

RESOLUTION NO. 1873

A RESOLUTION APPROVING THE AMENDED EMPLOYEE HANDBOOK AND RESCINDING RESOLUTION 1850.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. It is important to have a handbook governing the conduct of all employees
2. The amendments made to the handbook outline prior practice or the policy of the City of Troutdale.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. That personnel policies, procedures and rules in the attached City of Troutdale Employee Handbook, shown in Attachment "A" and incorporated by reference, is hereby adopted.

Section 2. This Resolution shall be effective immediately upon adoption.

YEAS: 5

NAYS: 2 Councilor Thomas & Councilor Canfield

ABSTAINED: 0



Paul Thalhofer, Mayor

May 9, 2007

Date



Sarah Skroch, Office Support Specialist

Adopted: May 8, 2007

CITY OF TROUTDALE



Employee Handbook

Adopted on December 2006
Amended on May 8th, 2007

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EMPLOYEE HANDBOOK

PURPOSE

This Personnel Handbook is created to establish a comprehensive personnel system with equitable and uniform policies and procedures for dealing with personnel matters and conduct. It is designed to be used as a supplement to your Collective Bargaining Agreement. In the event of a conflict the Collective Bargaining Agreement shall be the superior document. This handbook applies to all City employees.

I. ORGANIZATIONS AFFECTED

- A.** All City Departments and their respective personnel shall be equally affected by, and responsible for conformance with, this handbook.
- B.** All employees co-employed by the City and another agency and hired by or paid by other agencies shall be considered to be regular City employees in the application of these policies, procedures and rules, except where specifically agreed in writing by the City, the agency, and the employee to be different from these policies, procedures and rules.

II. POLICY

- A.** It is the policy of the City of Troutdale that all of its personnel actions shall be based on principles of fairness and merit. Such policies, procedures and rules are necessary to assure the efficient and effective provision of City services and further, such services, procedures and rules shall be developed into a written system of administration for all personnel actions.
- B.** Uniform personnel practices shall apply at all levels of the personnel system. In no way shall any of the City's policies, practices or rules unduly affect the property or liberty of its employees. Rules and procedures are to be established to set standards governing recruitment, examination, selection, appointment, compensation, training, promotion, retention, tenure, transfer, layoff, discipline and termination. The basis for action, pursuant to such standards, will be impartial and equally applied.
- C.** Policies, procedures and rules are only as good as the human nature employed in their administration. The City's personnel and managerial

staff as provided by these rules, and such administrative rules as necessary for good administration, may implement such administrative variances so long as such rules are not in conflict with this policy.

- D.** Equal employment opportunity at the City of Troutdale is defined as a policy of approaching all employment-related decisions based on the skills, experience, education, and demonstrable ability to perform the essential functions of the position being offered, without reference to age, sex, race, color, religion, national origin, or physical or mental ability.

Employment applications, job descriptions, advertising, and interviews for job openings will be confined to whether the applicant can perform particular job functions. Should it appear that an applicant might have difficulty with an essential function of the job, due to a qualifying disability as defined by the Americans with Disabilities Act, every effort will be made to provide reasonable accommodation, as required by law.

Should a current employee suffer a qualifying disability, every reasonable accommodation, including reassignment to a vacant position for which the employee is qualified, will be considered.

Offers of employment, including promotions, may, depending on the physical requirements of the essential functions of the particular job, require the applicant(s) to have an appropriate medical examination. In all such instances, information obtained as a result of medical examination will be maintained in a separate, confidential file.

It is the intent of the City of Troutdale to apply these policies to all employment practices, including, but not limited to: job applications procedures and testing, hiring, termination, advancement, promotion, compensation, training, recruitment, advertising of job openings, layoff and recall, leaves of absence, fringe benefits, and all other employment-related activities.

Any alleged violation of this policy should immediately be brought to the attention of the City Administrator or his/her designee, who will institute an appropriate investigation as deemed necessary to substantiate the facts surrounding the alleged violation. Based upon this information, appropriate disciplinary action to correct the violation will be taken as indicated by the facts of the case. A written record will be maintained containing the results of the investigation for any proven violation.

- E.** Compensation shall be based on principles of fairness and financial ability of the City. Employees shall be compensated from a pay range based on a median pay policy whereby the City pays a comparable rate for comparable work by most comparable employers. The City reserves the

right to reduce service levels and to reclassify, reassigns, or lay off personnel if financial constraints so necessitate. The City will provide such benefits, as Council deems necessary to remain competitive as an employer in attracting, retaining and motivating good employees; and to recognize outstanding ability or different responsibilities among employees or classes of employees. Establishment of the ranges within this pay policy and benefits programs shall be reserved to the City Administrator.

- F. Safety is a policy of the City of Troutdale. Each employee is expected to use good judgment and to follow established procedures on all jobs, and in so doing is expected to protect his or her own safety and that of other employees and of the public. All supervisors or managers are responsible for assuring the safety of the workplace and all of the equipment used by their personnel. Appropriate disciplinary action will be taken if violations of the safety policy or City safety procedures or rules have occurred.

The Safety Committee will review all accidents or near accidents involving any City vehicles or equipment in accordance with the established accident investigation policy.

- G. Productivity and honesty are required by the City of all employees. Discipline or termination only will occur when reasonable positive motivational and managerial practices have failed to achieve a reasonable level of productivity and honesty from an employee. Team building is desired as a means of achieving productivity as a group beyond the composite of the individual employees within the group. No employee shall be disciplined for actions or failures of an employee group, but individual action may be taken against any or all individuals for their individual responsibilities within the group. Managerial and supervisory personnel may be evaluated in accordance with the overall productivity and goal achievement of the employee group they supervise and manage. Dishonesty, including abuse of sick leave, which is time theft, or corruption, and abuse of authority for personal gain or favor, will not be tolerated. Proven violations will result in disciplinary action up to and including termination of employment.

III. PROCEDURES

- A. The City Administrator, or designee, shall maintain a Personnel Record for each employee of the City. Personnel Records will be kept in a central Personnel file contained in the Human Resources division of the Executive Department.

- B. The Personnel Record shall contain all of the employee's official records including but not limited to: title of position held, job description, items relating to promotion, changes in pay status, disciplinary actions or recognition awards, training received, and other information considered pertinent or job related.
- C. A separate file will be maintained which contain materials of a sensitive nature that are not directly related to an employee's job performance, such as: workers compensation information, medical records, garnishments, etc.
- D. Departments, at their discretion, may maintain departmental personnel records to assist in the development and implementation of employee job-related training programs.
- E. Supervisors may maintain employee files to be used for evaluation or disciplinary purposes. This material shall be kept confidential. Material maintained for evaluation purposes shall be made part of the next evaluation and forwarded to Human Resources to become part of the personnel record. Material used for disciplinary purposes shall be made part of the disciplinary record and forwarded to Human Resources as soon as possible to become part of the personnel record. Supervisors shall not retain material that has been used in an evaluation or disciplinary action for a period of more than one year. At the end of one-year, material will be purged from the employee's working file.
- F. Employee personnel records shall be considered confidential and shall be accessible in the following manner:
 - 1. Contents of an employee's personnel record shall not be disclosed to anyone other than the City Administrator or staff designee, appointing or supervising authority, the employee, or the employee's specially authorized representative, or as may be required by court order.
 - 2. No derogatory material may be placed in an employee's personnel record unless the employee has been allowed to read it and has indicated, by signature, that the employee knows the material is being placed in the employee's file.
 - 3. The employee may submit a written response regarding any material, which the employee disagrees with being placed in the employee's file.
 - 4. No portion of any employee's file shall be reproduced without written authorization of the City Administrator or designee.

5. The contents of the employee's personnel file are to be considered City property; however employees have the right to review and obtain copies of their personnel record. Employees will be charged the current rate the City charges citizens for such a copies. Separated employees may request one copy of their personnel file at no charge for a period of up to one year from date of separation.
- G. The Personnel Record shall be designed with a retention cycle in accordance with the City's record retention schedule. Human Resources shall review the employee's personnel record when each performance or salary review is due and shall remove all material in expiration of the retention period specified.
- H. In the event any allegations are made against an employee for conduct which would lead to disciplinary action, all evidence, memorandums, allegations and other materials relating thereto shall be kept confidential and shall not be placed in the personnel file until the allegation is substantiated and appropriate disciplinary action has been determined.

IV. INVESTIGATIONS

It is the policy of the City of Troutdale to investigate all complaints of any employee misconduct and to equitably determine whether the allegations are valid or invalid. The City Administrator shall be advised of any and all written complaints against any City employee. An investigation will be completed by the City Administrator and/or designee in order for appropriate action to be determined.

V. DEPARTMENTAL RULES AND PROCEDURES

- A. Each department of the City may establish written departmental rules, regulations and procedures applicable to that particular department. Such rules, regulations and procedures shall be subject to approval by the City Administrator as consistent with the needs of the City and with the provisions of this handbook, and all collective bargaining agreements. [A copy shall be furnished to the Executive Department and updates supplied by the department as changes are made.]

VI. CLASSIFICATION

- A. **Position Classification Plan**

1. A position classification plan shall be enforced as part of these rules. Copies of this plan and of specifications for individual positions shall be available in the Executive Department.
2. The classification plan shall establish the ranges and steps of pay.

B. Purpose of Classification:

1. The purpose of the classification plan shall be to provide like pay for similar responsibilities and job functions.

C. Class:

1. A class shall comprise one or more positions that are so similar in the basic character of their duties and/or responsibilities that the same pay scale can be applied. The same classification requirements shall be generally applied to all positions in a class regardless of the department in which the position is located.

D. Class Specification:

1. The class specification shall state the characteristic duties, responsibilities, and qualification requirements, which distinguish a given class from other classes. The specification shall be descriptive but not restrictive; that is, the class specification shall describe the more typical types of work which may be allocated to the given class but shall not be construed to restrict the assignment of other duties related to the individual positions within a class.

E. Job Descriptions:

1. Job descriptions shall be developed for each authorized position.

F. New Positions and Job Titles:

1. The Human Resource Manager or a designee shall be responsible for keeping the classification plan current through periodic studies of the positions within the City service.
2. No position or class shall carry an official title, which has not been approved by the City Administrator.
3. Only the City Administrator may create new positions and allocate the positions to an appropriate class.

G. Reclassification:

1. Positions may be reclassified by the Human Resource Manager or a designee whenever the duties of the position change materially, provided the reclassification can be accomplished within the limitation of the current budget of the City.
2. Reclassification of a position shall not be used to circumvent the effects of disciplinary action or to avoid restriction concerning compensation.
3. Employees may request a reclassification when they believe the duties of the position may have significantly changed. Requests, with supporting documentation including current job description signed by the immediate supervisor, shall be submitted to the Department Head. The Department Head shall review the request and forward it with a recommendation to the Human Resource Manager for review and decision. An employee requesting a reclassification shall receive a determination within 90-days of the request.

H. Appointment Rate:

1. New employees will be hired at Step "A" of the salary range established for their position. Appointment at any step greater than Step "A" will require approval of the City Administrator.

I. Step Pay Increases -- Merit:

1. The City Administrator shall have the authority to award merit increases within established pay ranges for all employees; however, this authority shall not be greater than five percent (5%) of the budget estimate.
2. It is the intent of the City to base all step pay increases on merit. Step increases shall be based on performance reviews and shall be approved by the City Administrator.
3. The first step pay increase may occur at the end of the new employee's trial service period and further merit increases may be granted twelve months from the employee's previous step increase. Merit increases are not automatic and are based on annual performance reviews indicating an above average performance for the previous year. Supervisors are responsible for making the recommendation for merit increases and approval is authorized

only upon the City Administrator's approval of the recommendation.

4. Employees who achieve the top step within a range shall remain at the top step until such time as they are promoted, demoted, or transferred to a position in a different pay range, or when the classification plan is adjusted. Employees shall be evaluated every 12 months for merit increases until they reach the top step within a range, at which time they will receive, an annual performance evaluation.

J. Acting Pay:

1. Employees assigned substantially all of the duties and responsibilities of a higher classification for more than ten (10) consecutive working days shall be paid retroactively to the first day of the assignment, at least the entry step in the higher range or five percent (5%) above their current rate of pay, whichever is greater. The "acting pay" shall remain in effect until the employee resumes his or her normal responsibilities and duties.
2. The acting assignment request must be made in writing by the Department Head and approved by the City Administrator.
3. Acting assignments shall not continue beyond six (6) months unless the City Administrator approves a written request by the Department Head. The request may extend the acting assignment for a maximum period of three (3) months and must also contain a course of action to alleviate the "acting" status of the position.
4. The employee may be eligible for merit reviews in the higher range but the employee shall revert to the original pay range (plus any merit reviews for which he or she may be eligible) at the end of the acting assignment.
5. Refusing to accept an acting appointment or removal from the acting position after not being selected for permanent appointment shall not be reflected in the employee's performance evaluation record in any negative fashion.

K. Pay Periods:

1. There are twenty-six (26) pay periods per year. Paydays are every other Friday. An employee may request an emergency partial salary payment, outside the regular payday. The maximum partial payment an employee may receive shall not exceed fifty percent

(50%) of the employee's net bi-weekly earnings. An employee shall be limited to one emergency partial payment in each six-month period. The City Administrator must approve all requests. Repayment of advance will be in full on the next scheduled pay date.

2. The City can implement 12 pay periods per year, if agreed upon by the City Administrator, the AFSCME Union and the Troutdale Police Officers Association.

L. Non-represented Employees:

It is the policy of the City that Non-represented Employees have the same benefits and compensation adjustments that are equal to those provided to AFSCME employees, which included cost of living adjustments (COLA's), health care, leave (such as vacation, holiday and sick), and retirement benefits. The exception to this benefit compensation package is that Department Heads begin with three weeks of vacation time and then will accrue vacation time on continued years of service. Department Heads and managers that do not receive overtime compensation will receive "like-time" which will accrue on an hour per hour basis.

VII. GENERAL POLICIES & PROCEDURES

A. Appointment:

1. All original appointments to job vacancies shall be made solely on the basis of merit, efficiency, and demonstrated ability to perform the essential functions of the position.
2. No question in any test or application form shall be framed in such a manner as to ask for information concerning sex, race, color, national origin, age, political or religious affiliation, sexual orientation or physical disabilities.
3. Any statements submitted on the employment application or attached resume are subject to investigation and verification prior to appointment and during employment.

B. Position Vacancies:

1. Vacancies within the department shall be filled by the Department Head by submitting a personnel request form to the Executive Department. If the position is not budgeted, the Department Head must also receive approval of the Finance Director.

C. Physical and Mental Examinations:

1. If a physical and/or mental examination is required by the City, the City will pay for the cost of the examination so long as the City Administrator has previously authorized the examination

D. Trial Service (Employment or Promotion):

1. All employees are subject to working test period during which the employee is required to demonstrate his or her fitness for the duties to which he or she is appointed, by actual performance of the duties of the position. This period is twelve (12) full-time months for department heads, eighteen (18) full-time months for uniformed police personnel and six (6) full-time months for all other personnel. The appointing authority may end the trial service period earlier if deemed appropriate. The employee may be terminated with or without cause by the appointing authority at any time during the trial service period without cause if in the opinion of the appointing authority, the individual is not suitable for the position.
2. There will be no extension of the trial service period for police officers. Police officers will have a merit increase at six months of employment, which if successful recruit police officer will move to the next step of the salary range. The six-month date will become the annual evaluation date for future performance reviews.
3. During a six-month trial service period, the employee shall not be eligible for vacation benefits, but shall earn vacation credit to be taken at a later date if the trial service period is successfully completed. All department personnel in trial service must have the City Administrator's approval prior to vacation time being taken. Vacation credit shall not be awarded until the end of the trial service period, unless pre-approved by the Department Head. The employee will not receive cash out of vacation credit if the employee does not meet the trial service period.
4. Upon completion of the trial service period, the employee shall be considered as having satisfactorily demonstrated his or her qualifications for the position shall attain regular status, and shall be so informed by the Department Head at the time of the performance review.
5. During the trial service period, the employee may be terminated for any reason, at any time, and without appeal. If the employee is

terminated either voluntarily or involuntarily during the trial service no information will be released without a written release from the terminated employee. The City will only release the dates of employment. In case of promotion the City may re-assign the employee to his/her former position if the employee is not successful in the trial service period.

E. Hours of Work:

1. The hours during which the City offices and departments shall be open for business shall be determined by the City Council and the Mayor. The City Administrator or his/her designee to provide maximum efficiency and public service may vary the specific hours of work for individual employees from the normal business hours.
2. One hour for meals is allowed on the employee's time during any regular 8:00 a.m. to 5:00 p.m. workday. Normally, this meal period will be scheduled after four hours work. The City Administrator, or Department Head, may reduce a meal break to one half hour for maximum efficiency and public service. Members of the Troutdale Police Officers Association are allowed one half hour meal break as outlined in the labor agreement.
3. A regular eight-hour, or ten-hour, workday allows for fifteen-minute breaks twice a day, approximately two hours after beginning work and two hours after returning to work following the lunch period.

F. Attendance:

1. An employee shall not be absent from work for any reason other than those specified in the Employee Handbook without making prior arrangements with his or her supervisor. Unless such prior arrangements are made, an employee who for any reason fails to report to work shall immediately notify his or her supervisor of the reason for being absent. If absenteeism continues beyond the first day, the employee shall notify the supervisor on a daily basis. If absenteeism continues beyond three-days the City may require the employee to submit a doctor's letter outlining the nature of the illness/injury and the anticipated date the employee will return to work.
2. Time sheets shall be completed and signed by each employee and approved by the employee's supervisor

3. Unauthorized absence of an employee from duty shall be deemed to be absent without pay and may be cause for disciplinary action.

G. Layoff:

1. If there are changes of duties in the organization, lack of work or lack of funds, the City Administrator may lay off employees. Merit shall be the criterion for the basis of layoff. If, based on previous merit reviews, a ranking cannot be agreed upon by division, department, and City Administrator, then seniority, per the labor contract, in the position and total time with the City will be ranked. A final determination by the Administrator shall be on the overall cost and benefit to the City. A minimum of two (2) weeks and preferably thirty (30) days notice shall be provided in all cases of layoffs

H. Outside Employment:

1. In an effort to provide maximum protection to both the City and its employees against claims of conflict of interest or liability suits, any employee wishing to accept outside employment must first obtain the written approval of the City Administrator prior to accepting such outside employment. Each change in outside employment shall require separate approval.
2. To be approved, or to continue as approved, outside employment shall:
 - a) Be compatible with the schedule of the employee's City work;
 - b) In no way detract from the efficiency of the employee in his or her City work; and,
 - c) In no way conflict with the interest of the City or be a discredit to the City.

I. Residency:

1. Residency in the City of Troutdale is not a condition of initial appointment or continued employment. However, employees whose job description may require an on-call or response time must establish living arrangements to meet such on-call or response time prior to completion of their trial service period. Employees who do not do so will be terminated prior to the end of the trial service period. The response time will be no longer than 30 minutes to the City.

2. Employees who establish living arrangements in compliance with Section 1 may be terminated if they subsequently alter their living arrangements so that they no longer meet their on-call or response time requirements.
3. Employees who establish living arrangements not in conformance with the above requirements prior to the effective date of this provision may still be required to perform the on-call or response duties.

J. Travel Expense:

1. When employees are required to travel outside the City on City business, reimbursement for travel expenses incurred shall be determined as follows:
 - a) Prior to traveling outside the immediate City vicinity (60 miles from City Hall), the employee shall obtain approval for the trip and the mode of travel for the trip from the City Administrator or Department Head.
 - b) Travel on official business outside the City by a single City employee should be via public carrier or City-owned vehicle if one is available. If the employee is authorized to use a private vehicle because a city owned vehicle is unavailable, mileage shall be paid at the I.R.S. rate. This rate includes all travel, insurance, and storage expense of the vehicle. Parking fees/costs are not included in the IRS reimbursement rate.
 - c) When travel by City-owned vehicle or public carrier is practical but the employee elects to use his or her own vehicle for personal reasons, the employee shall be reimbursed an amount equal to the fare of the public carrier that would have been deemed by the City Administrator to be most practical to provide the service.
 - d) Reimbursement for meals on official trips that require an overnight stay shall be only the amount of actual and reasonable expenses incurred during the performance of official duties as a City employee for the City's benefit. Reasonable meal expenses are defined in the City's Travel Standard Operating Procedure.
 - e) The City will not reimburse for alcoholic beverages.

2. Employees are responsible for their own transportation to and from their primary place of work within the City. Paid or compensatory overtime is intended to compensate any extra cost of travel to and from work for extra time worked outside of a regular shift when traveling for official business.
3. City vehicles shall not be used for private purposes. City vehicles shall be used for City purposes instead of private vehicles whenever City vehicles are available, unless approved in advance by the City Administrator or Department Head.

K. In-Service Training:

1. A new employee orientation and general information program shall be established by the City's Human Resource Manager. A formal training program shall be established within each department of the City and coordinated by Department Head. Human Resources will receive copies of all training records and the Finance Department will keep a copy of all required licenses. Each department will maintain training files on required training. Each City employee shall be encouraged to participate in identifying his or her training needs.
2. The City Administrator shall encourage training opportunities for employees and supervisors so that services rendered to the City will be more effective. Department Heads will be assisted by Human Resource Department in meeting training needs in their department and in developing training programs designed to meet immediate citywide personnel needs and to prepare employees for promotion to positions of greater responsibility.
3. Training sessions may be conducted during regular working hours at the discretion of the Department Heads.

L. Professional Associations:

1. The City Administrator shall develop a Standard Operating Procedure or Policy Statement regarding participation in professional association of City employees.

M. Employee Organizations and Representation:

1. City employees shall have the right to form, join, and participate in the activities of labor organizations of their own choosing for the purposes of representation and collective bargaining on matters relating to wages, hours, and working conditions pursuant to the

rules established by the National Labor Relations Act, as amended and adopted by the Oregon Employment Relations Board.

N. Selling and Peddling:

1. No peddling, solicitation, or sales for charitable purposes or other reasons will be allowed among or by City employees during work hours unless approved by the City Administrator.

O. Political Activity:

1. No employee shall engage in political activity during the employee's hours of work.
2. No employee may use official authority or influence to further the cause of any political party or candidate for political office.
3. No City employee, official, or private person shall solicit any assessments, contributions, or services for any political party from any City employee on City time.
4. Nothing contained within this section shall affect the right of the employee to hold membership in and support a political party, candidate or issue, to vote as he or she chooses, to privately express his or her opinions on all political subjects and candidates, to maintain political neutrality, and to attend political meetings.

P. Relatives:

1. Two members of an immediate family shall not be employed in the same division unless authorized by the City Administrator and acknowledged by the related employees that counter-productive working conflicts due to family relations are subject to disciplinary action, including but not limited to termination.
2. Two members of an immediate family shall not be employed by the City when one has personnel responsibilities (such as, but not limited to, wage and salary administration, evaluation, transfers, promotion, supervision, discipline) affecting the other employee.

Q. Clothing and Cleaning:

1. Uniforms or uniform-type clothing may be required by the City if stated in the job description. If the job description specifies that uniforms or uniform-type clothing is required for the performance of the job, the City will provide such clothing.

2. Employees in positions not requiring uniforms or uniform-type clothing are required to provide clothing suitable for their work and will be responsible for their own clothing and cleaning expenses.
3. Specific clothing rules may be further established by Department Head relating to clothing suitability as to safety, or to a productive and professional work environment.
4. City employees who are provided City clothing (clothing with the City name, logo or uniforms) as part of their job requirement may not wear City clothing at non-business related functions or when off-duty, except in the normal course of travel to and from work.

VIII. GENERAL CONDUCT, DISCIPLINE, TERMINATION AND APPEAL

A. Standards of Conduct:

1. Citizens, customers, suppliers, and outside agency representatives who contact the City are always to be treated with the respect due them as citizens. Since the public is our customer, the conduct of our employees is always on display. Therefore, employees are expected to dress appropriately for the work they are performing, and act in a professional manner. Courtesy to fellow employees, supervisors, elected officials, other agency representatives, and citizens of our community, combined with a cheerful, positive attitude, makes everyone's job easier.
2. Employees are expected to maintain high standards of honesty, integrity, and impartiality in the conduct of City business.
3. Personal Gains. Official positions and confidential information shall never be used to personal advantage or gain.
4. Conflict of Interest. An employee shall not participate in any contract, sale purchase, service, or other transaction between the City and a business firm in which the employee has a financial interest. Employees shall be required to disclose such financial interest, if any, at the time of hiring and this information shall become a part of their official personnel file.

5. Gifts. An employee shall not accept or solicit anything of economic value, such as a gift, gratuity, favor, entertainment, or loan, which may appear to influence his or her official conduct. This does not prohibit the acceptance of unsolicited advertising materials of insignificant value or refreshments or lunch in the ordinary course of a meeting, or the solicitation of loans on customary financial terms.
6. General Conduct. Employees shall conduct themselves in a manner that will reflect credit upon the City. Such conduct shall be free of indiscretions or actions that would bring embarrassment to the City or individual employees.
7. Confidentiality. Employees shall hold confidential all information deemed not to be for public consumption as determined by City and department policy. Employees shall also respect the confidentiality of people served in the course of the employees' duties and use information gained in a responsible manner.
8. Statements. Employees shall carefully distinguish between public statements made as an individual and those made as a representative of City government.
9. General Property Use. An employee shall not, directly or indirectly, use or allow the use of City property, supplies, or equipment, either owned or leased, for purposes other than the official conduct of City business and activities.

B. Sexual Harassment

1. The City of Troutdale prohibits sexual harassment of its employees in any form. Such conduct may result in disciplinary action up to and including termination, depending on the seriousness of the violation. Offensive sexual flirtations, advances, propositions, verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words or phrases used to describe an individual, or the display of sexually suggestive objects or pictures may be constitute sexual harassment, and are strictly prohibited.
2. No employee, supervisor, or public official shall threaten or insinuate, either implicitly or explicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee or applicant in any aspect of employment. It is the intent of the City of Troutdale to apply these policies to all employment-related practices, including, but not limited to: job termination,

compensation, training, recruitment, advertising of job openings, tenure, layoff and recall, leaves of absence, fringe benefits, and all other employment-related activities.

3. Any violation of this policy should immediately be brought to the attention of the City Administrator, Human Resource Manager or any Department Head or supervisor in the City who will immediately institute an appropriate investigation as deemed necessary to substantiate the facts surrounding the alleged violation. Based upon this information, disciplinary action to correct the violation will be taken as indicated by the facts of the case, and a written record will be maintained containing the results of the investigation.

C. Discipline

1. Discipline is the establishment, maintenance, and reinforcement of standards of performance high enough to secure for the residents of Troutdale the best and most efficient service possible. Any discussion with an employee designed to help him or her develop or improve skills and abilities is considered coaching. Coaching should be used before taking more formal action and should always be used to follow up after formal action. Whenever possible, disciplinary action should aim at improving the situation rather than be solely punitive in nature.

D. Causes for Disciplinary Action

1. It is the responsibility of all employees to observe the regulations necessary for the proper operation of City government functions. Discipline shall follow the presentation of specific issues to the employee, which shall include, but not be wholly limited to, those listed below:
 - a) Drinking intoxicating beverages or use of illegal drugs on the job or arriving on the job under the influence of intoxicating beverages or drugs;
 - b) Violation or neglect of lawful duty;
 - c) Insubordination defined as refusal to follow direct, lawful orders by the City Administrator or department management personnel, whether direct or indirect;
 - d) Being habitually absent or late for work;

- e) Failure to comply with established departmental and City rules and regulations;
- f) Accepting outside gratuities in the performance of the employee's official duties for the City;
- g) Using religious, political, or fraternal influence or openly engaging in political activity in an attempt to influence City policy or employees;
- h) Discourteous treatment of the public or other employees while in performance of duties;
- i) Fraud in securing appointment or promotion;
- j) Willful misuse of City property, funds, or records;
- k) Inability or unwillingness to perform assigned job;
- l) Willful inefficiency or ineffectiveness in job assignments;
- m) Unauthorized possession of weapons, ammunition and/or explosives, including inert or expended items, stun gun, TAZER, metal knuckles, straight razor, nunchaku, sap or sap gloves, any type of knife other than an ordinary pocket knife or Leathermen type tool is prohibited on City property. City property means any real or personal property that is owned or leased by the City.
- n) Theft of City Property or Resources.

E. Absence Without Pay or Permission

1. Any unauthorized absence of an employee from duty shall be grounds for disciplinary action. In the absence of such disciplinary action, any employee who is absent for three or more consecutive days without authorized leave shall be deemed to have resigned.
2. An employee shall be determined to have resigned his or her position if the employee fails to report to work for three consecutive working days without authorization, or fails to provide proper notice to the employee's supervisor if sick. An employee may be reinstated in full and good standing with the recommendation of the supervisor to the City Administrator.

3. Further departmental rules and regulations may be developed by each Department Head relating to the unique concerns of that department so long as departmental rules are not in conflict with these rules. In the case of any inadvertent conflict, the City Employee Handbook shall apply.

F. Minor Disciplinary Actions

1. A minor disciplinary action shall be either an oral or written warning by the supervisor and may result in a half-day or day off without pay.
2. An oral warning is verbal notice to the employee that his or her behavior or performance must be improved. It defines areas where improvement is needed, sets goals, and informs the employee that failure to improve may result in more serious action. The supervisor should record the date and content of the oral warning record which shall be placed in the employee's personnel file.
3. A written warning is formal notice to the employee that his or her performance or behavior must be improved. It contains the same elements as the oral warning. When appropriate, it should be used in conjunction with a plan for individual improvement. Any employee who receives a written warning may respond to the warning in writing and the response shall be attached to the warning for whatever period of time the warning remains in the employee's personnel file. Written warnings shall remain in an employee's file for no longer than one year unless there is a repeat of the same or similarly related offense within one year of the original offense. A written warning may be accompanied by up to two days off without pay. The employee must make a written request to the Department Head to have a written warning removed from his or her file.

G. Major Disciplinary Actions

1. Major disciplinary actions resulting in three or more day's suspension, demotion, or dismissal shall result in an automatic review by the City Administrator or a designee.
2. A major disciplinary action shall be a written reprimand and may be accompanied by up to three days off without pay.
3. Employees may have their original employment or promotional trial service periods extended or may be given a trial service period not to exceed three months as a result of a disciplinary action. The

City Administrator shall authorize all disciplinary trial service periods given.

4. At the end of the disciplinary trial service, the employee shall be returned to regular employee status or shall be terminated. If the employee is terminated for disciplinary purposes, such information may be released to future employers upon written release from the terminated employee.
5. A reprimand is the Department Head's official written notice to the employee that his or her performance or behavior is seriously below standard and that continuation of such behavior will subject the employee to disciplinary action, including, but not limited to termination. A reprimand should not be issued until after the employee has been informed of the charges and has an informal opportunity to respond. Any employee may respond to a written reprimand that they receive.
6. The City Administrator or his/her designee may suspend an individual immediately pending the outcome of an investigation. Such suspension shall be with or without pay but subject to full pay restitution if investigation findings are in the employee's favor. If no action, or if minor disciplinary action, is taken during the suspension period, then the employee shall be eligible for retroactive pay, even though it was for time not worked. If major disciplinary action, or termination, results during the suspension period, the employee shall not be eligible for retroactive pay.
7. The City Administrator or his/her designee shall base termination or dismissal of a regular employee based on cause, by due process by proper authority, and subject to appeal by the employee. The employee is to be given a written warning and notified that termination may result if policies or the Employee Handbook are violated. A pre-termination hearing shall be held prior to any final decision. The decision by the City Administrator or his/her designee shall be final, subject to appeal. A post-termination hearing, informing the employee of the decision and the right to appeal, shall be held unless the employee refuses to appear, in which case the employee shall be notified of the decision and right to appeal in writing.

H. Appeal

1. All regular employees shall have the right to appeal disciplinary action taken against them within four days after the effective date of disciplinary action.

I. Grievance Procedure

1. The purpose of this grievance procedure is to establish a channel of communication between employees and management, whereby an employee with a grievance may receive prompt attention.
2. The City shall promptly consider and equitably adjust employee grievances relating to employment conditions and relationships. The City desires to resolve the causes of grievances informally; both supervisors and employees are expected to discuss problems as they arise.
3. **Informal Grievance Procedure:**

An employee or group of employees, who have a problem or complaint, should first try to get it settled through discussion with their immediate supervisor without delay. If after this discussion, the employee does not believe the problem has been satisfactorily resolved, the employee shall have the right to discuss it with his supervisor's immediate supervisor. Every effort should be made to find an acceptable solution by informal means at the lowest possible level. If the employee is not in agreement with the decision reached by discussion with the supervisor, the employee shall have the right to file a formal grievance in writing within five (5) calendar days after receiving the informal decision of his or her immediate supervisor.

4. **Formal Grievance Procedure:**

(Step 1) If the grievance is not settled in the informal process, it shall be prepared in detail; shall be reduced to writing; shall be dated; shall be signed by the aggrieved employee or group of employees; and shall be presented to the Department Head within five working days after the supervisor's informal decision is given, not including the day the answer is given. The Department Head shall reply in writing to the grievance within five working days of the date of the presentation of the written grievance, not including the day of presentation.

(Step 2) If the grievance is not settled in Step 1, the written grievance shall be presented, along with all pertinent correspondence, records, and information accumulated to date, to the City Administrator within five working days after the Department Head's response is given, not including the day the response is given. The City Administrator shall meet with the

aggrieved employee or group of employees, the immediate supervisory personnel, and the Department Head. The City Administrator shall reply to the grievance in writing within five working days of the date of presentation of the written grievance. The decision of the City Administrator shall be final and binding on the employee or the group of employees.

5. If the grievance procedures are not initiated within the time limits established by this section, the grievance shall be considered not to have existed.
6. Any grievance not taken to the next step of the grievance procedure shall be considered settled on the basis of the last reply made and received in accordance with the provisions of this section.
7. If the City fails to meet or answer any grievance within the time limits prescribed for such action by this section, such grievance shall automatically advance to the next step. If the City fails to meet or answer any grievance on the last step of the grievance procedure within the time limits prescribed for such action by this section, it shall be deemed that the City has considered the grievance to be in favor of the grievant and shall resolve the matter accordingly.
8. The limits prescribed in this section for the initiation and completion of the steps of the grievance procedure may be extended by mutual consent of the parties so involved. Likewise, any step in the grievance procedure may be eliminated by mutual consent. Mutual consent shall be indicated in writing and shall be signed by all parties involved.
9. No employee shall be disciplined or discriminated against in any way because of the employee's proper use of the grievance procedure.

J. Resignation

1. To resign in good standing, an employee shall give the Department Head not less than ten working days notice of such resignation unless the Department Head agreed to permit a shorter period of notice because of extenuating circumstances. The notice of resignation shall be in writing and shall contain the reasons for leaving the City service. The City Administrator shall require an exit interview.

K. Cost Consciousness

1. City employees shall practice every economy practical in the execution of their duties.
2. Employees are encouraged to recommend to their supervisors any work procedures which will result in a cost saving or improved service to the public.

IX. SAFETY RULES

A. Industrial Accidents

1. All employees shall be covered under State-approved insurance for industrial accidents and disease. Such insurance shall meet all requirements set forth in the Oregon Revised Statutes relating to Public Employers and to Workers Compensation. Benefits include medical treatment and care as well as disability compensation during periods of time lost from the job.
2. The City Administrator, or a designee, shall act as the City Safety Officer. The Safety Officer shall be responsible for the development and maintenance of a safety program. Such program shall include the following safety regulations and discipline controls:
 - a) Report all injuries immediately to your supervisor.
 - b) Proper work clothing should be worn to prevent accidents.
 - c) Tricks, practical jokes, and horseplay are prohibited. What may be meant as fun may not be received that way and could result in serious injury.
 - d) Keep equipment, tools, materials and work areas neat, clean and orderly.
 - e) Wear personal protective equipment where required. If in doubt, ask the supervisor.
 - f) Report all unsafe conditions immediately to the supervisor.
 - g) Learn to lift properly. Know the basic steps of lifting. If an item is too heavy or bulky, get assistance.

- h) Possessing, using, or being under the influence of alcoholic beverages, illegal drugs, or intoxicants during work time or on City premises are prohibited. Accommodations will be made for off duty use of medical marijuana for employees registered with the Oregon Department of Human Services for individuals with a debilitating medical condition, with the exception of Police Officers.
- i) If you do not know the safe way to perform your job functions, ask your supervisor.
- j) Pay special attention to helping new employees. Teach them safe ways to perform tasks in order to prevent future accidents.

B. Accident Investigation Procedure

1. Employees shall report all accidents immediately to their supervisor and an investigation will be conducted as soon as practical. When a person is injured, proper first aid or medical attention shall be the first priority before beginning the investigation procedures.
2. Any employee, who creates a hazardous situation, either for themselves or, for other employees, or the general public, may be subject to disciplinary action for violation of City safety practices. A series of warnings or disciplinary actions for safety violations may result in disciplinary action, up to and including termination.
3. When accidents occur on City premises or to City property, the employee shall contact the supervisor immediately and the employee shall complete an accident report. In case of a motor vehicle accident involving City vehicles, the Police Department shall be notified immediately. The Police Department shall be responsible for investigating all accidents which involve City and/or private vehicles, or where there is damage to private property as a result of a City vehicle accident.
4. In cases of accidents involving personal injuries, the primary concern shall be for the safety and prompt medical attention of the injured. As soon as practical, the injured employee shall contact his or her supervisor. The employee's supervisor shall be responsible for ensuring that the Human Resource Manager is informed of the injury so that the proper personnel procedures may be initiated.

5. The City Administrator or Human Resource Manager shall be notified of all accidents involving City employees and City property as soon as possible, but not later than the next workday.
6. Only the City Administrator or a designee shall be authorized to contact the immediate family in cases where the injuries sustained are serious, or in the case of a fatality.
7. An employee shall not earn vacation or sick leave credits when on leave due to a job-related injury. An employee shall not earn vacation or sick credit when leave is due to a non-job related injury/illness, once all earned leave is exhausted, or when an employee is on long-term disability.

C. Legal Liability

1. Employees shall abide by all laws and regulations, which govern the performance of their duties, and shall perform their duties as reasonable, prudent persons. Employees who are reasonable, cautious, and prudent in the performance of their duties are not negligent and, therefore, neither legally nor morally liable for accidents or injuries which may occur.
2. Expenditure or commitment of City funds in any form requires a proper identification of the expenditure, purpose, amount, and authorizing individual. To do otherwise is an unlawful expenditure for which the employee may be held personally responsible.

APPENDIX A

DEFINITIONS

The following terms shall apply specifically within the context of the City's Personnel Policies, Procedures and Rules, and generally apply throughout the City's personnel system for administrative purposes.

Appeal: An appeal shall be a complaint against the decision of management pursuant to the rules.

Appointing Authority: Is the City Administrator or his/her designee.

City Administrator: The Council-appointed chief management and administrative officer of the City who works directly for the Mayor and City Council as the officer responsible for the overall administration of all City functions and direct supervision of all Department Heads and city staff. The City Administrator is also responsible for the specific administration of these rules. The City Administrator or designee is the appointing authority.

Class: A position or group of positions which are sufficiently similar in respect to duties, responsibilities, and authority that they may properly be designated by the same broad title and equitably compensated from the same pay range under substantially equivalent employment conditions.

Classification Plan: A schematic list of classes for all departments supported by class specifications.

Compensatory Time: The hours authorized to be absent from duty as part of base salary granted to compensate for overtime worked but not otherwise paid.

Confidential Employee: One who assists and acts in a confidential capacity to a person who formulates, determines, and effectuates personnel management policies in the area of collective bargaining.

Demotion: The movement of an employee from one class to another class with a lower range of pay or from one step to a lower step within a class having a lower rate of pay.

Departmental Procedures: Those subsidiary procedures established by the department in conformance with these City policies and procedures or Administrative Rules.

Department Head: A senior management employee appointed by the City Administrator to exercise direct supervision over departmental employees and functions. The Department Head is

responsible to the City Administrator for overall conformance with City policies and procedures, as well as direct responsibility for departmental operations.

Employee Full-Time/Regular: Employees who have successfully completed the trial service period and are regularly scheduled to work at least 40 hours per week. Full time regular employees are eligible for City provided benefits.

Employee, Part-Time: Regular employees who have successfully completed the trial service period and are regularly scheduled to work less than 40 hours per week. Part time regular employees are eligible for pro-rated city provided benefits unless restricted by contract with benefit provider.

Employee, Probationary: An employee who has not yet completed the trial service period and may be terminated at the sole discretion of the employer.

Employee, Temporary: An employee filling a position with a set time limit (e.g. project) or duration (e.g., covering for a permanent employee's absence or leave). Temporary employees may be terminated at the employer's discretion with or without cause. Temporary employees are not eligible for City provided benefits.

Evaluation Date: The date on which an employee's work is evaluated to determine satisfactory performance, fitness for appointment to permanent status, or worthiness for a merit increase.

Grievance: A formal or informal complaint brought by an employee to allege a violation of policies or the Employee Handbook or by a supervisor or other employee, including, but not limited to, disagreements or misunderstandings concerning interpretation and application or authority.

Human Resource Manager: The City Administrator, Human Resources Manager, or their designee.

Job Description: The written description of the tasks, duties, essential functions, and responsibilities, minimum qualifications for the job and assignment. The City Administrator shall approve all job descriptions and shall designate appointing and supervising authority therein.

Just Cause: Sufficient justification for taken employment related actions include but not limited to: neglect of duty; negligence; performance; dishonesty; intoxication; disobeying the City of Troutdale Employee Handbook, or departmental orders/procedures; insolence or disrespect; disloyalty to the City of Troutdale's interest; immoral, disrespectful, or unbecoming conduct.

Layoff: A separation from employment because of organizational changes, lack of work, lack of funds, or other reasons not reflecting discredit upon an employee.

Leave of Absence: An authorized absence from regularly scheduled work hours, which has been approved or directed by appointing or supervising authority. Leave may be paid or non-paid.

Overtime: Hours or days an employee is approved to work in excess of the normal workweek.

Pay Range: The minimum, intermediate, and maximum rates of pay established for a class in the classification and pay plans.

Personnel Action: Any action taken with reference to appointment, compensation, promotion, transfer, layoff, leave, trial service, discipline, dismissal or any other action affecting an employee's status with the City.

Position: Any special office, employment or job, legally established, whether occupied or vacant, calling for the performance of certain duties and carrying of certain authority and responsibilities performed by one person, in a full, part-time or temporary capacity. **Note:** Authorized position: A position authorized in the budget.

Progressive Discipline: Discipline, which usually follows a standard course of events depending on the severity of violation. The City reserves the right to initiate discipline at any level warranted by the situation.

Promotion: The movement of an employee from one class and job position to another class and job position which has a higher maximum rate of pay.

Reasonable: What a prudent individual would do under similar circumstances.

Reclassification: A change in location of an individual position by either raising it to a higher class or step or reducing it to a lower class or step on the basis of significant changes in the kind, difficulty, or responsibility of the work performed in said position.

Reprimand: A written warning to an employee that the supervisor believes a deficiency exists in the employee's work performance or conduct and improvement is needed. This is kept in the employee's personnel file for a period of time specified in the written warning, but not to exceed two years.

Separation: The termination of employment for any reason.

Shift Work: Any routinely assigned work outside of a standard 8:00 a.m. – 5:00 p.m. or 8:00 a.m. – 4:30 p.m. work shift. A four (4) day, ten (10) hour day, forty (40) hour workweek shall not constitute shift work.

Step Increases: Merit pay increases allowed within the pay ranges as set forth in the current fiscal year's Salary and Classification Plan.

Supervising Authority: Authority granted to management personnel to assign and evaluate work; to schedule hours of work; to take disciplinary action necessary short of demotion or termination; and to recommend promotion or step increases.

Suspension: An involuntary absence with or without pay imposed on an employee for disciplinary acting pending final outcome of appeal and during which the employee is relieved of all authority and responsibility.

Temporary or Acting Appointment: An appointment of a person to a position, temporarily vacant.

Transfer: The movement of an employee from one position of the same class or to another class having the same maximum rate of pay, involving the performance of similar duties, and requiring essentially the same basic qualifications, but with different specific job assignments.

Termination: Termination of employment by the City for reasons of cause attributable to the employee. Also may be referred to as dismissal, firing or similar terms meaning involuntary termination from employment by the City.

Trial Service Period: A working test period, normally of at least six (6) full-time months [12 months for Department Heads; 18 months for uniformed police personnel], during which an employee is required to demonstrate his or her fitness for the duties to which he or she is appointed by actual performance of the duties of the position. The appointing authority may end the trial service period earlier if deemed appropriate. The employee may be terminated with or without cause by the appointing authority at any time during the trial service period without cause if in the opinion of the appointing authority the individual is not suitable for the position.

Vacancy: An authorized position which is not occupied and for which funds have been provided in the current budget.

Verbal Warning: An oral disciplinary action by the employee's supervisor regarding specific deficiencies in an employee's work performance or conduct.

Work Week: Those hours within a Sunday through Saturday period for which an employee is hired and agrees to work, up to forty (40) hours on five (5) eight (8) hour days, or four (4) ten (10) hour days. EXCEPTION: Police shift change periods are excluded from this and defer to a pay period not to exceed 80 hours in a fourteen-day period

APPENDIX B

SUBSTANCE ABUSE PREVENTION PROGRAM

CITY OF TROUTDALE – POLICY STATEMENT

The City of Troutdale has the responsibility and a commitment to its employees to provide a healthy and safe workplace and environment. The employees have a responsibility to arrive and remain on the City of Troutdale premises, free from the effects of drugs, alcohol, and other job-impairing substances. These joint responsibilities result in the objective of establishing a work environment where all employees are free from the effects of drugs, alcohol, and other job-impairing substances.

PURPOSE

Drug and alcohol abuse leads to more accidents on the job, lower quality products, lost productivity, increased absenteeism, high medical costs, and rising thefts. Impaired employees on the job are potentially dangerous to themselves and could jeopardize the health or lives of fellow employees. While the City of Troutdale has no intention of intruding into the private lives of its employees, it does require them to report for work in condition to perform their duties in a safe manner.

PROGRAM

The City of Troutdale prohibits the use, possession, and/or distribution on its premises, facilities, and/or workplaces of any of the following: alcoholic beverages, intoxicants and narcotics, illegal or unauthorized drugs [including marijuana], and related drug paraphernalia. In addition, a City employee will not even report for work under the influence of any drug, alcoholic beverage, intoxicant or narcotic or other substance [including legally prescribed drugs and medicines] which will in any way adversely affect his or her working ability, alertness, coordination, or response, or adversely affect the safety of others on the job. Such use, possession, distribution, or impairment during working hours [breaks and lunches included] and/or on City premises, will be grounds for disciplinary action, up to and including termination. All drug testing and results obtained under the requirements of the Program will be coordinated with and authorized by the City Administrator or a designee. All such activities will be kept confidential.

TRAINING OF EMPLOYEES BY EMPLOYER

Prior to implementation of a substance abuse prevention program, the City of Troutdale shall conduct substance abuse training for all employees. All training shall take place during normal work hours, or immediately before or after scheduled shifts, on employer paid time.

VOLUNTARY DRUG AND ALCOHOL REHABILITATION

Employees who have a drug or alcohol abuse problem are encouraged to use the “Medical Benefits Program” and contact the City Administrator/Human Resource Manager, or a designee, to request assistance in rehabilitation. The City of Troutdale will provide information regarding counseling and referral services to employees who have chemical dependency problems. Effective treatment requires that the employee acknowledges the seriousness of the problem and makes a commitment to a plan for rehabilitation. Such employees will be given a reasonable time off without pay for professional rehabilitation using available City and community resources. Such admission will not be used as a basis for disciplinary action and will not be used against the employee in any disciplinary proceeding. It will not be a defense, however, to the imposition of disciplinary action based on other grounds.

MEDICALLY AUTHORIZED DRUGS

Each employee must report the use of medically authorized drugs or other substances which can impair job performance to the City Administrator/Human Resource Manager or a designee, and provide proper written medical authorization from a physician or dentist to work while using such authorized drugs. It is the employee’s responsibility to determine whether or not the prescribed drug would impair his or her job performance. Any failure to report the use of such drugs or other substances, or failure to provide proper evidence of medical authorization, can result in disciplinary action.

DEFINITIONS

Drug/Alcohol Testing: An analysis of a urine specimen provided by the employee.

Reasonable Suspicion: Specific observations of significant changes in work performance, appearance [including, for example, noticeable odor of an alcoholic beverage], behavior, or speech of the employee. In cases involving an accident on City premises which results in physical injury or serious property damage, which otherwise cannot reasonably be explained, reasonable suspicion is deemed to exist.

Under the Influence: When a drug or alcohol or the combination of drugs and alcohol affect an employee to the extent that it affects his or her ability to perform the job in a safe manner.

GROUND FOR TESTING

The City Administrator/Personnel Department Head or a designee will arrange for an employee to take a drug/alcohol screen test at a licensed medical laboratory if the employee’s actions indicate “reasonable suspicion” as defined above.

Employees who are being tested will be suspended from work without pay until the test results are received.

If the test results are negative, the employee will be made whole for all wages, hours, and benefits, including overtime hours previously agreed upon unless said overtime is canceled or rescinded.

PROCEDURE FOR TESTING

1. If a medical clinic is used to collect urine or blood specimens for forwarding to a licensed medical laboratory for analysis, the City Administrator/Human Resource Manager or designee will verify that the clinic ensures that a “chain of custody” is well documented and controlled for accurate recording.
2. A member of management will take the employee to the medical laboratory or medical clinic for the test.
3. If the employee refuses to submit to the test or sign a consent form, he or she can be terminated.
4. If the urine screen test is positive, this result will be confirmed using the following tests on the same specimen: Gas Chromatography Mass Spectrometry [GS/MS for drugs or Gas Chromatography-flame Ionization Detection [GC-FID] for alcohol. If the urine screen or confirmation test is negative, the employee will return to work and be made whole for all wages, hours, and benefits, including overtime hours previously agreed upon unless said overtime is canceled or rescinded.
5. If the confirmation test is also positive, the following procedures will be followed:
 - A. **Drugs.** Upon receiving confirmation of a positive test result, the City of Troutdale will require the employee to enroll and complete a drug rehabilitation program as a condition of continued employment; sign a rehabilitation agreement; and submit to random drug testing for a period of twelve [12] months. If the employee refuses to accept the above stated conditions, he or she is subject to termination.

**NOTE: A second positive test in a twelve [12] month period will result in immediate termination.*

- B. **Alcohol.** Upon receiving confirmation of a positive test result, the City of Troutdale will require the employee to enroll in counseling [by a medical professional]; if appropriate, enroll in and complete an alcohol rehabilitation program as a condition of continued employment; and sign a rehabilitation agreement. If the employee refuses to accept the above stated conditions, he or she is subject to termination.

**NOTE: A second positive test in a twelve [12] month period will result in immediate termination.*

REHABILITATION AGREEMENT POLICY AND REQUIREMENTS

1. Reinstatement to employment is contingent upon admission to and/or completion of an approved treatment program.
2. Compliance with, and whole-hearted participation by employee in, an approved treatment program and after care program.
3. Ongoing employment is contingent upon successful completion of an approved program.
4. Open communication and evaluation process between employee, City of Troutdale, and the treatment program should progress through treatment and for the first six months of after-care program.
5. Overtime and/or time off subject to review and approval by the City of Troutdale.
6. The Rehabilitation Agreement will be reduced to writing and be entered into [signed] by the employee.

EMPLOYEE RIGHTS

1. The employee will have the right to representation by a fellow employee of the employee's choice, upon request, at the time of management's decision to test.
2. All test results will be kept confidential and will be available only to the City Administrator/Human Resource Manager, or designee, and a representative authorized by the employee, provided the employee waives in writing all claims against the City of Troutdale for disclosing such information to the employee's representative.
3. Any employee who tests positive and is terminated by the City of Troutdale based upon confirmed test results can request from the City of Troutdale all written documentation available from the testing laboratory which verifies the accuracy of the equipment, the qualifications of lab personnel, the chain of custody of the specimen, and the accuracy rate of the laboratory.

DRUG AND ALCOHOL THRESHOLD SCREEN LEVELS

DRUG NAME	THRESHOLD SCREEN LEVELS
Alcohol	0.08 g/dl
Amphetamines Amphetamines Methamphetamines	1000 ng/ml 1000 ng/ml
Barbiturates Butalbitall Phenobarbital Secobarbital	1000 ng/ml 1000 ng/ml 300 ng/ml
Benzodiazepines Chlordiazepoxide Diazepam Oxazepam	3000 ng/ml 2000 ng/ml 300 ng/ml
Cannabinoids	1000 ng/ml
Cocaine Metabolite	300 ng/ml
Methadone	300 ng/ml
Methaqualone	300 ng/ml
Opiates Codeine Morphine	1000 ng/ml 300 ng/ml
Phencyclidine	25 ng/ml
Propoxyphene	300 ng/ml

LAST CHANCE AGREEMENT

1. I promise to cooperate fully and participate in the City of Troutdale's counseling/rehabilitation program in accordance with instructions and requirements of the program administrators. I understand that my reinstatement is contingent on the successful completion of the treatment program that has been prescribed for me.
2. I authorize counseling or rehabilitation representatives to confer with City officials concerning my progress, including the disclosure of medical and psychiatric evaluations of me.
3. I understand and agree that I will willingly submit to unscheduled drug and/or alcohol testing at any time, and that my failure to take such a test as requested, or a positive result, will be cause for my immediate termination of employment. I agree that unscheduled testing may be required of me for up to twelve [12] months following the date of this agreement.
4. I understand that any overtime and/or time off is subject to review and approval by the City's personnel department.
5. I understand and agree that my future employment with the City of Troutdale depends upon my remaining free of drugs and/or free of alcohol abuse for the entire duration of my continued employment, and that this *LAST CHANCE AGREEMENT* opportunity afforded me by the City of Troutdale is conditioned accordingly.

Signature of Employee

Date

Printed Name:

APPROVED BY:

Acknowledgement and Receipt

I have received my copy of the Employee Handbook.

The employee handbook describes important information about the City of Troutdale and I understand that I should consult the Human Resource Manager regarding any questions not answered in the handbook. I have entered into my employment relationship with the City of Troutdale voluntarily and acknowledge that there is no specified length of employment. Accordingly, either the City of Troutdale or I can terminate the relationship at will, with or without cause, at any time, so long as there is not a violation of applicable Federal or State law.

This handbook and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of my employment with the City of Troutdale. By distributing the handbook, the City of Troutdale revokes any and all previous policies and procedures, which are inconsistent with those contained herein.

I understand and agree that nothing in the Employee Handbook creates, or is intended to create; a promise or representation of continued employment and that employment at the City of Troutdale is employment at-will, which may be terminated at the will of the City or me. Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document.

I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in the handbook and any revisions made to it.

Employee's Signature

Employee's Name (Printed)

Date

TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE