

RESOLUTION No. 250

A RESOLUTION ADOPTING PERSONNEL POLICIES, PROCEDURES AND RULES FOR THE CITY OF TROUTDALE.

WHEREAS, the City Council of the City of Troutdale is authorized by Ordinance No. 240, the Personnel System Ordinance, to adopt personnel policies, procedures and rules; and,

WHEREAS, the City Council has delegated the authority for administration of its personnel policies, procedures and rules to the City Administrator as the City's Personnel Officer; and,

WHEREAS, the City Council now desires to further specify these personnel policies, procedures and rules; now, therefore,

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THAT:

1. The City Council hereby adopts the attached Personnel Policies, Procedures and Rules in paragraphs 1.0 through 8.0, identified as Attachment "A" hereto; and that,
2. The City Administrator, as the City's Personnel Officer, is responsible for the administration of these policies, procedures and rules pursuant to Ordinance No. 240, the Personnel System Ordinance; and that,
3. The City Administrator, as the City's Personnel Officer, shall establish such additional administrative policies, procedures and rules by written memorandum as necessary to implement the personnel system and rules consistent with Ordinance No. 240 and this Resolution; and that,
4. The Mayor shall have the authority to vary or modify the strict application of the provisions of these policies, procedures and rules whenever strict application would result in practical difficulties or unnecessary hardships. Such variances shall be recorded in writing and reported to the City Council at its next regular meeting; and that,
5. Be it further resolved by the Common Council of the City of Troutdale that all previous personnel rules, specifically those of October, 1968, and any past practices which might be found to be in conflict or inconsistent with these rules and this personnel system are hereby voided and superseded by Ordinance No. 240 and this Resolution.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 10th DAY OF April, 1979.

YEAS: 3

NAYS: 1 (Helen Althaus)

Signed this 13th day of April, 1979.



R. M. Sturges, Mayor

ATTEST:



Jerri L. Widner
City Recorder/Finance Director

AN ORDINANCE ESTABLISHING A PERSONNEL SYSTEM FOR THE CITY OF TROUTDALE.

WHEREAS, the City Council intends to be fair and consistent in its relations with City Employees; and

WHEREAS, the general public interest warrants reasonable assurance that all municipal employees can be expected to provide a full day's work for a full day's pay; and

WHEREAS, a personnel system is a central element of the City's management system, now, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE:

SECTION 1. TITLE. The Title of this ordinance shall be "The Personnel System Ordinance of the City of Troutdale, Oregon."

SECTION 2. PURPOSE. This ordinance is adopted to establish a comprehensive personnel system with an equitable and uniform policies and procedures for dealing with personnel matters; to attract to municipal service and to retain the best and most competent persons available; to assure that appointments and promotions of employees will be based on merit and fitness; and to provide a reasonable degree of job security and fairness for employees.

SECTION 3. ADOPTION AND AMENDMENT OF RULES. Personnel rules shall be adopted and amended by resolution of the Common Council. The rules shall provide means to recruit, select, and maintain an effective and responsive work force, and shall include policies and procedures for employee hiring and advancement, training and career development, job classification, salary administration, retirement, fringe benefits, discipline, discharge, and other related activities. All appointments and promotions shall be made on the basis of merit in accordance with the personnel rules without regard to sex, race, color, age, religion or political affiliation.

SECTION 4. ADMINISTRATION OF THE RULES. The City Administration shall be responsible for:

- (a) Administering all the provisions of this ordinance and of the personnel rules not specifically reserved to the Common Council;
- (b) Establishing such administrative policies and procedures as necessary to implement the personnel rules;
- (c) Preparing or causing to be prepared and recommending to the Mayor and Common Council personnel rules and revisions and amendments to such rules.

SECTION 5. SEPARABILITY. If any-section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 6. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after the date signed by the Mayor.

Passed by the Common Council of the City of Troutdale this 8 day of March, 1977.

YEAS: 4
NAYS: 0

Signed by the Mayor this 8 day of March, 1977.

ATTEST:

Rita I. Beaton

R. M. King
Mayor

PERSONNEL POLICIES, PROCEDURES AND RULES
ORDINANCE NO. 250

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1.0 PURPOSE

- 1.1 To establish a written statement of the City's personnel philosophy and policy, and to establish equitable and uniform procedures and rules for dealing with personnel matters; and,
- 1.2 to attract to municipal service and to retain and motivate the best and most competent persons available within the City's financial limitations; and,
- 1.3 to assure that appointments and promotions of all employees will be based on merit and fitness; and to provide a reasonable degree of job security and fair compensation for employees; and,
- 1.4 to provide for fairness in the application of these policies, procedures and rules when discipline or discharge becomes appropriate under the personnel system; and,
- 1.5 to provide for the administration of the City's personnel system and the personnel policies, procedures and rules.

2.0 ORGANIZATIONS AFFECTED

- 2.1 All City departments and their respective personnel shall be equally affected by, and responsible for conformance with, these personnel policies, procedures and rules.
- 2.2 All employees co-employed by the City and another agency and hired by or paid by other agencies such as, but not limited to, the Multnomah-Washington County CETA Consortium, the Veteran's Administration, or other co-employing agencies, shall be considered to be regular City employees in so far as 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.
- 2.3 All individuals working under a personal services agreement or as volunteers shall be treated as regular City employees in so far as the application of these policies, procedures and rules, except where specifically agreed in writing by the City and employee to be different.

3.0 REFERENCES

3.1 City of Troutdale

- 3.1.1 City Charter
- 3.1.2 Ordinance No. 239, the Employment Relations Ordinance.
- 3.1.3 Ordinance No. 240, the Personnel System Ordinance.
- 3.1.4 Equal Employment Opportunity Policy Statement 3-1.

3.2 State of Oregon

- 3.2.1 Oregon Revised Statutes
- 3.2.2 Oregon Fair Employment Practices Act of 1949
- 3.2.3 Oregon Equal Pay Act.

3.0 REFERENCES (Continued)

3.3 United States of America

- 3.3.1 U.S. Constitution and the 14th Amendment.
- 3.3.2 U.S. Code of 1864
- 3.3.3 Civil Rights Act of 1964 and as Amended in 1972.
- 3.3.4 Rehabilitation Acts of 1973 and 1974.
- 3.3.5 Equal Pay Act, 1963.
- 3.3.6 Age Discrimination in Employment Act, 1967.
- 3.3.7 Equal Employment Opportunity Act, 1972.
- 3.3.8 Presidential Executive Order 11246.

4.0 POLICY

- 4.1 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 policies, procedures and rules shall be developed into a written, codified system of administration for all personnel actions.
- 4.2 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, motivation, promotion, retention, tenure, transfer, layoff, discipline and discharge. And, that the basis for action, pursuant to such standards, will be impartial and equally applied.
- 4.3 Policy, procedures and rules are only as good as the human nature in its administration. Such administrative variances as provided by these rules, and such administrative rules as necessary for good administration, may be implemented by the City's personnel and managerial staff so long as such rules are not in conflict with this resolution, except by variance of the Mayor or Council amendment to this resolution.
- 4.4 Equal employment opportunity shall be assured throughout the City's personnel policy and administration. Merit and fitness shall be the basis of all City personnel actions. Discrimination against any person in any aspect of personnel administration because of political or religious opinions or affiliations, or because of race, national origin, or other non-merit factors, will be prohibited. Discrimination on the basis of sex, age, physical handicap or disability will be prohibited except where specific sex, age, or physical requirements have been determined to be a bona fide occupational qualification. The Mayor shall hear any written complaint alleging that City personnel or City policy, procedure or rules in any way violates the intent of equal employment opportunity as City policy. The City shall develop an aggressive Affirmative Action program to encourage entry and advancement by disadvantaged persons with the City to assure equal employment practices.
- 4.5 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 will not be a pay leader or a pay follower, but will pay the same as most, or the median, of employers. The City reserves the right to reduce service levels and to reclassify, reassign, or

4.0 POLICY (Continued)

- 4.5 (Continued) lay-off personnel if financial constraints so necessitate. The City will provide such benefits as the Council deems necessary to assure peace of mind to the employee; to seek to avoid personal financial catastrophe for any employee; to remain competitive as an employer in attracting, retaining and motivating good employees; to recognize outstanding ability or different responsibilities amongst employees or classes of employees. Establishment of the ranges within this pay policy and benefits programs shall be reserved to Council.
- 4.6 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 own safety and that of other employees or the public. All supervisors and management personnel are responsible for a high level of safety awareness and training amongst their personnel, and all supervisors or managers are responsible for assuring the safety of the work place and all of the equipment used by their personnel. Firm disciplinary action shall be expected in all cases where violations of this safety policy or City safety procedures or rules have occurred.
- 4.7 Productivity and honesty are required by the City of all employees. Discipline or discharge shall be utilized only when reasonable positive motivational and managerial practices have failed to achieve a reasonable level of productivity 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, however, 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, corruption, abuse of authority for personal monetary gain or favor, shall not be tolerated. Proven violations will result in immediate discharge.

5.0 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. These definitions are intended to be generally consistent with the current "state of the art" as far as personnel management is concerned, but these definitions are not intended to be all-encompassing or directly related to specific legalistic terminologies in all cases.

- 5.01 Appointing Authority: The Mayor, City Administrator, Department Head, or manager to whom authority is delegated by Council to make the appointment to fill a vacant position with the City and to terminate an individual from that position. The Mayor shall designate the appointing authority in each job description.
- 5.02 Charter: The home rule charter of the City of Troutdale and subsequent amendments.
- 5.03 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 supervision of all Department Heads. The City Administrator is also the Personnel Officer of the City and, as such, is responsible for the specific administration of these rules.

DEFINITIONS (Continued)

- 5.04 City Council: The elected legislative and policy making body of the City, comprised of six elected City Council members.
- 5.05 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 the same employment conditions.
- 5.06 Classification Plan: A schematic list of classes for all Departments supported by class specifications.
- 5.07 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.
- 5.08 Confidential Employee: One who assists and acts in a confidential capacity to a person who formulates, determines and effectuates personnel management policies and administrative programs.
- 5.09 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.
- 5.10 Department Head or Director: A senior management employee appointed by the Council 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 accountability for departmental operations.
- 5.11 Departmental Procedures: Those subsidiary personnel procedures established by the department in conformance with these City policies and procedures or Administrative Rules.
- 5.12 Discharge: 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.
- 5.13 Disciplinary Action: An oral warning, written reprimand, suspension, demotion, or discharge taken for cause.
- 5.14 Employee, Full-Time: An appointment to a full work week position requiring over 30 hours of work per week on an average basis over any six-month period.
- 5.15 Employee, Part-Time: Appointments requiring someone less than full-time on either an hourly, daily, weekly, or temporary basis.
- 5.16 Employee, Permanent or Regular: An employee who has successfully completed the probationary period for his/her position and is legally an incumbent of an authorized position.
- 5.17 Employee, Probationary: An employee serving the probationary period.
- 5.18 Employment Date: The date on which an employee commences performance of duties and is placed on the payroll.
- 5.19 Evaluation Date: The date the evaluation of the employee's work performance is due to determine fitness for appointment to permanent status or worthiness for a merit increase.

5.0 DEFINITIONS: (Continued)

- 5.20 Grievance: A misunderstanding or disagreement between an employee and a supervisor as to interpretation of the personnel rules and procedures.
- 5.21 Incumbent: The current occupant of a position in City service.
- 5.22 Job Description: The written description of the broad class and specific job assignment containing a title, statement of duties, authority and responsibilities and the minimum qualifications for the class and assignment. The Mayor shall approve all job descriptions and shall designate appointing and supervising authority therein.
- 5.23 Layoff: A separation from employment because of organizational changes, lack of work, lack of funds, or other reasons not reflecting discredit upon an employee.
- 5.24 Leave: An authorized absence from regularly scheduled work hours which has been approved or directed by the appointing or supervising authority. Leave may be paid or non-paid.
- 5.25 Mayor: The elected Chief Executive Officer who directly supervises the City Administrator and general municipal administration. The Mayor shall designate the appointing and supervising authority and shall hear administrative appeals after the City Administrator level.
- 5.26 Non-Tenured Employee: An employee either under a probationary period or a senior management position, such as City Administrator, Department Head or Director. All part-time employees shall be non-tenured. Such non-tenured status shall be identified in the individual job descriptions.
- 5.27 Overtime: Time an employee is directed and authorized to work in excess of the normal work week.
- 5.28 Pay Range: The minimum, intermediate, and maximum rates of pay established for a class in the classification and pay plans.
- 5.29 Personnel Action: Any action taken with reference to appointment, compensation, promotion, transfer, layoff, leave, probation, discipline, dismissal or any other action affecting an employee's status with the City.
- 5.30 Personnel Officer: The City Administrator unless otherwise assigned by Council.
- 5.31 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 by one individual, whether in a full or part-time capacity and whether in a permanent or temporary capacity.
- a. Authorized Position: A position which is (1) authorized in the budget; (2) paid on an hourly or salary basis; (3) eligible to accumulate time off with pay (vacation, sick leave, holidays) in proportion to the percentage of the full-time (40) hour work week.
- 5.32 Probationary Period: A working test period, normally of at least six full-time months, during which an employee is required to demonstrate his/her fitness for the duties to which he/she is appointed by actual performance of the duties of the position. The probationary period shall end at the next regular pay day or on the last day of the month following completion of the established probationary period. The appointing authority may end the Probationary Period earlier if deemed appropriate and if approved by the City Administrator. The employee may be terminated by the appointing authority at any time during the probationary period.

5.0 DEFINITIONS (Continued)

suitable to the position. The employee may quit at any time during the probationary period without any adverse consequences or derogatory personnel history.

- 5.33 Promotion: The movement of an employee from one class and job position to another class and job position having a higher maximum rate of pay.
- 5.34 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.
- 5.35 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 two years unless otherwise specified.
- 5.36 Separation: The termination of employment by reason of disqualification, end of temporary assignment, layoff, resignation, retirement, dismissal, or death.
- 5.37 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 day, 10-hour day, forty hour work week shall not constitute shift work.
- 5.38 Step Increases: Merit pay increases allowed within the pay ranges as set forth in the current fiscal year's Salary and Classification Plan.
- 5.39 Supervising Authority: The authority granted to management personnel to assign and evaluate work; to schedule hours of work; to take such disciplinary action necessary short of demotion or termination; and to recommend promotion or step increases.
- 5.40 Suspension: An involuntary absence with or without pay imposed on an employee for disciplinary action pending final outcome of appeal and during which the employee is relieved of all authority and responsibility.
- 5.41 Temporary or Acting Appointment: An appointment of a person to an authorized position, temporarily vacant by reason of leave of absence, suspension, illness or emergency.
- 5.42 Tenured Employees: A regular, permanent, full-time employee past the probationary period.
- 5.43 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.
- 5.44 Vacancy: An authorized position which is not occupied and for which funds have been provided in the current budget.
- 5.45 Warning: An oral disciplinary action by the employee's supervisor regarding specific deficiencies in an employee's work performance or conduct.
- 5.46 Work Week: Those hours within a Sunday through Saturday period for which an employee is hired and agrees to work, up to 40 hours on 5 eight-hour or 4 ten-hour days.

6.0 RESPONSIBILITY:

- 6.1 City Council: responsible for establishing the personnel ordinance and policy

6.0 RESPONSIBILITY (Continued)

budgetary process. City Council is responsible for establishing compensation for the City Administrator, for appointing and removing the City Administrator. The Council is responsible for appointing and removing all Department Head or Director positions. The Council shall hear the appeals of all employees who make a written request for a hearing after an appeal decision by the Mayor.

- 6.2 Mayor - by City Charter the Mayor is the elected Executive Officer of the City and by the related ordinances and resolutions for these rules has the consent of the Council to remove or suspend any appointive officer or public employee except for that authority retained by Council regarding the City Administrator and senior management positions. The Mayor shall approve all promotions, approve all job descriptions and hear all administrative appeals.
- 6.3 City Administrator - the City Administrator shall be responsible for (1) administering all the provisions of these Personnel Policies and Procedures and for establishing such additional personnel rules not specifically reserved to the Mayor or City Council, as necessary for the efficient administration of the City; and (2) preparing or causing to be prepared and recommending to the Mayor and City Council personnel rules and revisions and amendments to such rules as are consistent with good personnel management practices. The City Administrator shall approve all step increases within a position class. Demotions, suspensions, lay-offs, terminations and other personnel actions not exclusively reserved to the Council or Mayor shall be approved by the City Administrator who, on behalf of the Mayor and with the consent of Council, shall exercise this delegated administrative authority. Appeals by an employee to any administrative action shall first be to the Administrator and then may be made in writing to the Mayor.
- 6.4 Department Heads - shall be responsible for the administration of the department rules and regulations; hiring and evaluation reviews, recommending to the Administrator as to promotions, step increases, demotions, suspensions or terminations; other disciplinary action authority as an appointing or supervising authority shall be the Department Head's responsibility.
- 6.5 Employees - to assure that he/she clearly understands their job class and assignment; their goals, both immediate and long-range; and that they discuss openly during the evaluation review any needs for training, supplies, equipment to provide a productive work environment. That they not accept any review or disciplinary action with which they disagree without declaring their views, in writing, or discussing with a higher authority after meeting with their supervising and appointing managers. The employee shall be expected to get themself to and from their regular and routine place of work.

7.0 PROCEDURES

7.1 Administration of the Personnel Program

7.1.1 Personnel Records

- 7.1.1.1 The City Administrator, or his designee, shall cause a Personnel Record to be maintained for each employee of the City. Said Personnel Record will be kept in a Central Personnel File contained in the Executive Department and shall be maintained by the Administrative Personnel Secretary.
- 7.1.1.2 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

7.0 PROCEDURES (Continued)

information which is not reflected in the Personnel File.

7.1.1.3 The Personnel Secretary shall also maintain a non-confidential tickler file that shall identify all of the approved positions of the City and which shall contain information necessary for emergency purposes and for automatically insuring that performance and salary reviews are accomplished when due. The Emergency Information shall be made available to all management or emergency personnel.

7.1.1.4 Departments, at their discretion, may maintain departmental personnel records to assist in the development and implementation of employee job-related training programs. No evaluation or disciplinary records shall be maintained solely within the departmental records; evaluation or disciplinary records must be included in the Central Personnel File.

7.1.1.5 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 himself, or his written and specially authorized representative, or as may be required by Court, Mayoral or Council order.
2. No material may be placed in an employee's personnel record unless the employee has been allowed to read it and has indicated by his/her signature that the employee knows that the material is being placed in his/her file. An internal or criminal investigation by the Police Department may be authorized contrary to this section if reported to the Mayor and so authorized for inclusion in the file.
3. The employee may place in his/her personnel record a written response regarding any material which the employee considers derogatory.
4. No portion of any employee's file shall be reproduced without authorization of the Personnel Officer.
5. Upon termination, any employee shall retain the right to obtain copies of his/her entire personnel record for a period of up to two years following termination.
6. The contents of the employee's personnel file are to be considered City property; however, employee's have the right to review and obtain copies of their personnel record. Documents pertaining to degrees or certifications should be copied, with the copy being placed in the personnel file and the original retained by the employee.

7.1.1.6 The Personnel Record shall be designed with a retention cycle in accordance with ORS 357.895 and 192.105 and in accordance with Oregon Administrative Rules No. 166-40-080. The Personnel

7.0 PROCEDURES (Continued)

Secretary 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.

7.1.2 Departmental Rules and Procedures

7.1.2.1 Each department of the City may establish written departmental rules, regulations, and procedures applicable to the particular department. Such rules, regulations and procedures shall be subject approval by the City Administrator as consistent with the needs of the City and with the provisions of these policies, procedures and rules.

7.2 Classification

7.2.1 Position Classification Plan

7.2.1.1 A position classification plan, as adopted and amended by the Common Council, shall be enforced as a part of these rules. Copies of this Plan and of specifications for individual classes shall be available in the office of the City Administrator.

7.2.1.2 The classification plan comprises a schematic list of classes of positions, defined by class specifications and identified by class titles, supported by written specifications setting forth the duties and responsibilities of each class and the qualifications necessary for appointment to a position of that class.

7.2.1.3 Purpose: The purpose of the classification plan shall be to:

- a. Provide like pay for like work.
- b. Establish qualification standards for recruiting and testing purposes.
- c. Provide appointing authority with a means of analyzing work distribution, area of responsibility, lines of authority, and other relationships between positions.
- d. Assist appointing authority in determining budget requirements.
- e. Provide a basis for developing standards of work performance.
- f. Establish lines of promotion.
- g. Indicate training needs.
- h. Provide uniform titles for positions.

7.2.1.4 Class: A class shall comprise one or more positions that are so similar in the basic character of their duties and responsibilities that the same pay scale, title, and qualification requirements can be applied and the positions can fairly and equitably be treated under like conditions for all other personnel purposes. The same qualification requirements shall be generally applied to all positions in a class regardless of the department in which the position is located.

7.0 PROCEDURES (Continued)

- 7.2.1.5 Class Specification: The class specification shall state the characteristic duties, responsibilities, and qualifications 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 class.
- 7.2.1.6 Job Assignment: The specific task of work within a class for which the individual was employed to perform.
- 7.2.1.7 Job Descriptions: Job descriptions shall be developed for each authorized position and shall contain two elements. The first element will be a written description of a job class containing statement of duties, authority, and responsibilities and the minimum qualifications for the job class. This section shall apply to the general types of work that anyone in the position might be asked to perform. The second element will be position specific and will relate to the specific job assignment that is the primary work of an individual employee. The City Administrator, as Personnel Officer, is responsible for developing and amending job descriptions within the job titles established by Council and specifically approved by the Mayor.
- 7.2.1.8 New Positions and Job Titles: The Personnel Officer or designee shall be responsible for keeping the classification plan current through periodic studies of the positions within the City service.

No position or class shall carry an official title which has not been approved by the City Council as being appropriate to the duties performed.

Only the City Council may create new positions and allocate the positions to an appropriate class.

- 7.2.1.9 Reclassification: Positions may be reclassified by the Personnel Officer or designee whenever the duties of the position change materially, provided the reclassification can be accomplished within the limitations of the current budget of the City.

Reclassification of a position shall not be used to circumvent the effects of disciplinary action or to avoid restrictions concerning compensation.

Employees may request a reclassification when they believe the duties of the position may have materially changed. A position reclassification study shall be undertaken by the Personnel Officer or his designee within three months of such request and completed within one year of the request. Any reclassification will then take effect when authorized in the next budget cycle.

7.0 PROCEDURES (Continued)

7.3 Pay Plan and Compensation

7.3.1 Compensation Plan

- 7.3.1.1 The City Administrator shall be responsible for the development and maintenance of a uniform and equitable pay plan, which shall consist, for each class of positions, minimum and maximum rates of pay and such intermediate steps as deemed necessary and equitable.
- 7.3.1.2 At least once each fiscal year, the City Administrator shall compare the current City pay plan, compensation policies and personnel developments with those of other public and private employers within the same job market. Changes in the cost of living shall also be considered.
- 7.3.1.3 The City Administrator shall then examine the salary range and median salaries for each position class to ascertain whether current minimum and maximum salaries should be maintained, increased or decreased during the succeeding fiscal year; and, upon the basis of this analysis, shall submit recommendations for amending the pay plan to the City Council.
- 7.3.1.4 The City Council shall review and adopt a compensation plan and fringe benefit package for all positions within the City after considering recommendations of the City Administrator. Adjustments of pay ranges and classifications related to those ranges, or overall adjustments to the salary schedule shall be the responsibility of the City Council.
- 7.3.1.5 Salary rates for each employee within the Compensation Plan shall be determined in conjunction with a total compensation package and with regard to the following considerations:
 - a. Rate of pay in other classes.
 - b. Prevailing rates of pay for similar employment in both public and private organizations.
 - c. Cost of living factors.
 - d. Other benefits received by employees.
 - e. Performance evaluation.
 - f. The financial policy and economic consideration of the City.

7.3.2 Appointment Rate

- 7.3.2.1 Employees may be hired at either Start Step or Step 1 of the salary range established for their position. Employees hired at Step 1 must be approved by the City Administrator and employees hired at any step greater than Step 1 will require approval of the Mayor or Council. Appointment to a position at a salary level higher than the maximum rate for that pay class may only be made by the City Council.

7.0 PROCEDURES (Continued)

7.3.3 Step Pay Increases - Merit

7.3.3.1 It is the intent of the City to base all step pay increases on merit. Step increases within the pay range established by the City Council shall be based on performance reviews and shall be approved by the City Administrator.

7.3.3.2 The first step pay increase may occur at the end of the new employee's probationary period and further merit increases may be granted no sooner than six months from the employee's previous step increase. As a rough guideline only, employees may normally be granted merit increases approximately twelve months from their previous merit step increase.

Employees achieving the top step within a range shall remain at top step until such time as the employee is eligible for promotion to a higher pay range position and is appointed when a vacancy occurs. Every employee shall be evaluated, at least on an annual basis and more often if merited, for merit step pay increases. Such evaluations may be in conjunction with, or separate from, the semi-annual employee performance evaluation.

7.3.4 Acting Pay

7.3.4.1 When an employee of a lower pay range performs the duties of a higher pay range when appointed as "Acting" in the higher range, then that employee shall be paid at the higher level, provided:

1. The Acting assignment was made in writing by proper appointing authority;
2. The employee meets the minimum job requirements for the higher authority and responsibility; or such minimum requirements are waived by the Mayor;
3. The appointment for the purpose of Acting Pay shall be effective after 30 calendar days since the original appointment. All employees need training and experience at a higher level for their own advancement, and, therefore, up to 30 days of an assignment may be seen as sufficient benefit to the employee;
4. Acting assignments shall not continue beyond any one fiscal year since staffing and compensation are reviewed annually by the Budget Committee and City Council, although Council may reappoint an individual into the Acting assignment for some temporary purpose;
5. Acting pay shall mean pay at least at the entry step in the higher range or 5% above the employee's pay at the time of appointment, whichever is greater;
6. 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 eligible) at the end of the Acting assignment;

7.0 PROCEDURES (Continued)

7. 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.

7.3.5 Overtime, Compensatory Time and Emergency Call-Back

- 7.3.5.1 Regular Employees: For employees assigned to a regular shift, overtime shall mean the time worked in excess of the established work hours in that regular shift. A regular shift shall consist of five consecutive days of eight hour shifts or four consecutive days of ten hour shifts, exclusive of meals and break periods.
- 7.3.5.2 When employees are required to work overtime, department heads shall authorize compensatory time off or overtime pay which shall be one and one-half times the employee's regular hourly rate of pay. The determination to grant overtime paid compensation shall rest with the department head who shall give due consideration to the desires of the employee, budget appropriation and service level requirements of the City.
- 7.3.5.3 Paid overtime shall be compensated within the next regular pay period. Accumulated compensatory time shall not exceed eighty hours. Once this maximum accumulation has been reached, all overtime compensation earned by the employee shall be paid in cash unless approved, in writing, otherwise by the employee and City Administrator.
- 7.3.5.4 If the employee is promoted or demoted or receives a salary increase or decrease, the employee shall be paid his accumulated compensatory time at the rate under which it was earned. Accrued compensatory time shall be paid at the rate at which it was earned upon termination of the employee. Compensatory time may, with the written consent of the City Administrator and employee, be re-evaluated at the time of any pay change to reflect the equivalent value as accrued but to be re-recorded on the basis of the changed pay rate.
- 7.3.5.5 When computing the total number of hours for overtime purposes, vacation and holidays shall be considered as time on regular duty.
- 7.3.5.6 City employees subject to emergency call-backs shall be compensated at a rate of one and one-half times the employees straight time rate, unless that employee is on a departmental on-call status which then applies. Employees called in for emergencies shall be paid overtime for a minimum of two hours, which is intended to also include travel cost to and from this non-routine work.
- 7.3.5.7 On-Call: A departmental on-call procedure may be adopted where necessary if approved by the City Administrator and if funding is authorized within the Budget to reflect such departmental policies.

7.0 PROCEDURES (Continued)

7.3.5.8 Part-time employees shall not be entitled to overtime pay unless that employee is required by his/her department head to work more than 40 hours in any given work week. If the part-time employee is required to work overtime, he/she shall be compensated at a rate of one and one-half the employee's normal straight time rate. Such compensation shall be paid for in the pay period in which it was earned. Part-time employees shall not earn or accrue compensatory time off in lieu of cash payment.

7.3.5.9 Management Employees: For key management personnel, such as the City Administrator, Department Heads, Directors, or major Division Managers, flexibility in work hours is essential. The City intends these key personnel to work a basic work week but where duties require an extra effort, that time shall be considered in the basic salary amounts authorized. The City Administrator, Department Heads, Directors, and other key management personnel, so designated within the Budget, shall not earn compensatory time or overtime unless acting in an emergency for another department or in a non-management role, in which case the employee shall be paid overtime at one and one-half the employee's straight time rate. These key management positions may be authorized a reasonable amount of paid time away from work by their supervising authority as an equivalent to the formal compensatory or paid overtime for all other employees. This "like time off" shall be footnoted on the bottom of the time sheet.

7.3.6 Pay Day

7.3.6.1 Normally, employees shall be paid five working days after the last day of each month or after the fifteenth day of each month. Changes in pay dates may be authorized by the Mayor.

7.3.6.2 An employee may elect to receive an emergency partial salary payment. The maximum partial payment an employee may receive shall not exceed 50% of the employee's net monthly earnings or accrued vacation and sick leave, whichever is less. An employee shall be limited to one emergency partial payment in each six month period.

7.3.7 Professional Allowances

7.3.7.1 If an employee is required to attend conferences, training sessions, etc., the City will pay for reasonable expenses incurred by the employee including travel costs, registration, materials, and reasonable room and board costs as consistent with Budget appropriations.

7.4 General Policies and Procedures

7.4.1 Appointment

7.4.1.1 All original appointments to vacancies shall be made solely on the basis of merit, efficiency and fitness. These qualities shall be determined by a selection committee, as approved by the Appointing Authority, through careful and impartial evaluation of the following:

7.0 PROCEDURES (Continued)

1. Applicant's level of training relative to the requirements of the position for which is applied;
2. The applicant's level of education relative to the requirements of the position for which is applied;
3. The results of an oral interview.

7.4.1.2 The selection committee may use further criteria for evaluating the applicant if such criteria are approved by the Personnel Officer as a fair and valid test of the abilities and aptitudes for the duties to be performed.

4. The results of a competitive written or demonstration test; and,
5. The applicant's physical fitness.

The selection committee shall determine the applicable selection criteria and the method by which the applicants will be evaluated and rated.

- 7.4.1.3 No question in any test or in any application form shall be framed in such a manner as to ask for information concerning sex, race, color, national origin, or political or religious affiliation.
- 7.4.1.4 All statements submitted on the employment application or attached resume shall be subject to investigation and verification prior to appointment and during employment.
- 7.4.1.5 Applicants may be asked if there may be any difficulties working with or for any other City employees they know of. Members of immediate family should be advised not to bring any family difficulties to work and that if such difficulties interfere with work performance, then disciplinary action may be taken.

7.4.2 Position Vacancies

- 7.4.2.1 Departmental position vacancies shall be filled by initiating a personnel request to the Personnel Secretary in the Executive Department. Personnel requests shall have attached a job description, a statement of need and a timetable for filling the position.
- 7.4.2.2 The Personnel Secretary shall post all openings for City employment at City Hall for a minimum of three days, to allow City employees to review the openings for new or vacant positions. After posting at City Hall, the Personnel Secretary, as authorized by the Personnel Officer, shall advertise the positions in a newspaper of general circulation commonly used by the City and may also advertise such positions in publications of special circulation, as appropriate to the position.

7.0 PROCEDURES (Continued)

7.4.3 Physical Examinations

7.4.3.1 Physical examinations may be required by the City related to the ability to perform duties of a specific job if so stated in the job announcement. A physical examination may also be required as a condition of employment, as a condition of continued employment, or as a condition for salary step increases. The job description for each authorized position will specify the conditions under which a physical examination may be required.

7.4.3.2 If a physical examination is required as a condition of employment, continued employment, or salary increase, the City will pay for the cost of the physical examination so long as it has been previously authorized by the City Administrator or Department Head and budgetary appropriations.

7.4.4 Probation (Employment or Promotion)

7.4.4.1 All original appointments shall be and promotional appointments may be tentative and subject to a probationary period as defined in this resolution.

7.4.4.2 In cases where the responsibilities of a position are such that a longer period is necessary to demonstrate an employee's qualifications, the probationary period may be extended; however, no probationary period shall be extended beyond twelve months. The employee shall be notified, in writing, of any extensions and the reasons therefore.

Should the employee clearly demonstrate the skills and attitude necessary to adequately fulfill the job requirements, the City Administrator may terminate the probationary period early. In no case shall the probationary period be less than four months.

7.4.4.3 During the probationary period, the employee shall not be eligible for vacation benefits, but he shall earn vacation credit to be taken at a later date if the probation period is passed. Vacation policy shall be revised by Council Resolution. Vacation credit shall not be awarded until the end of the probationary period.

7.4.4.4 Upon completion of the probationary period, the employee shall be considered as having satisfactorily demonstrated his qualifications for the position, shall gain regular status, and shall be so informed by his Department Head at the time of the performance review.

7.4.4.5 During the probationary 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 probationary period, the only information that will be released to future potential employers or other inquirers is that "the employee quit during the probationary period by mutual agreement," unless otherwise requested by the employee and City Administrator.

7.0 PROCEDURES (Continued)

7.4.5 Promotions

7.4.5.1 The City shall encourage current employees to apply for promotional job vacancies or for lateral moves offering better promotional opportunities.

7.4.5.2 The appointment to fill a vacancy shall be made on a competitive basis, utilizing selection criteria for appointments established by a selection committee as provided for in this Resolution. Where the selection committee determines that qualifications and abilities are relatively equal, the decision made by the selection committee shall be based on the overall potential for maximum City benefit and may be weighted in favor of current City employees.

7.4.5.3 Upon promotion, there shall be a six-month probationary period. In the case of probationary promotional appointments, the promoted employee may be demoted at any time during the probationary period without appeal, provided that the probationary employee be reinstated in the class and step designation from which he was promoted.

7.4.6 Transfers

7.4.6.1 Requests from employees for transfers from one department to another shall be made in writing and shall be directed to the employee's present department head and referred to the appropriate department head and the City Administrator. Such requests shall be given consideration when a suitable vacancy occurs; however, no employee shall be transferred to a position for which he does not possess the minimum qualifications. Such approved and requested transfers shall not involve any new probationary period.

7.4.6.2 Transfers by the City Administrator of personnel from one department to another within the same or closely related class shall be deemed reasonable and not subject to appeal nor considered a valid grievance. Such a required transfer will not involve any new probationary period.

7.4.7 Hours of Work

7.4.7.1 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 specific hours of work for individual employees may be varied from the normal business hours by the City Administrator to provide maximum efficiency and public service.

7.4.8 Attendance

7.4.8.1 An employee shall not be absent from work for any reason other than those specified in the Personnel Rules without making prior arrangements with his/her supervisor. Unless such prior

7.0 PROCEDURES (Continued)

arrangements are made, the employee who for any reason fails to report to work shall immediately notify his/her supervisor of the reason for being absent. If absence continues beyond the first day, the employee shall notify his/her supervisor on a daily basis unless other arrangements have been made.

7.4.8.2 Departments shall maintain records of the employee's attendance and hours worked and shall submit such records to the Department of Finance and Records on forms provided by that Department.

7.4.8.3 Unauthorized absence of an employee from duty shall be deemed to be absence without pay and may be cause for disciplinary action. Absenteeism in excess of 10% beyond accrued sick leave and vacation benefits shall be grounds for disciplinary action or dismissal.

7.4.9 Layoff

7.4.9.1 If there are changes of duties in the organization, lack of work or lack of funds, the City Administrator may layoff employees; however, the City Administrator, in conjunction with the Division and Department Heads, shall first make every reasonable effort to integrate these employees into another department by transfer.

7.4.9.2 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 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.

7.4.9.3 A minimum of two weeks and preferably 30 days notice shall be provided in all cases of layoffs.

7.4.9.4 Call-back of employees shall be in the reverse order of the lay-off and the employees shall be reinstated as if on a non-paid leave status during the layoff.

7.4.10 Leave of Absence Without Pay

7.4.10.1 An extended leave of absence without pay not to exceed six months may be granted by the City Administrator with approval by the Mayor. Employees requesting such leave must do so in writing and must establish reasonable justification for approval.

7.4.11 Outside Employment

7.4.11.1 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.

7.4.11.2 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 City work; and

7.0 PROCEDURES (Continued)

- c. In no way conflict with the interest of the City or be a discredit to the City.

7.4.12 Residence Requirements

7.4.12.1 Residency shall not be a condition of initial appointment or continued employment. However, certain emergency employees may be required to live within a five-minute normal driving distance response time of their primary place of work, within the City, and such requirements will be made a part of the job description for those employees. Emergency employees exempted from this provision by virtue of a hire date prior to this procedure shall be expected to not move further away from the City when they do move.

7.4.12.2 Employees are encouraged to live within the City and to participate in civic affairs.

7.4.13 Travel Expense

7.4.13.1 When employees are required to travel outside the City on City business, reimbursement for 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 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 the employee is authorized to use a private vehicle, mileage shall be paid at the rate as set by Council. This rate includes all travel, insurance and storage expense of the vehicle.
- c. When travel by City-owned vehicle or public carrier is practical but the employee elects to use his 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 subsistence on official trips shall only be the amount of actual and reasonable expense incurred during the performance of official duty as a City employee for the City's benefit.
- e. In such instances, as may be determined appropriate by the Mayor, per diem rates may be established as prima facie evidence of reasonable expense.
- f. 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 include any extra cost of travel to and from work for extra time worked outside of a regular shift.

7.4.13.2 City vehicles shall not be used for private purposes. City

7.0 PROCEDURES (Continued)

7.4.14 In-Service Training

7.4.14.1 The City Administrator shall encourage training opportunities for employees and supervisors in order that services rendered to the City will be more effective. He shall assist department heads in meeting training needs in their department and in developing training programs designed to meet immediate City-wide personnel needs and to prepare employees for promotion to positions of greater responsibility.

7.4.14.2 Training sessions may be conducted during regular working hours at the discretion of the Department Heads.

7.4.15 Employee Organizations and Representation

7.4.15.1 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 City Council by Ordinance No. 239.

7.4.16 Selling and Peddling

7.4.16.1 No peddling, solicitations, 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.

7.4.17 Political Activity

7.4.17.1 No employee shall engage in political activity during the employee's hours of work.

7.4.17.2 No employee may use official authority or influence to further the cause of any political party or candidate for political office.

7.4.17.3 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.

7.4.17.4 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 chooses, to privately express his opinions on all political subjects and candidates, to maintain political neutrality, and to attend political meetings.

7.4.18 Handicaps

Unless otherwise specifically stated in the job description, all positions within the City are open to individuals who may have physical handicaps.

7.0 PROCEDURES (Continued)

7.4.19 Relatives

- 7.4.19.1 Two members of an immediate family shall not be employed in the same division of a large department or in the same department of a small department 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 discharge.
- 7.4.19.2 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, supervisor, discipline) affecting relatives of that employee or when such employment is not in the best interest of the City.

7.4.20 Clothing and Cleaning

- 7.4.20.1 Uniforms or uniform-type clothing may be required by the City if so stated in the job description. If the job description specifies that uniforms or uniform-type clothing is required for the performance of the job, such clothing and associated cleaning expenses will be paid for by the City.
- 7.4.20.2 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.
- 7.4.20.3 Specific clothing rules may be further established by Department Heads relating to clothing suitability as to safety or to a productive and professional work environment.

7.5 General Conduct, Discipline, Termination and Appeal

7.5.1 Personal Appearance and Conduct

- 7.5.1.1 Public relations shall be an integral part of each employee's job.
- 7.5.1.2 All employees shall be neat and clean in appearance and shall conduct themselves in a manner which is appropriate for an employee in the public service.
- 7.5.1.3 Employees shall be courteous, efficient and helpful to everyone in their work and shall do the best job possible on every assignment.

7.5.2 Discipline

- 7.5.2.1 Discipline is the establishment, maintenance and enforcement 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 develop or improve his skills and abilities is considered counseling. Counseling 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.

7.0 PROCEDURES (Continued)

7.5.3 Causes for Disciplinary Action

7.5.3.1 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 charges to the employee which shall include, but not be wholly limited to those listed below

- a. Drinking intoxicating beverages or use of non-prescription drugs on the job in contravention of State law, or arriving on the job under the influence of intoxicating beverages or drugs;
- b. Violation or neglect of lawful duty;
- c. Insubordination to the Mayor, City Council members or to 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. The City Administrator reserves the right to suspend an employee for an indictment of a felony and discharge for conviction of a felony or serious misdemeanor;
- i. Discourteous treatment of the public or other employees while in performance of duties;
- j. Fraud in securing appointment or promotion;
- k. Willful misuse of City property, funds or records;
- l. Inability or unwillingness to perform assigned job.
- m. Willful inefficiency or ineffectiveness in job assignments.

7.5.3.2 Further Departmental Rules and Regulations shall be developed by each Department Head relating to the unique concerns of that department so long as such departmental rules are not in conflict with these rules. In the case of any inadvertent conflict, the City Personnel Rules shall apply.

7.5.4 Minor Disciplinary Actions

7.5.4.1 A minor disciplinary action shall be either an oral or written warning and may result in a half-day or day off without pay.

7.5.4.2 An oral warning is oral notice to the employee that his/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 date and content of the oral warning, but no records shall be placed in the employee's personnel file.

7.0 PROCEDURES (Continued)

7.5.4.3 A written warning is formal notice to the employee that his/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 receiving a written warning may respond to the warning in writing and the response shall be attached to it for whatever period of time the warning remains in the employee's personnel file. Written warning shall remain in an employee's file no longer than one year unless there is a repeat of the same offense within one year of the original offense. A written minor warning may be accompanied by up to two days off without pay.

7.5.5 Major Disciplinary Actions

7.5.5.1 A major disciplinary action shall be a written reprimand and normally will be accompanied by three days off without pay. Discharge, extension of probation or the creation of a probationary period shall be a major disciplinary action requiring authorization by the City Administrator.

7.5.5.2 Employees may have their original employment or promotional probationary periods extended or may be given a probationary period not to exceed three months as a result of a disciplinary action. The City Administrator shall authorize all disciplinary probation periods given.

7.5.5.3 At the end of the disciplinary probation, 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 inquiry.

7.5.5.4 A reprimand is the department head's official written notice to the employee that his/her performance or behavior is seriously below standard and that continuation will subject him to more serious disciplinary action, including discharge. A reprimand should not be issued until after the employee has been informed of the charges against him/her. Any employee receiving a written reprimand may respond to the reprimand. The reprimand and written reply become a permanent part of the employee's personnel file. The written material which becomes a permanent part of the employees personnel file shall be removed at the end of a two year period.

7.5.6 Appeal

7.5.6.1 All permanent employees shall have the right to appeal disciplinary action taken against them within four days after the effective date of disciplinary action. Appeals shall be made as grievances in accordance with the provisions of Section 7.5.7 of this resolution.

7.5.6.2 Discipline resulting in non-paid time off or suspension may, with the approval of the employee and Department Head, be replaced by extra time worked without pay and, therefore, no financial loss to the employee.

7.5.7 Grievance Procedure

7.5.7.1 The purpose of the grievance procedure is to establish a channel of communications between employees and management, whereby

7.0 PROCEDURES (Continued)

7.5.7.2 The City shall promptly consider and equitably adjust employee grievances relating to employment conditions and relationships. Furthermore, in as much as the City desires to adjust the causes of grievances informally, both supervisors and employees are expected to resolve problems as they arise.

7.5.7.3 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 his/her 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 immediate supervisor, if any. Every effort should be made to find an acceptable solution by informal means at the lowest possible level of supervision. If the employee is not in agreement with the decision reached by discussion, the employee shall have the right to file a formal grievance in writing within five calendar days after receiving the informal decision of his immediate supervisor.

7.5.7.4 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

7.5.7.5 (a) If the grievance procedures are not initiated within the time limits established by this section, the grievance shall be considered not to have existed.

(b) 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.

7.0 PROCEDURES (Continued)

- c. 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.
- d. The time 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.
- e. No employee shall be disciplined or discriminated against in any way because of the employee's proper use of the grievance procedure.

7.5.7.6 Appeals

- a. Written appeal to the Mayor may be filed with the Executive Department as a request for an appeal hearing before the Mayor. The Mayor may sustain, reduce, increase, over-rule, or otherwise amend the Administrator's decision as deemed necessary for the efficient and fair administration of City and Departmental rules and regulations.
- b. Appeals in writing to the Council regarding the Mayor's decision may be made only on the grounds that City Charter, Ordinance or personnel rules were violated by the Mayor's decision relating to the grievance or appeals process. New statements or information may not be introduced at the Council appeal level, although the Mayor may decide to review and reconsider any earlier decisions.

7.5.8 Resignation

- 7.5.8.1 To resign in good standing, an employee shall give the appointing power not less than ten working days prior notice of such resignation unless the appointing power 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. An exit interview may be required by the City Administrator. Failure to comply with this Section shall be entered in the employee's service record, may be cause for denying future employment by the City, and may subject the employee to the loss of accrued benefits.

7.5.9 Cost Consciousness

- 7.5.9.1 City employees shall practice every economy practical in the discharge of their duties.
- 7.5.9.2 Employees are encouraged to recommend to their supervisors work procedures which will result in a cost saving or improved service to the public.

7.5.10 Safety

7.0 PROCEDURES (Continued)

- 7.5.10.1 The City Administrator, or his appointee, 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 safety regulations and discipline controls.
- 7.5.10.2 Each department shall have a Department Safety officer who shall be the Department Head or a management-level member of the department, appointed by the Department Head. It shall be the responsibility of the Departmental Safety Officer to stay current with safety information and shall periodically review and update the Department's safety program. The Departmental Safety Officer, at least annually, shall meet with administrative department employees and shall meet with employees who work in the field or in a more hazardous environment at least quarterly.

7.0 PROCEDURES (Continued)

- 7.5.10.3 Each employee shall work in a safe manner so as not to create a hazard to himself, co-workers or the public or so as not to create a situation which might later result in a safety hazard to himself, other employees or members of the general public.
- 7.5.10.4 Any employee creating a hazardous situation, either for himself, other employees or the general public, may be subject to minor disciplinary action for violation of City safety practices. A series of warnings or minor disciplinary actions for safety violations may be construed to be a major disciplinary action and may be grounds for termination.
- 7.5.10.5 When accidents occur on City or to City property, the employee shall contact his 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 involving City and private vehicles or where there is damage to private property as a result of a City vehicle accident.
- 7.5.10.6 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 supervisor. The employee's supervisor shall be responsible for insuring that the Personnel Secretary is informed of the injury so that the proper personnel procedures may be initiated.
- or Administrative Secretary
- 7.5.10.7 The City Administrator shall be notified of all accidents involving City employees and City property as soon as possible, but not later than the next work day.

7.5.11 Legal Liability

- 7.5.11.1 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 reasonably 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.
- 7.5.11.2 If an employee is negligent in the performance of duties and responsibilities and if an accident results from such negligent performance of duties and responsibilities, the employee may be held personally and legally liable.
- 7.5.11.3 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.

7.0 PROCEDURES (Continued)

7.6 Holidays, Vacation

7.6.1 Holidays

7.6.1.1 Employees are entitled to the following paid holidays:

- | | |
|-----------------------------|---------------------|
| 1. Three Floating Holidays* | 5. Labor Day |
| 2. New Years Day | 6. Veteran's Day |
| 3. Memorial Day | 7. Thanksgiving Day |
| 4. Independence Day | 8. Christmas Day |

*Floating Holidays to be taken on either the working day before or after the Thanksgiving, Christmas or New Year's Holidays and must be approved by the Department Head. The Mayor may vary the floating holiday.

7.6.1.2 When a holiday falls on a Saturday, it will be observed on the previous Friday. When it falls on a Sunday, it will be observed on the following Monday.

7.6.1.3 Holidays which occur during an employee's vacation or sick leave shall not be charged against such leave.

7.6.1.4 A holiday is defined as 8-hours paid absence from work. Employees working a 5-day, 40-hour work week will take the holiday as it normally occurs. If the employee is required to work on a recognized holiday, the employee will be compensated for the hours worked at one and one-half times the employee's straight time rate in addition to the regular straight time 8 hours of holiday pay.

7.6.1.5 Employees working a normal 4-day 40-hour week are entitled to 8 hours paid absence. Supervisors of such employees will ensure that they receive the required time off and will also ensure that the employees work their required 32 hours. The scheduled working day closest to the holiday will be the day normally scheduled to be taken as the holiday if the holiday does not fall on a scheduled working day. If the employee is required to work on a recognized holiday, the employee will be compensated for 8 hours worked at one and one-half times the employees straight time rate in addition to the regular holiday pay. Hours worked in excess of eight hours will be paid at the normal overtime rate of one and one-half the employee's straight time rate.

7.6.1.6 Employees required to work shift work are entitled to eight hours paid absence. If the holiday falls on their normal day off, the employee will be given the closest normal working day off as schedules permit, as his holiday. If the employee is required to work on the holiday, the employee will be compensated for eight hours worked at one and one-half times the employee's straight time rate in addition to the regular holiday pay. Hours in excess of eight will be paid at one and one-half times the employee's straight time rate.

7.6.1.7 Employees called in to work in an emergency situation on their normally scheduled holiday will be paid at two and one-half times the employee's straight time rate for the first eight hours. Hours in excess of eight will be paid at the normal overtime rate of one and one-half the employee's straight time rate. The employee may be given a day off as compensatory time in lieu of

7.0 PROCEDURES (Continued)

- 7.6.1.8 Public Works Operators who, by their job descriptions, are required to be on-call one week at a time on a rotating basis will be paid \$100 in addition to the employee's regular salary during their on-call period. *There will be no additional compensation due to the fact that a holiday falls during an employee's on-call status unless the total amount of overtime worked during this one-week period exceeds 12 hours. Any overtime in excess of 12 hours during the employee's on-call period shall be paid at one and one-half times the employee's straight time rate. Public Works employees called in to work on a holiday in an emergency situation and not on-call shall be paid at the same rate as other employees. *This amount may be amended by Council motion in conjunction with Budget adoption or by Council Resolution
- 7.6.1.9 Part-time employees and contract employees are not entitled to paid holidays unless the employee's contract so states.

7.6.2 Vacation

- 7.6.2.1 Paid vacation for permanent full-time employees by the City of Troutdale shall be as follows:
1. One week (40 working hours) shall be earned after NINE months of continuous employment (i.e. 1 week after 9 months);
 2. Six and two-third hours shall accrue during each month after the first nine months for the next thirty months (i.e. 2 weeks each year through the third year of employment);
 3. After three years of continuous employment, or after six months in an entry-level management position as sectional head, two personal days (16 hours) shall accrue each year in addition to the two regular weeks (80 hours) of vacation (i.e. 2 weeks and 2 days each year during the fourth and fifth years);
 4. After five years of employment, or after permanent appointment in a mid-level or senior management position as division or department head, vacation shall accrue at three weeks (120 hours) per year (i.e. 3 weeks per year during the sixth year); under normal circumstances, no vacation shall be taken during any probationary period.
 5. After ten years of employment, four weeks (160 hours) shall accrue per year (i.e. 4 weeks during the eleventh year).
- 7.6.2.2 Part-time employees working over 1,000 hours during a twelve month period shall be entitled to twenty hours paid vacation after twelve months.
- 7.6.2.3 When an employee terminates for any reason, he shall be paid all authorized vacation accrued to the date of termination. If the employee quits or is terminated during the initial nine month period, the employee will not be paid for any vacation leave.

7.0 PROCEDURES (Continued)

- 7.6.2.4 Each department head will be responsible for scheduling vacations within his/her department.
- 7.6.2.5 Earned vacation should be used during the following year. An employee with less than five years service may accrue a maximum of 160 hours vacation. Employees with more than five years service may accumulate a maximum of 240 hours vacation.
- 7.6.2.6 After five years of employment, an employee may be permitted to take vacation, at the discretion of the department head, on a borrow-ahead basis, not to exceed one week.

7.6.3 Compassionate Leave

Death or serious illness in the immediate family or of an extremely close personal friend may be grounds for granting compassionate leave. Paid leave for a maximum of three days in any calendar year may be taken, but sick leave must be taken in lieu of compassionate leave if the employee has accrued sufficient sick leave. Leave with pay of up to four hours may be granted, by the department head, should the employee be asked to serve as a pallbearer or to otherwise participate at a funeral ceremony. Time not worked because of authorized compassionate leave shall not affect accrued vacation nor result in negative sick leave.

7.6.4 Military Leave

- 7.6.4.1 Any permanent employee who is a member of the National Guard or of a reserve component of the Armed Forces of the United States is entitled to a military leave of absence of 15 calendar days annually. Such leaves are granted without loss of other leaves or wages and without impairment of other rights and benefits upon presentation of orders to active training or duty.
- 7.6.4.2 Leave without pay for extended periods of military service shall be granted in accordance with Oregon Revised Statutes.

7.6.5 Sick Leave

- 7.6.5.1 Employees shall accrue sick leave at a rate of 8 hours per calendar month. Maximum accumulated sick leave shall not exceed 720 hours. An employee may be paid for sick leave in excess of 720 hours at a rate of 10% of the employee's straight time rate at the time of termination.
- 7.6.5.2 Any absence of more than four consecutive working days related to the same illness, will require a statement from a doctor before any additional sick leave will be authorized.
- 7.6.5.3 A mental health day shall be considered a legitimate use of sick leave, so long as it is no more than one day in each quarter of the year. Employees using sick leave for mental health days are encouraged to participate in activities which have no work associated pressures.

7.0 PROCEDURES (Continued)

7.6.5.4 Time sheets or requests for sick leave must specify whether the sick leave was used for an illness or as a mental health day.

7.6.5.5 Sick leave shall be used for doctor or dental appointments.

7.6.5.6 Abuse of the sick leave privilege shall be cause for disciplinary action. An employee who is unable to report to work because of an illness or because he/she is taking a mental health day shall report the reason for his/her absence to his supervisor, or to City Hall, within four hours of the time the employee is expected to report for work. Sick leave with pay shall not be allowed unless such report has been made.

7.6.6 Witness or Jury Duty

7.6.6.1 If the employee is called for jury duty or is subpoenaed as a witness under circumstances beyond the employee's control and where such duties are in the public interest, the employee will be continued at full salary and benefits for the period of required service. All monies received as witness fees or pay for jury duty, except for mileage allowance, must be signed over to the City, unless such fees were earned on the employee's days off or during other authorized leave. The employee shall be required to report to work when less than a normal day is required by jury or witness duties. If the employee works night or evening shifts, the employee shall be transferred to day shift during the time the employee is required to serve as juror or witness.

7.6.6.2 This leave policy does not extend to "personal interest" court appearances such as, but not limited to, divorces, suits or grievance hearings.

7.6.7 Voting

7.6.7.1 When an employee's work schedule is such that he would not be able to vote prior to or after his normally scheduled working hours, the employee shall be granted, by his/her department head, a reasonable time off to vote without loss of either pay, accrued vacation or sick leave.

7.6.8 Conferences and Conventions

7.6.8.1 Decisions concerning an employee attending conferences, conventions, or other meetings at City expense, shall be made by the Department Head. Permission shall be granted on the basis of an employee's participation in or the direct relation of the employee's work to the subject matter of the meeting. Employees who are members of professional societies may be permitted to attend meetings of their society on City time with no loss of pay or benefits when such attendance is considered to be in the best interest of the City.

7.0 PROCEDURES (Continued)

7.6.9 Absence Without Pay

7.6.9.1 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 working days without authorized leave shall be deemed to have resigned. Where extenuating circumstances are found to have existed, however, such absence may be allowed by a department head by a subsequent grant of leave with or without pay.

7.6.10 Authorization for Leave

7.6.10.1 No payment for any leave of absence shall be made until such leave has been properly approved by the Department Head.

7.6.10.2 No leave beyond 40 hours shall be authorized except by the City

7.6.11 Educational Opportunities

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7.6.11.1 The City shall reimburse an employee for one-half the amount of tuition for courses directly related to the employee's work offered at accredited colleges or universities (eg. M.H.C.C., P.S.U., O.S.U., or U.P.) and conducted outside the employee's regular working hours, provided that:

1. Funds for such expenditures are available in the current budget;
2. The employee has made application for approval of the course and tuition reimbursement to his department head at least ten days prior to the registration for such course;
3. The employee submits evidence of satisfactory completion of the course;
4. The employee is not receiving reimbursement for tuition from any other source.

7.6.11.2 Courses which are only offered during regular working hours may be approved by the City Administrator provided time off can be arranged conveniently and reasonable arrangements can be made to make up time off.

7.6.11.3 The City shall allow time off with pay and shall reimburse an employee for the tuition and expenses of attending classes, lecture conferences or conventions when attendance is required by the City.

7.6.11.4 Normally, the cost of textbooks and technical publications required for such courses shall be the responsibility of the employee. If the City purchases any of the textbooks and publications for such courses, said textbooks and publications shall become the property of the City.

7.0 PROCEDURES (Continued)

7.6.12 Retirement Age

7.6.12.1 The retirement age for City employees is as follows:

1. Sixty-two (62) years for police employees; and
2. Seventy (70) years for all other employees.

7.6.12.2 At the end of the month in which an employee reaches retirement age, the employee shall automatically terminate his service with the City. However, the appointing power may grant an extension of the retirement age on a year-to-year basis when it is in the interest of the City and at the request of the employee to do so.

7.6.13 Industrial Accidents

7.6.13.1 All employees shall be covered under the State Accident Insurance Fund (SAIF) for industrial accidents and disease. Benefits include medical treatment and care as well as disability compensation during periods of time lost from the job.

7.6.14 Other Benefits

7.6.14.1 Benefits relating to Medical and Hospital Insurance, Dental Insurance, Life Insurance, Additional Group Coverage, and Disability Insurance shall be provided as set by Council.