar days of the change in status. If the individuals involved do not agree as to who will resign, the City Administrator shall decide based on merit and the needs of the City.

19.0 Political Activities

City employees are free to express political views on their own time. Oregon law forbids any City employee, while on the job, to solicit money, influence, or anything of value or otherwise aiding and/or promote any political cause or the nomination or election of a person for public office. It is also inappropriate to use a City office or City equipment for political work even if an employee is doing so on his/her own time (i.e. at lunch). Nothing in this section is intended to restrict the political actions or activities of employees outside of their regular working hours or to prohibit the wearing of political insignia, campaign buttons or other passive expressions of political views during hours of employment.

A copy of the current "Restrictions on Political Campaigning by Public Employees" ORS 260.432, published by the State of Oregon, is maintained in the Finance Department.

City Of Canby

20.0 WORKERS' COMPENSATION CLAIMS

PURPOSE

It is everyone's responsibility within the City to make certain the work environment is safe. The City will make every effort to provide safe working conditions for our employees. The City of Canby observes the safety laws and regulations of the government bodies within whose jurisdiction we operate. However, no matter how careful everyone tries to be, there are going to be occasions when someone will receive an injury. It is very important that when this occurs the following policies are followed.

POLICY

Employee's Responsibility

The City of Canby is concerned about each employee and about complications that might later arise out of what, at first glance, may appear to be a very unimportant injury. Therefore, no matter how insignificant an injury may seem at the time of occurrence, you must notify your supervisor or City Administrator immediately and complete a "Safety Incident" form.

Supervisory Responsibility

Supervisors will investigate and document all reported injuries no matter how insignificant they may appear at the time on the "Safety Incident" form with a copy presented to the City Safety Committee. If the injury required medical treatment, the injury must be reported to our insurance carrier on an 801 form. The business office must have Form 801 within 24 hours of the incident.

Contact the City Administrator or Finance Director with any problems or questions.

The immediate supervisor and/or City Administrator must be kept informed of any facts relevant to each on-the-job injury.

City Of Canby

21.0 Media Relations Policy

1. Purpose

Relationships of trust and confidence with the news media community are extremely important to the fulfillment of the many missions of the City. Uninformed responses to news media inquiries can cause public confusion as well as damage to the City's programs. Inconsistent or hasty responses concerning developing issues affecting the City can detract seriously from the ability of the City and its individual professionals to complete their tasks in a professional manner. If the City Administrator is not informed promptly of issues that concern the City's business, it may become impossible to provide complete and timely information when inquiries are received.

2. Procedures

In view of the above considerations, the City's news media policy requires observance of the following procedures:

(a) The City's professionals are responsible for exercising judgment in the early identification of issues which are likely to generate public attention and news media interest. **At the earliest possible opportunity, professionals should call these matters to the attention of the City Administrator.** Inquiries from legislators or other government officials (local, state and national) are particularly important to identify.

(b) All City media contacts, **without exception**, that concern the operations of the City or the public responsibilities exercised by it must be reported promptly to the City Administrator. In most instances, it is appropriate to refer such inquiries directly to the City Administrator for initial coordinated response.

(c) If a request for an immediate interview is received, the person receiving the request should advise and consult with the City Administrator in advance of the interview whenever possible. Routine requests for information regarding on-going programs or projects would be the exception to this rule.

(d) No press releases may be issued under City letterhead under any circumstances without the prior express authorization of the City Administrator.

(e) Members of the bargaining units who are contacted by the media as officers or members of the union to speak on union issues, are not obligated to report such contact to the City Administrator. Furthermore, they may also grant an interview with the media regarding union issues without consulting with the City Administrator.

City Of Canby

22.0 EDUCATION/TRAINING

The City of Canby recognizes the value of allowing employees to participate in conferences, seminars, training, college courses, and meetings that will enhance the employee's ability to provide a high level of public service. City officials and employees should exercise good judgment, regard for economy, and recognition of proper use of public monies when selecting training, meetings, courses, conferences, etc. in connection with City business.

The City, according to the receipt of properly detailed expense forms and actual receipts, using the procedures and forms prescribed by the City, will pay expenditures incurred by the employee while participating in these activities. Attendance at training, meetings, courses, etc. must be approved in advance by the department director.

GENERAL GUIDELINES

- The term "training" as used in these policies is intended to include conferences, seminars, workshops or other professional development programs of a similar nature. The term "college courses" is used to describe coursework taken through an accredited college, university and/or business or technical school.
- The Education and Training policies are intended to apply only to programs that:
 - a) Enhance the employee's job performance, and
 - b) Serve as a beneficial retention tool.
- Training programs, not college courses, are intended for career development purposes. Supervisors need to be very clear regarding the expectations they may create regarding such things as future job opportunities with employees when reimbursing for training that is related to career development.
- Applicable collective bargaining agreements must be consulted for language specific to training and/or educational reimbursement policies.
- The City retains the right to determine the mode of transportation most economically appropriate to the type of travel involved.
- Employees shall be reimbursed actual expenses for hotel accommodations for approved travel. If a meal is provided as part of the program, it will not be reimbursed. Union employees, refer to bargaining agreements for information regarding reimbursement of meal expenses. Exempt employees will be reimbursed upon the presentation of receipts for reasonable expenses. Current forms are available in the Accounts Payable Department.

City Of Canby

EDUCATION AND TRAINING (CONTINUED)

- When an employee is required by the department head to use a personally owned vehicle for City business, the employee shall be compensated at the I.R.S. mileage rate known at the time. Expenses to be paid upon receipt upon presentation of actual, approved expense reports (complete with appropriate receipts)
- Expenses for telephone or other communication methods are reimbursable with department director approval only if they are directly related to City business and are supported by actual receipts.
- Any expenses for family members or other non-city employees who accompany the employee on a trip are not reimbursable.
- Expenses for tips should be included with the reported associated expenses.
- Expenses for public transportation (taxi, bus, rental car, etc.) are reimbursable if supported by actual receipts and approval by the department director. If the employee is using a City vehicle or rental car, necessary parking expenses, toll fees, etc. are reimbursable as approved by the director and supported by actual receipts, or documented by the employee in cases where no receipt is available.

City Of Canby

EDUCATION AND TRAINING (CONTINUED)

The following guidelines apply to training reimbursement:

- Department directors need to evaluate the value of the proposed training and whether that is the best way to acquire the information for the City.
- The City will pay for all expenses related to mandatory training programs as follows:
 - Mileage - per IRS for the personal use of automobiles.
 - Travel expenses - all expenses. Airport shuttles, taxis and parking fees will be paid as determined by the City Administrator.
 - Food - Meals provided as part of a program will not be reimbursed. Union employees, refer to bargaining agreements for information regarding reimbursement of meal expenses. Exempt employees will be reimbursed upon the presentation of receipts for reasonable expenses.
 - Employees shall be reimbursed actual expenses for hotel accommodations for approved travel.
- Travel time will be handled according to applicable collective bargaining agreements and/or City policy, state or federal law, as appropriate.
- When appropriate, employees may be asked to share/present information they have received from their training to others in the department.
- All arrangements for training will be made in the most cost and time-efficient manner as possible.
- Only expenses for the employee will be paid for.
- No reimbursement will be provided for alcoholic beverages.
- All books and materials paid for by the City of Canby will become the property of the City.

City Of Canby

EDUCATION AND TRAINING (CONTINUED)

COLLEGE COURSES

- The City does not intend to pay employees to obtain college degrees. Rather, it will reimburse for individual college courses only.
- The course must be related to the current job that the employee holds, as described in their current job classification description.
- Prior to an employee participating in a college course, which may include reimbursement by the City, the employee will be required to sign a written authorization to have any costs paid for by the City removed from their final paycheck, should they fail to comply with the reimbursement guidelines.
- The following reimbursement guidelines shall be enforced when an employee separates from the City service for any reason except involuntary dismissal:
 - a) If the separation occurs within one year of the completion date of the class, 100% of the amount of reimbursement will be deducted from the employee's final paycheck.
 - b) Department directors are responsible for monitoring these reimbursement requirements.

DUES AND MEMBERSHIPS

Payment for all or a portion of dues and memberships in professional organizations will be dependent on the employee's position, assignments, and the benefit to the department and the City, as determined by the department director.

City Of Canby

22.1 CITY OF CANBY TUITION ASSISTANCE POLICY

POLICY

Establishes a uniform process for education and training that will enhance the skills and knowledge of a regular full time employee. This policy is established to address those requests and requirements, and regulate costs as well as show a proper tuition assistance process and procedure.

DEPARTMENT REQUIREMENT

Each department director shall calculate his/her budget allotment for tuition assistance, and properly inform the employees of the amount of dollars available each fiscal year. Funds may not be approved that will go into the next fiscal year's budget.

DEFINITIONS

1. Reimbursement: Reimbursement is the replacement of funds spent on tuition and other recognized costs associated with attending prior approved training or educational courses.
2. Tuition: For this purpose, tuition is the cost of training and classes, including books and lab fees as required for completion of the training or class.
3. Other Training: Training required and scheduled by the department will be paid upon registration by the employer.

GUIDELINES

The city will reimburse for a prior approved course. A course which meets approval is one designated to directly improve the knowledge and skill of the employee relative to his/her specific job, and must be approved by the department director and the City Administrator or his/her designee prior to registration. Requests must be made at least three weeks prior to the start of the class. Reimbursement will be based upon the final grade received according to the following schedule:

<u>Grade</u>		<u>Reimbursement</u>	
A1	0	0	%
B7	5		%
C, Pass/Fail	0		%
D or F		0%	

Tuition assistance payments to an employee shall not exceed \$ 1000.00 in any one fiscal year and he/she must still be employed by the city when the course is completed.

1 of 1 (Pages 2 & 3 voucher form & instructions)

INSTRUCTIONS FOR EDUCATIONAL ASSISTANCE VOUCHER

PART 1

- | | | |
|----------------------|-----|---|
| Employee | (1) | Before enrolling in course(s), complete parts 1-A,B,C and D. |
| | (2) | Send the form to the department head for approval |
| Department Director: | (1) | Assess course(s) for job relatedness, or necessity in preparing employee for another city position or city promotional opportunities. |
| | (2) | If course(s) meet one or more of these criteria, complete part 1E |
| | (3) | Send the form to the City Administrator for approval. |
| City Administrator | (1) | Review form and, if approved, complete part 1E and return to employee. |
| | (2) | If course(s) is/are not approved, return form unsigned to department head with explanation. |
| Department Director: | (1) | Return form to employee. |

PART II

- | | | |
|----------------------|-----|--|
| Employee | (1) | If course(s) is/are approved, retain the form until course(s) is/are completed: save receipts , proof of mandatory books and fees. |
| | (2) | Complete parts IIA and B: attach receipts, proofs and official grade documents.** |
| | (3) | Attach materials to form and send to the Department Head for approval. |
| Department Director: | (1) | Review Part IIA and supporting documents; if complete, sign your approval on Part IIC. |
| | (2) | Copy official grade report; then return original to employee. |
| | (3) | Send form, with copy of grade record and attached materials to Personnel or assigned department official. |
| City Administrator | (1) | If correct, complete Part IID |
| | (2) | Forward form and attached materials to Finance. |
| Finance: | (1) | Issue warrant for approved amount |
| | (2) | Complete Part IIE and F |
| | (3) | File voucher with receipts attached. |

**If you do not have receipts, you must attach a copy of the front and back of your canceled check, or a copy of the front of the check and a copy of the bank statement showing clearance of that check.

PART II COMPLETE AND SUBMIT WITH REQUIRED MATERIALS WITHIN 60 DAYS AFTER COURSE COMPLETION.

**CITY OF CANBY
EDUCATION ASSISTANCE FORM & VOUCHER**

PART I. THIS FORM MUST BE COMPLETED AND APPROVED PRIOR TO BEGINNING courses

A. EMPLOYEE NAME _____ **DEPARTMENT** _____
 _____ (please print)
POSITION TITLE _____ **PHONE EXT** _____
 I request prior approval for reimbursement for the following course(s) to start _____ (Date)
 at _____ (accredited institution) _____

B. COURSE TITLE(S)
 1. _____
 2. _____
 3. _____

C. The course(s) relate(s) to my employment with the City by:

I hereby certify that all statements made in this application are true and complete. I understand that providing false information or misusing this privilege is considered fraud and will be grounds for disqualification.

 (Employee Signature) (Date)

D. THE ABOVE COURSE(S) IS/ARE EMPLOYMENT-RELATED Recommended _____
 _____ (Department Head) _____ (Date)

E. REIMBURSEMENT BASED ON % OF COSTS AND FINAL GRADE OF "C" OR BETTER: Approved _____

A. Final grade and course expenses. The city reimburses for tuition and any mandatory books and fees. Attached official grade document, copies of receipts, and proof that books and fees were mandatory. Below, show related expenses for each course.

Course	Grade	Final Expense Item	Actual Amount	Do not Complete - Personnel Use Only	
				%	Reimbursement Amount
4.		_____	_____	_____	_____
5.		_____	_____	_____	_____
6.		_____	_____	_____	_____

Employee Signature _____ Date _____

I affirm, by my signature below, that the above named employee was still employed by the City of Canby on the date the above courses concluded.

C. Department Director (RECOMMENDED FOR PAYMENT) _____ **Date** _____

D. City Administrator (approved for payment) _____ **Date** _____

E. Reimbursement: Date _____ **Req or Warrant #** _____

City Of Canby

23.0 TRAVEL AUTHORIZATION AND REIMBURSEMENT

Reimbursement for expenses involved with employee travel on City related business activities shall follow these general guidelines:

- The City retains the right to determine the mode of transportation most economically appropriate to the type of travel involved.
- Travel requests must be pre-approved by the Department Director or a designee.
- Expenses for public transportation (taxi, bus, rental car, etc.) are reimbursable if supported by actual receipts and approval by the Department Director. If the employee is using a City vehicle or rental car, necessary parking expenses, toll fees, etc. are reimbursable as approved by the director and supported by actual receipts, or documented by the employee in cases where no receipt is available.
- Hotel and motel accommodations should be appropriate to the purpose of the trip. Expenses for lodging must be supported by actual receipts in order to be reimbursed.
- Meals provided as part of a program will not be reimbursed. Union employees, refer to bargaining agreements for information regarding reimbursement of meal expenses. Exempt employees will be reimbursed upon the presentation of receipts for reasonable expenses.
- Expenses for telephone or other communication methods are reimbursable with department director approval only if they are directly related to City business and are supported by actual receipts.
- Any expenses for family members or other non-City employees who accompany the employee on a trip are not reimbursable.
- Any expenditures for alcoholic beverages are not reimbursable.
- Current Travel/Expense Forms can be obtained from Accounts Payable.

City Of Canby

24.0 WRITTEN DEPARTMENTAL RULES AND STANDARD OPERATING PROCEDURES

Each department head may establish such written rules and standard operating procedures as may be deemed necessary for the efficient and orderly administration of their department. Such rules and procedures may be in the format and detail as determined by the department; however, they must be consistent with the policies, procedures, rules and regulations established in this manual and with respective bargaining agreements.

Copies of the applicable departmental rules and operating procedures shall be available to all employees. It shall be the responsibility of the department to ensure that copies of the rules and procedures are provided the City Administrator.

City Of Canby

25.0 ELECTRONIC COMMUNICATION

It is the City's goal to enhance both external and internal communication through the use of various electronic communication tools. All electronic communication tools are the property of the City of Canby. Employees should have no expectation of privacy in connection with the transmission, receipt, or storage of information in these electronic communication devices. The City follows the standards and practices set by the Oregon Government Standards and Practices Commission.

TELEPHONES/VOICE MAIL/CELLULAR PHONES

The ability to make outgoing and receive incoming telephone calls is an essential element of the City of Canby's ability to provide service to the public. The City's telephones and voice mail system are intended for official business only.

The City believes, however, there are occasions when employees may use telephones for personal purposes without such usage being at odds with the law. It is normal practice by both public and private employers to permit employees to use business telephones to talk to family members, make medical appointments, schedule service technicians, confer with children's schools, and take care of any of a variety of other matters which can only be accomplished during "regular" work hours. The City believes it is less disruptive to permit employees to make such personal calls at their workstation than to require an employee to take a break or leave from work to take care of personal matters.

Personal telephone calls made during working hours from City telephones should, of course, be brief and infrequent. Personal long distance calls, even if the employee reimburses the City for the cost, should normally not be made on City telephones. If it is necessary for an employee to make personal long distance calls while at work, such calls should normally be made with the employee's personal calling card, by placing a collect call, or by calling from a pay phone.

City Of Canby

ELECTRONIC COMMUNICATION (CONTINUED)

COMPUTERS/INTERNET/E-MAIL

Computers, internet access and e-mail are provided to help employees conduct City business.

City equipment may not be used at any time to access inappropriate sites or to transmit or receive inappropriate information. Pornography, hate groups, and gambling, are examples of inappropriate sites and access to them is a misuse of City property.

The City's e-mail system should not be used to produce a document that, using good judgment, would not be produced using any other form of office communication. Use of the City's e-mail system for commercial purposes or illegal activities is prohibited, including the sending of "classified ad" types of information. E-mail communications are considered public record.

City Of Canby

26.0 RECRUITMENT, APPLICATIONS, & SELECTION

PURPOSE

Appointment and promotion to City positions shall be based upon merit and fitness. Selection will be based on job-related knowledge, skills, abilities, experience, education, and when appropriate, prior demonstrated performance and aptitude. Further, the City seeks to assure fair treatment of all applicants and all employees in recruitment, selection and placement without regard to age, sex, marital status, race, creed, color, national origin, sexual preference, or mental or physical disability. It is the policy of the City of Canby to not accept, retain, or respond to unsolicited resumes or applications.

POLICY

All recruitment announcements will be posted in City Hall so current City employees may have the opportunity to apply for such positions. Position vacancies may also be advertised in the appropriate labor market. Positions may be opened internally (for City of Canby regular and temporary employees only), or externally (for City employees, volunteers, and non-employees), at the discretion of the City Administrator and as prescribed in applicable labor agreements.

All persons applying for employment with the City must fill out an employment application form. In addition, they may be requested in the recruitment announcement to provide a resume, letters of reference, or other appropriate information that fairly test and determine the qualifications, fitness, and ability of a candidate to perform the duties of the position for which they seek appointment.

All applications shall be thoroughly screened for abilities and qualifications. Tests of selection mechanisms may include, but are not limited to, performance tests, experience and education ratings, oral examinations; demonstrations of skill and tests of physical fitness and written examinations. Final selection of full-time employees is subject to approval by the City Administrator.

Department Heads may complete selection of part-time and short-term temporary employees, with the City Administrator's concurrence on the Personnel Action Form.

Pre-employment Requirements

- A. All Applicants offered a position with the City would be required to submit to medical exam and a drug and alcohol screening process.
- B. Background checks for all positions will be required.

Employment

New employees or employees changing job positions will be considered to be trial service employees for at least six (6) months before attaining regular status.

City Of Canby

27.0 EMPLOYEE CATEGORIES DEFINED

Trial Service Employee

All new employees will be on trial service until completion of at least six (6) months continuous employment and a satisfactory performance review. Trial Service employees are "at-will" employees, which means they can quit at any time for any reason and the City can terminate them at any time for any reason. In the case of sworn police employees the trial service period shall be (12) months.

Regular Full-Time Employees

Regular full-time employees are those who have successfully completed their trial service period, are regularly scheduled to work 40 or more hours per week and who maintain continuous, regular employment status. The benefits will ordinarily apply to all full-time employees in accordance with the specific provisions of each benefit schedule or eligibility clause, and the union contracts.

Regular Part-Time Employees

Regular part-time employees are those who have successfully completed their trial service period and are regularly scheduled to work fewer than 40 hours per week. Part-time employees are eligible for PERS if they work 600 hours per year or more. Part time employees over 20 hrs per week receive prorated benefits (Article 21.3, American Federation of State, County and Municipal Employees, AFL-CIO).

Temporary Seasonal Employees/Other Employees

Temporary employees are those whose service is intended to be of a limited duration. Other employees are those who are hired under employment conditions that do not fit the prior categories. Such employment conditions will be defined in the offer or contract of employment.

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28.0 NEW EMPLOYEE IN-PROCESSING / ORIENTATION

All new regular full-time and regular part-time employees of the City will be scheduled to meet with the department Director or supervisor on their first day of work for general orientation. The Department Director or other designated staff member in the department will distribute and explain the various enrollment forms, etc. that must be filled out. Each new employee will be provided with information on employee benefits, City policies and operations.

Individual departments are also responsible for supplementing the "new hire" orientation by providing the new employee with more detailed information relating to operations of the department, including:

- A. Work standards and regulations
- B. Hours of work, time cards or reports, leave requests
- C. Duties of the position
- D. Safety rules and procedures, location of safety or protective equipment
- E. Tour of the work area, including location of equipment, supplies, etc.
- F. Introduction to co-workers
- G. Schedule for lunch and breaks
- H. When and whom to report absence from work
- I. Who is responsible for performance planning and review
- J. All other pertinent processes

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29.0 CLASSIFICATION PLAN

The purpose of the classification plan is to provide a complete systematic and continuous inventory of all job classifications in the City and to provide accurate descriptions and specifications for each class.

Contact City Hall for current, approved job descriptions for the City of Canby.

The Classification Plan shall standardize titles, each of which shall be indicative of a definite range of duties, authority and responsibilities. Each classification shall be described in a written specification to include an appropriate title, a statement of the duties and responsibilities involved, supervision exercised and received, and the minimum qualifications required for applicants to the position. Any "working title" desired may be used when authorized by the department director, however the unofficial job titles will have no bearing on the official designated classification title of any position or employee.

MAINTENANCE OF THE PLAN

The City Administrator, or other designated staff member, shall be responsible for the administration and maintenance of the classification plan. Department Directors, with City Administrator approval shall also periodically review the classification of positions and audit their duties and responsibilities, making changes as necessary to keep the plan up to date. The City Administrator, with recommendations from Department directors, will allocate positions to the appropriate classification and may make revisions in the classification plan including the addition of new classes, combination and/or revision of existing classes, and deletion of obsolete classes.

CLASS DESCRIPTIONS

Class descriptions are written statements of each class included in the classification plan. Descriptions include a class title, a statement describing the purpose and distinguishing characteristics of positions in the class, representative examples of work performed, supervision exercised, supervision received, and general recruiting indicators (knowledge, skills, abilities, experience and training) that a person should possess to successfully perform the work. Necessary requirements such as licenses or certifications are also included.

Specifications are descriptive and not restrictive and do not prescribe each and every specific duty of any position, nor do they limit the authority of management in assigning work. A class specification shall be liberally construed as a general description of the work characteristics of similar positions properly allocated to that class. Specifications are intended to indicate the kinds of positions allocated to the

City Of Canby

qualifications. They should be interpreted as a whole and in relation to others in the classification plan. Particular phrases or examples shall not be isolated and treated as a full definition of the class.

Nothing in the class specification is to be interpreted as restricting a supervisor from assigning an employee of one class to perform some of the duties of a higher class or lower class for a limited period of time.

ALLOCATION OF POSITIONS

Each position shall be allocated to one of the classes of the approved classification plan. In determining the class to which any position is allocated, the specification describing each class shall be considered as a whole, comparing general duties, responsibilities, minimum qualifications and relationships to other positions in order to obtain an inclusive picture of the position and placement into an appropriate class. The City Administrator, or other designated staff member shall analyze the position and assign it to the appropriate class within the Classification Plan. A new class specification shall be prepared to cover each additional position which is created and for which the classification plan does not provide a satisfactory class description. Employees shall be notified of the allocation of their position, and the class title as it appears on the class specification shall be used to designate the position on official records and payroll.

RECLASSIFICATION

A reclassification may occur when job content changes substantially, requiring the position to be assigned to a different classification and/or pay range. Managers and supervisors are responsible for ensuring that the duties assigned to employees are consistent with their classification and reasonably fit within the overall concept of that class. Managers and supervisors are also responsible for making timely requests for classification reviews when there is a question regarding the classification allocation of a position or positions.

If the duties of an existing position change sufficiently so that the current classification may no longer be appropriate, a request for a classification review shall be submitted to the City Administrator, preferably prior to the change in assigned duties and responsibilities. An employee may also initiate a request to their supervisor for a reclassification review. Reclassification will not be used to: a) avoid restrictions concerning demotions and promotions, or b) make a change in salary in the absence of a significant change in assigned duties and responsibilities. The request must be in writing and must include all requested supporting documentation required for a decision to be made. The City Administrator may initiate a classification review at any time. The effective date of the reclassification action shall be the date the written request for reclassification and all required supporting documentation is filed with the City Administrator.

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Managers may assign duties that reasonably fit within the overall, broad parameters of a classification in cases of a bona fide emergency affecting the health, safety and welfare of the community for a specific duration to deal with that emergency, or in temporary "working out of class" situations. (see section 38.0 for further information)

An employee occupying a position that has been reclassified may be retained in the position provided that a) the City Administrator certifies that the incumbent possesses the minimum qualifications of the new class, and b) the incumbent has been performing the duties of the higher or lower classification prior to the position audit and c) the Department Director determines that the performance of the incumbent has been satisfactory. Reclassified employees meeting the above criteria will not serve a new probationary period and their anniversary date will not change. If all of the above conditions cannot be met, the position will be open for recruitment. An employee who is not appointed to the reclassified position will be transferred or demoted to a suitable, vacant position, provided that they are qualified to perform the work, or will be separated from employment if no other suitable, vacant position exists. Any reclassified or separation action is subject to the most recent bargaining agreements.

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30.0 TEMPORARY SEASONAL EMPLOYEES/INTERN EMPLOYMENT/CONTRACTED SERVICES

TEMPORARY/SEASONAL EMPLOYEES

Temporary/seasonal employees may be hired to perform temporary or seasonal work whose anticipated duration is less than 1,040 hours in a year. Employment may be terminated at the sole discretion of the department director and/or City Administrator. Temporary/seasonal employees are not eligible to participate in the fringe benefit package offered to regular employees and do not receive sick leave, vacation, or holiday pay. A temporary/seasonal employee may apply for regular City positions as an internal candidate. Temporary/seasonal employees are covered by the City's liability and worker's compensation insurance, and may be eligible for unemployment compensation upon termination pursuant to law.

An offer of temporary appointment shall be made in writing and shall clearly state the temporary nature of the work, expected duration of employment, a statement that the employment may be terminated at any time at the sole discretion of the City, and the absence of any fringe benefits. When a department utilizes the services of a temporary service agency neither a written offer of employment nor a Personnel Action form is required. Temporary/seasonal employees, including agency personnel, are required to pass a pre-employment drug screen and may be subject to verification of applicable motor vehicle license and acceptable driving record prior to employment with the City.

It is the obligation of the hiring department to maintain records of the hours worked by temporary/seasonal employees and to ensure that employment does not exceed the limit established in applicable labor agreements.

INTERN EMPLOYMENT

The City may place, or contract with other agencies to place, student interns on projects of limited duration with the City. An intern is usually a full or part time student at an accredited college or university whose work with the City is within their course of study.

Guidelines for the employment of student interns are as follows:

- Interns shall be required to pass a pre-employment drug screen prior to appointment

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- If applicable to the duties of the position, a student intern may be required to possess a valid driver's license and to show proof of an acceptable driving record prior to appointment;
- Student interns receive no benefits, and are not eligible for vacation, sick leave or holiday pay;
- Interns may be paid at the rate specified by the educational institution through which they were hired, or, if there is no rate specified, the department may determine an appropriate wage;
- Student interns shall be covered by the City's general liability and worker's compensation insurance coverage, but shall not receive nor accrue any other benefits generally received by regular employees.

CONTRACTED SERVICES

The City may utilize the services of an independent contractor to meet short term non-recurrent or special project needs. It shall be the department director's responsibility to ensure that the contractor meets all of the criteria under ORS 670.600 which defines the standards for an independent contractor (versus an employee) and possesses all applicable certificates of insurance.

ORS 670.600 provides the following standards in order for a business entity providing labor or services to be considered an independent contractor. They must be:

- Free from direction and control over the way the work is done except insofar as the employer accepts or rejects the results of the work
- Responsible for obtaining all applicable business registrations or licenses
- Furnish the necessary tools or equipment
- Determine his (or her) own work hours
- Have the authority to hire and fire other employees to perform the labor or services
- Receive payment upon completion of the performance or an annual or periodic retainer
- Represent to the public that they are an established business and typically work for two or more different persons during the course of the year
- Pays federal or state income taxes in the name of the business or a schedule C on a personal tax return

Departments may not enter into contracts to provide labor or services with individuals who do not qualify as independent contractors under the law.

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31.0 PERFORMANCE REVIEWS (Not tied to Pay Plan)

Employee performance reviews are an essential tool in the communication process between the employee and their immediate supervisor. The goal of the employee performance review process is to establish a pattern of expected work habits, give employees and supervisors an opportunity to review and reset goals, reward or acknowledge good performance, create incentives, and identify and correct improper behavior or activity and/or substandard work performance.

Performance reviews are to be completed on the form prescribed by the City Administrator. It shall be the responsibility of the supervisor to ensure that performance reviews are completed appropriately and by the scheduled due date. The original performance review will be placed in the employee's personnel file, and the employee will be provided with a copy of the review. The employee may respond in writing to the performance review or any aspect of that review, and the response will also be placed in the employee's personnel file. For represented employees, performance reviews will be conducted according to the appropriate bargaining agreement.

Trial service employees will participate in an initial goal setting interview/review and will receive a performance review at the end of six (6) months of employment. Thereafter, regular performance reviews will occur annually on the employee's step review date. Contingent on continued satisfactory performance; an employee shall receive a step increase in conjunction with the performance review until the employee reaches the maximum salary in his/her salary range. For management personnel, contingent upon satisfactory performance, the manager shall be eligible for a step increase.

Nothing in this section shall prohibit the supervisor from conducting more frequent performance or progress reviews. A supervisor may initiate a special performance/progress review whenever a special review is deemed necessary.

All performance reviews, accompanied by a personnel action form, shall be submitted to the City Administrator. The personnel action form is required whether or not a step increase is granted.

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32.0 FAMILY AND MEDICAL LEAVES OF ABSENCE POLICY

It is the policy of the City to comply with both the Oregon and Federal Family and Medical Leave Act. Supervisors must upon becoming aware of a situation, refer the matter to the City Administrator for review and action.

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33.0 - BENEFITS

RETIREMENT BENEFITS.

- (a) The City makes contributions on behalf of all eligible employees to the Social Security System in addition to those contributions made by the employee through FICA payroll deductions.
- (b) All regular uniformed employees in the police departments are covered by the appropriate State Retirement System. Benefit levels and contribution rates are set by the State.
- (c) All regular full-time and eligible part-time non-uniformed employees are covered under the State Public Employees Retirement System. Benefit levels and contribution rates are set by the State.
- (d) Employees intending to retire should notify their department head of their intent to retire at least three months prior to the date of retirement.

DISABILITY BENEFITS.

- (a) All employees are covered by the State Industrial Insurance program (worker's compensation). This type of insurance covers employees in case of on-the-job injuries or job-related illnesses. For qualifying cases, State Industrial Insurance will pay the employee for work days lost for any disability resulting from job-related injuries or illnesses. All job-related accidents should be reported immediately to the supervisor.
- (b) When an employee is absent for one or more days due to an on-the-job accident, the employee is required to file a claim for Worker's Compensation. If the employee files a claim, the City will continue to pay (by use of the employee's unused sick leave) the employee's regular salary pending receipt of Worker's Compensation benefits.

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- (d) The City may require an examination at their expense, performed by a physician of their choice, to determine when the employee can return to work and if the employee will be capable of performing the duties and responsibilities of the position.

INSURANCE BENEFITS.

- (a) Employees are eligible to participate in the City's insurance programs upon successful completion of one full calendar month of employment. The programs and criteria for eligibility will be explained at the time the employee becomes eligible to join.
- (b) Upon mutual agreement between the employee and the City, and in accordance with the terms and conditions of the insurance policy, the City 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 the City.
- (c) While an employee is receiving Worker's Compensation benefits, the City may continue to pay the employer's portion of health insurance premiums for one (1) month, after which the employee may choose to use their COBRA rights and self-pay insurance premiums.
- (d) Upon an employee's termination from City employment, at the employee's option and expense, the employee may elect to continue City health insurance benefits to the extent provided under COBRA. Continuation rights are not available if an employee is terminated for "gross misconduct."
- (e) An administrative handling fee over and above the cost of the insurance premium may be charged the employee or their dependents who elect to exercise their COBRA continuation rights.

UNEMPLOYMENT COMPENSATION.

City employees may qualify for State Unemployment Compensation after termination from City employment depending on the reason for termination and if certain qualifications are met.

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34.0 VOLUNTARY RESIGNATIONS

To voluntarily resign or retire in good standing, an employee should provide a written letter of resignation or letter stating intent to retire to their supervisor a minimum of two weeks prior to the effective date of resignation or retirement, unless covered by an employment agreement, in which case the provisions of such agreement shall prevail. Failure to submit a timely written resignation or notice of intent to retire may be cause to exclude the individual from future employment opportunities with the City. A resignation may be accepted immediately upon receipt when the City Administrator waives the notice requirement.

Upon receipt of the written letter of resignation or notice, the supervisor shall forward that original letter of resignation/retirement to the City Administrator. A copy of the letter may be retained in the department.

The supervisor shall ensure that all City property is returned by the employee on or before the effective date of resignation/retirement, and that arrangements are made for previous tuition reimbursement to be refunded to the City by the employee, if appropriate. The supervisor shall schedule an exit interview.

At the discretion of the supervisor, with the approval of the City Administrator, an employee may be permitted to withdraw his/her resignation/retirement request at any time up to and including his/her last day of employment, provided the position has not already been filled. However, the employee may not be reinstated after leaving City employment without participating in an authorized selection process.

Employees who are absent from work without approved leaves for a period of three consecutive workdays may be considered by the City to have abandoned their position and resigned from the City service.

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35.0 DISCIPLINE / TERMINATION / GRIEVANCE PROCEDURES

PURPOSE:

As stated in section 11.0 (Code of Ethics for City Employees) and section 12.0 (Conduct and Appearance of City Employees), "City employees have a special responsibility to act on behalf of the public good and to ensure that the public's trust in government is respected. The City of Canby is committed to providing efficient, courteous, friendly service to its citizens consistent with its mission statement and embodying the highest standards of public service." To insure that standards of conduct are consistently met, procedures for discipline must be established.

STATEMENT OF POLICY:

It shall be the policy of the City of Canby to administer discipline fairly, reasonably, and impartially. Employees and the City are best served when discipline is administered to correct actions rather than to punish.

All disciplinary actions involving suspensions without pay or termination require concurrence of the Department Director and approval of the City Administrator.

PROCEDURE:

None of the provisions below shall conflict with current bargaining agreements.

The tenure of City employees shall be based on reasonable standards of job performance and personal and professional conduct. Failure or refusal to meet these standards shall constitute just cause for disciplinary action including oral or written reprimand, suspensions, demotions, and dismissal.

Disciplinary action is not primarily intended to be punitive, but rather to maintain the efficiency and integrity of City service. The nature and severity of the offense and the employee's prior record shall be considered.

In any disciplinary action, the pertinent information shall be reviewed with the employee specifying the following: The cause for discipline, the specific reasons supporting the cause, the discipline to be imposed, the effective date, and the right of the employee to be heard.

Employees may be disciplined for areas detailed in section 11.0 (Code of Ethics for City Employees) and section 12.0 (Conduct and Appearance of City Employees) and/or in accordance with applicable bargaining agreements.

The degree of discipline administered will depend on the severity of the infraction and shall be in accordance with any applicable labor contract and City policies and procedures, as well as local, state or federal laws and regulations. It is the responsibility of each supervisor and department director to evaluate thoroughly the circumstances and facts as objectively as possible and then apply the most suitable form of discipline. Discipline should normally be progressive but may be applied to any degree necessary or appropriate depending on the severity of the infraction.

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Types of disciplinary action may include:

- Oral Warning - This type of discipline should be applied to infractions of a relatively minor degree or in situations where the employee's performance needs to be discussed. The oral warning should be given in private. Supervisors should inform the employee that the supervisor is issuing an oral warning, that the employee is being given an opportunity to correct the condition, and if the condition is not corrected, the person will be subject to more severe disciplinary action.

A notation that an oral warning was given should be made in the employee's personnel file. This notation can be removed by the supervisor after twelve months.

- Written Warning- this notice will be issued in the event the employee continues to disregard an oral warning or if the infraction is severe enough to warrant a written warning in the employee's personnel file.
- Reprimand - this notice will be issued in the event the employee continues to disregard a written warning or if the infraction is severe enough to warrant a reprimand in the employee's personnel file.

The warning/reprimand shall state the nature of the infraction in detail and what corrective action must be taken by the employee to avoid further discipline.

A copy of the written warning/reprimand is to be handed to the employee at the time of the discussion of the discipline. The employee shall sign the written warning to acknowledge receipt. A copy, signed by the employee, will be placed in the employee's personnel file. If the employee refuses to sign the acknowledgment, then the supervisor and one other witness shall note on the reprimand that the employee received a copy thereof and refused to sign it.

- Suspension - this form of discipline is administered as a result of a severe infraction of policies or for repeated violation. For minor infractions, a suspension is often given after the employee has received a written warning.

Suspension Without Pay - An employee will be suspended without pay when the offense is of a serious enough nature usually sufficient for discharge but when circumstances related to an employee's overall performance would not warrant immediate discharge.

Investigatory suspensions may be used in cases where it is necessary to investigate a situation to determine what further disciplinary action may be justified.

This suspension gives the supervisor the opportunity to discuss the problem with his/her superior to determine an appropriate course of action when the situation is serious enough for the employee to be removed from the work environment.

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he/she will normally be returned to his/her position, paid for any lost time, and a letter exonerating the employee will be placed in his/her official personnel file. If, however, the employee is found in violation, then the appropriate disciplinary action will take effect on the date that the investigatory suspension began.

Suspension with Pay - At the discretion of the City Administrator or his/her designee, an employee of the City may be suspended with pay and benefits pending investigation of allegations of misconduct, when the nature of the allegation compromises the ability of the employee to perform his/her duties, and when a substantial period of time will be required to complete an investigation or legal action. Such suspension may not be appealed. If the charges are substantiated, disciplinary action will be taken in accordance with the nature of the offense. If the charges are unfounded, the employee will be restored to duty and a letter of exoneration will be placed in the employee's official personnel file.

- **Demotion** - Demotion may be used in those instances where an employee has been promoted to a position where they are unwilling or unable to perform the responsibilities of that position. Demotion is not to be used as a substitute for dismissal, when dismissal is warranted.
- **Discharge** - Immediate removal of an employee from the job site pending review for discharge may be warranted in instances involving serious insubordination, theft, serious illegal or destructive acts while on the job, or other substantial reasons deemed appropriate by the City Administrator. An employee may also be discharged after repeated offenses of a less serious nature if the supervisor has documented the offenses and appropriate behavioral changes have not resulted from previous progressive disciplinary action.

Trial service employees may be terminated at any time without cause and without the right of appeal. Notification of dismissal in writing shall be provided the trial service employee and a copy filed in his/her personnel file. Dismissal of trial service employees also requires the concurrence of the City Administrator.

The original copy of the disciplinary action is to be signed by the employee and placed in the employee's personnel file, with a copy given to the employee.

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Predisciplinary Hearing - Standards/Notice of Discipline

The City Administrator shall provide and arrange for a predisciplinary hearing prior to the demotion, suspension, or discharge of any employee. Said hearing shall be set in time frames set forth in bargaining agreements.

a. An employee shall be provided, in writing, with a notice of the charge and an explanation of the department's evidence. The employee shall be given an opportunity to respond to the charges, orally or in writing, as to why the proposed action should not be taken.

b. The employee may have legal counsel or union representation present at a predisciplinary hearing.

c. The department's explanation of the evidence at the pre-disciplinary hearing shall be sufficient to apprise the employee of the basis for the proposed action. This shall not limit the employer at subsequent hearings from presenting a more detailed and complete case, including presentation of witnesses and documents not available at the predisciplinary hearing.

d. Should the appointing authority determine to discipline following the predisciplinary hearing, written notice of discipline shall be given to the employee. Such notice shall include the charges against the employee and a general statement of the findings of the hearing.

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GRIEVANCE PROCESS

A "grievance" shall mean a claim or dispute by an employee with respect to the interpretation, meaning or application of the provisions of City's policies and procedures.

It is the policy of the City of Canby to afford all employees a means of obtaining further consideration of problems when they remain unresolved at the supervisory level, and to establish policies and procedures that provide for timely resolution of grievances.

Every attempt will be made to resolve the grievance to the mutual satisfaction of the employee and the City.

Grievance procedures will be governed by applicable bargaining agreements and/or State and Federal labor law.

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36.0 TIME SHEETS/PAY DAYS

PURPOSE

Federal and State wage and hour laws require that accurate records be kept of each employee's hours worked. To comply with the law, all employees are required to fill out a time sheet to document all hours worked.

Payday is on the 15th and last day of each month. If these days fall on a weekend or holiday, payday will be the previous working day. Checks will be ready by 4:30 pm. on that day. Only final checks will be issued on days other than prescribed above. Salary advances will not be allowed.

Questions regarding completion of the time sheets should be directed to your supervisor. Each supervisor must ensure that all employee work time and absences are accurately recorded.

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37.0 COMPENSATION ADMINISTRATION

The City is interested in providing a fair and equitable compensation plan. The salary plans for City employees are developed through the collective bargaining process for those employees represented by bargaining units. Salaries for the City Administrator and non-represented employees are subject to City Council's approval.

Refer to the respective bargaining agreements for specific policies related to types of pay, such as, jury duty, vacation, sick , funeral, parental leave, and holidays.

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38.0 INCLEMENT WEATHER

The City Administrator may use his discretion in deciding whether City offices will remain open during periods of severe inclement weather. Employees must advise their supervisor of their late arrival to work or absence from work due to inclement weather as soon as possible.

If the City finds it necessary to close City Hall and/or other City facilities while employees are at work, employees will not automatically be released from work. On a case-by-case basis, employees may be reassigned to other duties, such as assistance in the City's emergency operations center. Department directors will determine whether an employee is to be temporarily reassigned duty, or whether they may be released from work early.

Compensation policies during inclement weather are outlined in the respective bargaining agreements.

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39.0 USE OF CITY-OWNED VEHICLES

In the event a work assignment requires the use of a City-owned vehicle, the employee is required to be qualified and possess the appropriate class of license for the type of vehicle used. The employee shall immediately report any limitation on his/her ability to safely operate the vehicle or any change in his/her licensing status to the employee's supervisor. Failure to report may result in disciplinary action up to and including termination.

City vehicles are to be used only in the performance of official City business; however, personnel whose work assignment is primarily in the field may utilize their assigned City vehicle during meal and rest periods for personal business as approved by the employee's supervisor. Employees doing so must conduct themselves in a manner that does not bring discredit upon the City or incur additional costs for fuel or vehicle maintenance.

The following additional guidelines for the use of a City-owned vehicle shall apply:

- Any out-of-pocket expenses such as fuel, emergency repairs, parking or tolls shall be reimbursed upon presentation of receipts
- No reimbursement will be made for parking fines or any other charge levied for violation of a motor vehicle law
- Family members or other non-City employees shall not be transported in City vehicles except as specifically authorized by the Department Head or consistent with department policy or in cases in which the City vehicle is permanently assigned to the employee as a provision of an employment contract.
- The City prohibits temporary employees, contractors or volunteers from driving a City vehicle without the specific authorization of the City Administrator, verification of appropriate motor vehicle license and approval.

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40.0 SMOKEFREE WORK ENVIRONMENT

The City seeks to promote a safe, healthy and pleasant work environment for all employees and the public. City facilities, including city-owned buildings, vehicles, individual employee offices, and offices or other facilities rented or leased by the City will be smoke free. Visitors to any of the City's facilities will be requested to comply with the City's efforts to maintain a smokefree environment.

41.0 PERSONAL PROPERTY

The City will not reimburse an employee for the loss or damage of personal property brought to the work site by the employee. Employees will be provided appropriate tools and equipment, as determined by their supervisor, to perform the duties of their job. Employees who choose to bring personal property and equipment into the workplace do so at their own risk. Precautions should be taken with all tools and equipment to place them in a secure location.

Employees should report the loss of personal items to the Police Department.

42.0 REPORTING OF VEHICULAR AND/OR OCCUPATIONAL ACCIDENTS

Whenever a vehicular accident occurs involving a City-owned vehicle or a personal vehicle, if the employee is using the vehicle while on City business, the accident must be reported immediately to the employee's supervisor, and, if within the City limits, to the Police Department.

Further information and procedures related to this policy are contained in the City of Canby's Safety Manual.

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43.0 WORKPLACE VIOLENCE also see Article 13.0

The City of Canby is committed to the safety and security of its employees, citizens, and visitors. All employees are expected to maintain high standards of employee behavior, including respect for the dignity of all individuals. As a result, threats, threatening behavior, or acts of violence against or by employees, visitors, or guests on the City of Canby property will not be tolerated. Furthermore, threats, threatening behavior, or acts of violence off City property by city employees will also not be tolerated.

Any person who exhibits threatening behavior or engages in violent acts on City of Canby property should be removed from the premises as quickly as reasonably possible, and shall be required to stay off City premises pending the outcome of an investigation into any incident. In cases where the reporting individual is not a City employee, the report should be made to the Canby Police Department. In the event the investigation discloses prohibited behavior, the City has the right to take any steps the City Administrator deems necessary. This response may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, suspension of at least one week or termination of employment, and/or criminal or civil prosecution of the person or persons involved.

The need to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing shall supersede any policy, practice or procedure that may appear to prohibit taking action to avoid the violence.

All City of Canby personnel shall notify his/her supervisor or the City Administrator of any threats that they have witnessed, received, or have been told that another person has witnessed or received. Even without an actual threat, personnel should also report any suspicious behavior that could be carried out on a City of Canby controlled site, or City employees. If the supervisor is not available, personnel shall report the threat to the City Administrator. All supervisors and managers are responsible for taking workplace violence issues seriously and following prevention policies and procedures as appropriate.

All individuals who obtain a protective or restraining order which lists City of Canby sites as being protected areas, must provide their supervisor a copy of the order(s). The City of Canby understands the sensitivity of the information requested and has developed procedures that recognize and respect the privacy of the reporting employee(s).

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Specific examples of conduct prohibited under this policy include, but are not limited to, the following:

- Hitting or shoving an individual
- Threatening to harm an individual or his/her family, friends, associates, or their property
- Intentional destruction or threat of destruction of property owned, operated, or controlled by the City of Canby
- Harassing or threatening telephone calls, letters or other forms of written or electronic communications
- Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of the City
- Harassing surveillance, also known as “stalking,” the willful, malicious and repeated following of another person and making a credible threat with intent to place the other person in reasonable fear of his/her safety
- Making a suggestion or otherwise intimating that an act to injure persons or property is “appropriate,” without regard to the location where such suggestion or intimation occurs

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44.0 USE OF CITY PROPERTY AND INFORMATION

All City property and information is to be used solely for job-related purposes. Use of such property or information for personal purposes is strictly prohibited unless specifically authorized by City policy or the department director. Employees should not have any expectation of privacy in the use of City property or any information contained therein at any time. For purposes of this policy, City property includes all equipment, information, materials and facilities owned by the City of Canby. Examples include software, electronic equipment, information systems (including but not limited to computers, cellular telephones, fax machines, copiers, voice mail, e-mail), all communications and information stored in the City's information systems and electronic equipment, passwords, codes and keys to gain access to such equipment, buildings, motor vehicles, lockers, desks, etc.

The City reserves the right to access all City property and may periodically monitor use of such property. The City reserves the right to review and/or disclose all information contained in such property at any time and for any purpose.

Employees are strictly prohibited from using any City property to solicit other individuals for any purposes or to send messages that may be interpreted as harassing, discriminatory, obscene, or defamatory. The City's anti-harassment policy fully applies to employees in this use of City property.

Employees shall not use a code, access a file, or retrieve any stored information, other than where authorized. City property or information that is confidential and/or proprietary information cannot be shared with individuals outside of the City without prior clearance from the City Administrator. Any employee who leaves employment with the City is prohibited from taking or copying any City property or information unless specifically authorized by the City Administrator.

Under no circumstances may city equipment or resources be used in outside employment. Any use of city equipment or resources outside city business is strictly prohibited.

Employees who violate this policy are subject to disciplinary action, up to and including termination of employment set forth in the respective bargaining agreements.

APPENDIX *A*:

Employee Acknowledgment Form and Policy On The City of Canby Controlled Substance and Alcohol Use Testing Program

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APPENDIX B:

City of Canby Safety Handbook And Hazardous Communication Manual

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APPENDIX C:

City of Canby

Collective Bargaining Agreement

**The City of Canby Office and Public Workers
Employees**

**Local 350-6, Council 75
American Federation of State, County and
Municipal Employees
AFL-CIO**

Effective July 1, 2001 through June 30, 2004

City Of Canby

APPENDIX D:

City of Canby

Collective Bargaining Agreement

Canby Police Association

Effective through June 30, 2003