

A BILL FOR AN ORDINANCE ADOPTING
PERSONNEL RULES AS THE ADMINISTRATIVE
POLICY GOVERNING CITY EMPLOYEES, AND
ESTABLISHING AND REGULATING THE SALARIES,
COMPENSATION AND EMPLOYMENT REQUIREMENTS,
PRACTICES, CLASSIFICATIONS, PAY, DISCIPLINE
AND OTHER PERTINENT MATTERS; AND DECLARING
AN EMERGENCY.

)
) ORDINANCE BILL NO. 3
)
) for 1966
)
) ORDINANCE NO. 1203
)

BE IT ORDAINED BY THE PEOPLE OF THE CITY OF LEBANON:

The rules, definitions, regulations, practices, prohibitions,
classifications and salaries of, for, by, and governing city
employment and employees, shall be as follows:

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Section ¹³~~4~~ Inasmuch as the provisions of this Ordinance
are necessary for the immediate preservation of the peace, health
and safety of the people of the City of Lebanon, an emergency is
hereby declared to exist, and this Ordinance shall be in full
force and effect immediately upon its passage by the Council and
approval by the Mayor.

Passed by the Council and approved by the Mayor this 1st day
of February, 1966.

Frank Blalock
Mayor

ATTEST:

Van R. Shoups
City Recorder

PERSONNEL RULES FOR CITY OF LEBANON, OREGON

SECTION I

DEFINITIONS

1. Permanent Employee & Officers:

An employee who has worked in a full time position for 12 months of continuous service either on a monthly salary or hourly wage. If a permanent employee is terminated for reasons not discreditable to him, and he is reemployed within 6 months, he shall be reinstated as a permanent employee.

2. Probationary Employees:

An employee who is hired for a full time position and who has not completed the probationary period of 12 months.

3. Intermittent Employee:

An employee who is hired for a season's work only and / or who has no fixed number of hours to work per week.

4. Temporary Employee:

An employee who is hired for less than a 12 month period. This classification shall include those who work full time on assignments of nonrecurring nature and those who work part time less than 12 months.

5. Personnel Committee:

Means a committee appointed by the Mayor with the approval of the common council whose membership shall be - two councilmen and one lay member whose normal work encompasses personnel practices.

SECTION II

EMPLOYMENT REQUIREMENTS

1. Application of Rules:

The personnel rules and regulations shall apply to all employees of the City of Lebanon. All appointments shall be made solely on merit, efficiency, fitness and impartial investigation.

2. Qualifications:

To qualify for employment with the City of Lebanon applicants must be citizens of the United States of America, or must have filed application for citizenship. There will be no discrimination as to race, color or creed.

3. Residence:

Preference shall be given those applicants living inside the City of Lebanon and who have equal qualifications. Employees living outside the city limits will not be allowed to live at such a distance from the city as to seriously impair their accessibility in case of emergency need of their services.

4. Family Relationship:

Upon the effective date of this Ordinance no person may be an applicant for permanent employment with the City of Lebanon:

1. Who is a member of the immediate family (Mother, father, brother, sister, son, daughter or their respective spouses)

- A. Of the appointing power
- B. Of the Mayor or Common Council

2. For a position in the same department in which there is already an employe who is a member of his immediate family.

An exception to this regulation could be made with the approval of the department head, personnel committee and the Common Council.

SECTION III

ATTENDANCE

1. Hours of Work:

Each department head shall establish and submit to the personnel committee a schedule of regular working hours for his department.

2. Holidays:

Holidays shall be New Years Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day and Christmas. Compensatory time off shall be allowed for work done on holidays by permanent and probationary employees. The compensatory time off must be within 90 days of the holiday worked. However when equal time off is impractical the personnel committee may approve the employees receiving an additional days pay, (8 hours) for the holiday worked. Intermittent and temporary employees shall receive no compensation for holidays on which they do not work, but if worked they shall receive compensation. Holidays which occur during vacation or sick leave shall not be charged against such leave.

3. Absence without Leave:

Any unauthorized absence of an employee from duty shall be deemed to be absence without pay and may be made grounds for disciplinary action by the department head. Any employee who absents himself for two consecutive days without authorized leave shall be deemed to have resigned. Such absence may be covered however, by the department head by subsequent grant of leave with or without pay when extenuating circumstances are found to have existed.

LEAVES OF ABSENCE

SECTION IV

1. Authorization for Leave:

No leave of absence with or without pay shall be granted unless a request on the prescribed form is submitted by the employee and approved by the department head and / or Personnel Committee in accordance with these rules. Approval of leave shall be obtained prior to the beginning of Leave periods, except as may be otherwise provided in these rules, and no payments for leave of absence shall be made until Leave has been properly approved.

2. Vacation Leave:

- A. General Policy: It is the intent of the city, that all full time appointive officers and employees shall be entitled to a vacation from duty and service with pay after 12 months of continuous work for the city, and that said vacation be taken annually by all permanent employees. Vacation shall be taken at such time in the case of heads of departments, as the Personnel Committee may approve; and in the case of the other full time employees entitled thereto, as the heads of their respective departments may approve.
- B. AMOUNT: Intermittent, temporary and probationary employees shall not be eligible for vacation, but if later qualified as a permanent employee, they shall be credited with one week vacation from the date initially beginning 12 months continuous service. Full time employees with more than one year but less than 10 years service shall be credited with two weeks vacation. Employees with more than 10 years service shall be credited with three weeks vacation.
- C. Accumulation of Vacation: Vacations shall be taken yearly except where unusual circumstances prohibit. In these cases, vacation time may accrue to a maximum of three weeks with the approval of the personnel committee, and then vacations shall be scheduled as soon as practicable.

D. Scheduling Vacation: Department heads shall establish staff schedules to provide vacation leave for employees at regular annual periods, and employees shall take vacation leave at the time scheduled. Such schedules may be amended by the department head to meet work emergencies or grant requests of individual employees. In establishing regular schedules, department head shall give due consideration to the desires of individual employees within limits of work requirements of the department. Holidays which occur during vacation shall not be charged against such leaves.

E. Terminal Vacation Leave: An employee who terminates during the initial twelve months of his employment shall not be entitled to vacation leave. Those employees who have (1) served an initial twelve month period, (2) qualified as a permanent employee, and (3) are separated from the city in good standing, shall be entitled to payment of accrued vacation leave upon recommendation of the department head and / or personnel committee. In no case shall the payment be for more than three weeks. In case of death, compensation for accrued vacation leave shall be paid in the same manner that salary due to the decedent is paid.

3. Sick Leave with Pay:

A. General Policy: Sick leave shall be granted for the following reasons: (1) Personal illness or physical incapacity resulting from causes beyond the employee's control; (2) enforced quarantine of the employee in accordance with community health regulations. An employee on sick leave shall inform his immediate superior of the fact and the reason therefor forthwith, and failure to do so may be cause for denial of sick leave with pay for the period of absence. Absence for a fraction or a part of of a day that is chargeable to sick leave in accordance with those provisions shall be charged proportionately in an amount not smaller than one half of a day. Holidays and other normal days off during the week shall not be charged against sick leave. Normally sick leave with pay in excess of three consecutive working days for reasons of personal illness or physical incapacity shall be granted only after presentation of a written statement by a reputable physician certifying that the employees conditions prevented him from performing the duties of his position. However, the Department Head and /or Personnel Committee may require said certificate for sick leave taken under three days. A Full time employee who is terminated from his position for reasons that are not discreditable to him may if reappointed within six months, have available for his necessary use any unused sick leave existing at the time of his termination. However, if the employee resigns on his own volition, and is reappointed, he shall not be credited with his previous unused sick leave at the time of his resignation. Under no circumstance shall any employee who is terminating employment be paid for any accrued sick leave.

B. Pregnancy: No sick leave shall be granted at termination of employment for reasons of pregnancy.

C. Full time Employees: Sick leave with pay shall accrue at the rate of one working day of leave for each full calendar month of the employee's service and any such leave accrued in any year shall be accumulative for succeeding years up to a maximum of ninety working days. Employees who are granted a leave of absence with pay for any purpose shall continue to accrue sick leave at the regularly prescribed rate. All sick leave will accrue at the above rate, and will be accumulated to 90 days. Each day of sick leave shall be construed to be the equivalent of a regular 8 hour working day.

- D. Probationary Employees: Probationary employees shall be eligible for 12 days of paid sick leave after completing 12 calendar months of continuous employment. Thereafter they shall accrue sick leave at the rate of 1 working day per calendar month worked not exceeding 90 days.
- E. Intermittent Employees: Intermittent employees shall not be eligible for paid sick leave, but if later qualified as a permanent employee, they shall be credited sick leave from the date initially beginning continuous service at the rate of one working day of leave for each full calendar month worked.
- F. Temporary Employees: Under no circumstances shall temporary employees be eligible for paid sick leave.

4. Disability Pay:

In most cases sickness or injury incurred as a result of employment is compensable pursuant to the laws of the State of Oregon. When an employee on leave receives disability payment under such laws, such employee shall receive and there shall be paid to such employee, the difference between his regular salary and the disability payment by the State or private insurance company. For each working day the employee is absent and the City pays a portion of the full salary, 1/2 day of sick leave shall be deducted from the employee's accrued sick leave. He shall report to the City Treasurer's office the amount of the payment received from the State or private insurance company and the period for which payment is made. The City Treasurer shall then prepare an additional check in favor of the employee for the difference between his normal monthly salary and the amount paid by the State or private insurance company (Provided the employee has sufficient accrued sick leave). When an employee's accrued sick leave is depleted he shall then receive only the monies from the State or private insurance company.

5. Sick leave without Pay:

Upon application of any full time employee, sick leave without pay may be granted for the remaining period of disability after earned sick leave has been exhausted. From time to time, the department head or the Personnel Committee may require that the employee submit a certificate from the attending physician. In the event of a failure or refusal to supply such certificate, or if the certificate does not clearly show sufficient disability to preclude the employee from the performance of duties, such sick leave shall be canceled and the employee's service terminated. Upon application of probationary, intermittent or temporary employee's sick leave without pay may be granted for reasons stated in Section 3A. In no case shall sick leave without pay be granted for a period to exceed one calendar year.

6. Restrictions: Nothing herein contained shall be construed as vesting the respective officers and employees of said city affected thereby any vested right, or interest in, or to the benefits herein provided for, so as to prevent the Personnel Committee from revoking or discontinuing such benefits or sick leave at any time as to any incapacities occurring after such revocation or discontinuance.

7. Military Leave with Pay: Military Leave shall be granted as specified by Federal regulation.

8. Other Leave of absence with Pay:

Any full time, probationary, intermittent, or temporary employee shall be granted a leave of absence with pay for (1) service with a jury; provided

that the salary paid to the employee for the period of absence shall be reduced by the amount of money he receives for jury service, (2) appearance before a court, legislative committee or judicial body as a witness in response to a subpoena or other direction by proper authority, provided that the salary paid to him shall be reduced by an amount equal to any compensation he may receive as Witness fees.

9. Other Leaves of Absence Without Pay:

A full time employee may be granted other leave without pay for the following reasons only: death in his immediate family; serious accident involving a member of his immediate family; serious illness of a member of his immediate family: (immediate family shall be a person as defined in Section 11, subsection 4). Request for such a leave must be in writing and must establish reasonable justification for the approval of the request.

CLASSIFICATION

SECTION V.

1. General Policy: The City uses position classifications as a guide toward "equal pay for equal work." The classification plan defines the nature of a position in the City. Job titles are so defined that equal work can be identified no matter in which department it falls. There are three aspects of the position classification:
 1. It has been grouped in a class with positions of approximately the same difficulty and responsibility for purposes of pay range development.
 2. It has a class title - a descriptive name as an identifier- which is used in all personnel, budgetary, appropriations and financial records.
 3. A class specification descriptive of responsibilities and duties of the positions, with skills, education and experience desired. The specification takes into consideration the requirements of the job, not abilities. The position specification is merely descriptive and explanatory of the work to be performed. It may not include all duties. Unless the nature of the demands upon the position significantly change, the job specification will not change.The personnel Committee is responsible for keeping the classification up to date through periodic studies of the position and others similar to it. Based on these studies, recommendations are made that a new position be established or that old ones be modified.

2. Promotion from one Department to Another: It is the City policy to encourage promotion from within the City organization. When a vacancy occurs, first opportunity will be to city employees presently in classes requiring less responsibility, provided they are qualified to perform the duties of the vacant position. Notification of the vacancy shall be given to the Personnel Committee who will furnish the department information on City employees in lesser classes located in other departments. When an employee is transferred the department head of the department filling the vacancy shall notify the Personnel Committee who is being transferred, from what department, the new position and the recommended salary of the employee in the new position. Employees transferred to higher classes will receive the minimum salary of the new class. In the event the employee is presently making more than or as much as, the minimum for the new class, he may receive an increase in amount as determined by the department head and the Personnel Committee. Employees transferred to Lower classes, will continue to receive their present salary provided it does not exceed the maximum of the Lower class. Employees transferred to a new class will not receive a probationary increase in salary after six months service in the new class.

3. Creation of New Positions: Whenever a new position is created in a department, the department head shall file a written notice with the Personnel Committee. Such notice shall contain a detailed description of the duties and responsibilities of the position and a statement of suggested minimum entrance qualifications for the position. After analyzing the statement, the Personnel Committee may allocate the position to an existing class. If there is no appropriate class, the personnel Committee shall prepare an appropriate class specification, including minimum and maximum salaries, and submit it to the City Council for consideration. The act of adoption, by the City Council, shall be recognized as the official and legal manner of creating a new class.

SECTION VI

PAY PLAN

1. General Policy: Each class in the city is allocated to a particular salary range which has a definite minimum and maximum. The salary ranges vary as to the percent of spread between the minimum and maximum. Those positions requiring a lower level of skill and education at the time of entrance, have the lowest percentage of range.
2. Starting Salary: Normally the minimum of the salary range will be the starting salary for a new employee. In instances where a new employee has experience or skills which are above those required for a starting employee, it is possible to hire above the minimum salary. The department head and Personnel Committee will examine the credentials of an employee who may be considered for entrance above the minimum.
3. Increases: Generally the policy for increases will call for consideration to be made on the employees anniversary each year if monies are budgeted and made available. At this time Department Heads will consider each employee for increases in his salary range. Such increases shall be based on merit. As it is impossible to forecast accurately the amount of money that will be available each year, very probably increases within the range will vary through the years. In no case will an employee be advanced to a salary above the maximum for his position. Those employees presently receiving more than the maximum for his class will receive no further increase while they remain in that class; nor will they receive a salary cut. Instead, these employees are to be encouraged to prepare themselves for higher level work.
4. Probationary Review: If a probationary employee successfully completes the initial six months of his employment period the department head and the Personnel committee shall conduct a review of the job performance and if found to be warranted, an adjustment of salary may then be recommended.
5. Salary Data Studies: To insure that the pay is reasonable salary data studies will be made a minimum of every 3 years. Salary information will be collected from governmental and private employers in this area. The resultant information will be considered with fringe benefits, and when applicable salary ranges will be changed by city council. The Collection of the data will be by the Personnel Committee or his designated representative. Department heads shall notify the Personnel Committee when conditions warrant a study of special classes. Studies for budgetary purposes shall be conducted annually by Department Heads and Personnel Committee not later than April 1, of each year.

SECTION VII

OUTSIDE EMPLOYMENT

1. General Policy: It is the City policy to discourage employees working for city on a full time basis, to engage in additional employment from another source. However, in certain situations occasional and part time work outside

city employment will be allowed, wherein the hours and days of work are not fixed, and if prior approval has been received.

2. Approval:

- A. If it is not incompatible with the employee's city work.
- B. If it in no way detracts from the efficiency of the employee in his city work.
- C. If there is no conflict of interest between the city work, and the outside work.
- D. If it is not discreditable to his city employment.
- E. If it does not conflict with those persons who are on emergency calls.
- F. If the employee is not committed to specific scheduled hours and days of work.
- G. If it is clear to the employee that in any situation wherein extra duty will be in preference to his outside work.
- H. If the proposed work will not adversely effect the city's public relations by seriously competing with other taxpayer's employment opportunities.

3. Definition: Part time work shall be defined as any work for another employer or for himself for which pay is received whether by salary, wages, commission, or by sale and which work is carried on in addition to full time city employment regardless of the number of hours worked on a part time basis.

4. Exceptions: Any employee of the city who is hired on a part time basis will not fall under the provisions of these rules on outside employment.

SECTION VIII

POLITICAL ACTIVITY

The term "political" as used herein refers to partisan politics, or nomination and election to public office. The following political activity is prohibited:

- (1) No employee shall use his influence to further the cause of any Political party, or candidate for nomination or election to public office other than exercising his or her right to vote.
- (2) No employee shall seek or accept nomination, election or appointment as an officer of a political party, club or organization, or serve as a member of the committee of any such club or organization.
- (3) No employee shall be a candidate for a political office.
- (4) No employee shall solicit money, service or other valuable things, or in any other way further the cause of any political party, or candidate for nomination or election to public office.

SECTION IX

TRAVEL

Occasionally department heads and other employees will be required to travel on city business. If the employee is required to use his own car in traveling out of town, mileage will be paid at the rate of 10¢ per mile. Reasonable lodging, meals, and other expenses will be paid by the City. Prior to traveling from the city approval of the trip will be required from the Common Council. Immediately upon return, expense sheets shall be filled out by the employee, approved by the department head and forwarded to the Treasurers office.

SECTION X

CITY TOOLS AND EQUIPMENT

Every tool has its proper use. In the case of City equipment this use is limited to city purposes. Employees will be responsible for the care of all city equipment, and supplies which aid them in the performance of their duties. Any equipment breakage or loss must be reported to their immediate superior at once.

SECTION XI

TERMINATION AND DISCIPLINE

1. Performance and Conduct: City employees are expected to maintain high standards of performance and conduct. They are subject to removal, reduction, or reprimand for various reasons, among which are the following:

- A. Inability to perform the duties of the position.
- B. Failure to pay just debts or make reasonable provision for future payments.
- C. Conviction of a criminal offense involving moral turpitude.
- D. Damage to public property or waste of public supplies.
- E. Conduct unbecoming an officer or employee.
- F. Absence without leave from one's position.
- G. Consumption of, or having in one's possession any alcoholic beverage while on the job.
- H. The department head, subject to the approval of the proper Council committee, shall have the right to make any additional rules and regulations governing his respective department, which he may deem necessary for the better conduct of the department, and for more efficient operation for the City of Lebanon and any rules and regulations so made by the department head shall be binding on the affected department to the same extent as if incorporated herein and made a part of this ordinance.

Disciplinary action shall be administered by the personnel Committee and/or Department head.

2. Resignation: Voluntary resignation must be by notice to the department head, stating reasons for leaving at least ten days in advance. Failure to give the required notice, may result in a loss of all unused vacation pay and the right to future reinstatement in the City. Improper resignation will become a matter of permanent record.

3. Retirement Age: Retirement age for all city employees is sixty-five. On reaching sixty-five an employee may file with the Personnel Committee a request for successive one year extensions. The Personnel Committee shall report the request to the Common Council with a recommendation. Two factors in the Personnel Committee's recommendation shall be the evaluation of the employee's performance and perhaps a physical examination.

SECTION XII

VARIANCES

The Common Council shall have the power to vary or modify the strict application of any of the rules above listed in any case where such strict application would result in practical difficulties or unnecessary hardships.