

A BILL FOR AN ORDINANCE ADOPTING PERSONNEL )  
RULES AS THE ADMINISTRATIVE POLICY GOVERNING )  
CITY EMPLOYEES; ESTABLISHING AND REGULATING )  
THE SALARIES, COMPENSATION, AND EMPLOYMENT )  
REQUIREMENTS, PRACTICES, CLASSIFICATIONS, )  
PAY, DISCIPLINE, AND OTHER PERTINENT MATTERS; )  
AND REPEALING ORDINANCE NO. 1203. )

ORDINANCE BILL No. 11  
for 1971

ORDINANCE NO. 1404

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

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

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## SECTION I. CLASSIFICATION

- (a) All employees, with exception of department heads, are assigned to a specific class as established by the classification and pay plan for the city of Lebanon. Department heads salary will be set by the Common Council.
- (b) A classification plan provides for an orderly and consistent description of the work being performed in the different classes of positions. Like work and responsibility is identified and assigned to a single classification. Through classification of positions, the goal of equal pay for equal work can be obtained. The classification system is the basis for an organized administration plan and salary schedule. Positions, not the individual, are classified.

## SECTION II. THE PAY PLAN

- (a) The pay plan provides for an orderly schedule of pay rates according to the job classification. Those classes which require a lower level of skill, experience, or education are recognized in a lower pay bracket. As requirements for skill and responsibility increase the pay bracket increases. The Lebanon pay plan provides for an increase after six months on the job. Each year after the first increase and until you reach the top of your classification you will receive an increase. Any cost of living increases will be in addition to the regular increases.
- (b) 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.
- (c) Regular pay day falls on the 5th and payday on 20th of each month. When payday falls on a Saturday, Sunday, or a holiday, employees will be paid on the finance officers last working day prior.
- (d) A salary study will be made at a minimum of every three years. Salary information will be gathered from governmental and private employers concerned in the same type of work. The resultant information will be considered along with fringe benefits. When applicable, salary ranges will be changed by the Common Council. The collection of information will be caused by the personnel committee and department heads. Department heads will notify the personnel committee when conditions warrant a special study. Studies for budgetary purposes shall be conducted annually by the personnel committee and department heads, not later than April 1st of each year.

## SECTION III. CONDITIONS OF EMPLOYMENT

### (a) Personnel Committee:

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.

(b) Qualifications:

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

(c) Application of Rules:

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

(d) Appointment:

An employee who is hired for a permanent position is a probationary employee for a period of six months. Then he becomes a permanent employee if so designated by the department head. A temporary employee is one who is hired for less than a twelve month period or hired for work that has not been established by classification.

To qualify for employment with the City of Lebanon, applicants need not reside within the city limits; however, preference is normally given to an applicant who is a resident of the city.

Enrollment in the employment retirement program is mandatory for full time employees after completion of six months probationary period.

(e) 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;
  - a. Of the appointing power or their spouse.
  - b. Of the Mayor or Common Council or their spouse.
2. For a position in the same department in which there is already an employee who is a member of his immediate family.
3. An exception to this regulation could be made with the approval of the department head, personnel committee, and the common council. All three must approve.
4. The immediate family consists of: Mother, Father, Brother, Sister, Son, Daughter, or their respective spouses. This includes the employee and his spouse's family.

(f) Hours of work:

With the exception of fire and ambulance personnel, employees of the city work a forty (40) hour week.

The duty week for the police and fire personnel is a matter of council policy. Presently fire and ambulance personnel are on a 56 hour duty week.

(g) Overtime:

When overtime is authorized by a department head, employees so working will be compensated at a rate of time and one-half, based on a 40-hour week, or compensatory time off. Compensatory time off must be taken within six (6) months and may not accumulate beyond five (5) days credit.

(h) Creation of New Positions:

Whenever a new position is created in a department, the department 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 the 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.

(i) Retirement:

The retirement age of city employees is sixty (60) for police and fire service, sixty-five (65) for all other city employees. At the end of the month on which an employee reaches retirement age, he must automatically terminate service with the city unless the department head requests and receives an extension of duty for the employee. An extension on a year to year basis may be granted on approval by the city council and the Public Employees Retirement Board. Two factors in the recommendation shall be the evaluation of the employees past performance and physical condition.

(j) Resignation:

Employees planning to resign are requested to submit their resignation notices at least two (2) weeks prior to date of resignation.

SECTION IV. TIME OFF

(a) Holidays:

The following days are legal holidays:

1. Each Sunday
2. New Years day- January 1.
3. Lincoln's Birthday on the First Monday in February.
4. Washington's Birthday on the Third Monday in February.
5. Memorial Day on the last Monday in May.
6. Independence Day on July 4.
7. Labor Day on the First Monday in September.
8. Veterans Day on the Fourth Monday in October
9. Thanksgiving day on the Fourth Thursday in November.
10. Christmas Day - December 25.
11. Every day appointed by the President of the United States or by the Governor as a holiday.



12. If any of such holidays, other than Sunday, at any time fall on Sunday, the succeeding Monday shall be a holiday in that year.

Any act authorized, required or permitted to be performed on a holiday as designated in this section may be performed on the next succeeding business day; and no liability or loss of rights of any kind shall result from such delay.

Employees, except police, fire and ambulance service personnel, who are required to work during a holiday, will be compensated as provided in Section III under overtime.

Employees of the police, fire and ambulance service whose regular assignments require them to perform service on any of the holidays will receive additional vacation leave in lieu of holiday or overtime pay.

(b) Vacation:

All permanent, full time employees, except those employees of the police, fire and ambulance service whose regular assignments require them to perform service on any of the holidays, are entitled to and encouraged to take two weeks vacation with pay after one year. After five years continuous service, two additional working days vacation is allowed. After ten years service three weeks vacation with pay shall be allowed.

In lieu of overtime pay for holiday work, those employees of the police, fire and ambulance service whose regular assignments require them to perform service on any of the holidays shall receive three weeks vacation with pay after the first year. After five years service, such police officers will receive an additional two working days vacation; and such fire and ambulance service personnel will receive one additional 24-hour shift as vacation. Such police, fire and ambulance personnel will receive four weeks vacation after ten years service.

Vacations are to be taken during the twelve months immediately following the year in which it is earned. Vacation time may not be accrued or carried over into the following year without approval of the personnel committee.

Scheduling of vacations shall be approved by the department head. Such schedule will be followed unless amended by the department head, in establishing vacation schedules, department heads will give proper consideration to the needs of the department insofar as work requirements are concerned.

An employee that terminates during the initial six months of his employment shall not be entitled to vacation leave pay. Permanent employees who are separated from the city in good standing, shall be entitled to payment for accrued vacation leave upon the recommendation of the department head. This will be computed by the finance officer on a pro-rated basis.

(c) Sick Leave:

1. All employees will be eligible for sick leave after completing six months service and becoming a permanent employee.
2. 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 90 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. Each day of sick leave shall be construed to be the equivalent of a regular 8-hour working day except those employees who are regularly on duty for 24 hour shifts. Such 24-hour shift employees shall be charged with two days sick leave for each full shift absent due to illness.
3. Sick leave is provided as insurance against an employees illness or inability to work. In no sense is it a right which the employee may use for any purpose other than actual illness or accident causing personal disability. Abuse of the privilege may be cause for dismissal.

Proof of illness may be required at the discretion of the department head or personnel committee. Absence for a fraction or a part of a day that is chargeable to sick leave in accordance with these provisions shall be charged proportionately in an amount not smaller than one-half day. Holidays and other normal days off during the week shall not be charged against sick leave.

(d) 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 sick leave receives disability payment under such laws, the city shall pay said employee the difference between his regular salary and the disability payment paid by the State or the city's private insurance company. The employee shall report to the City Treasurer's office the amount of payment received from the State or the city's private insurance company and the period for which payment is made. For each working day the employee is absent and the city pays a portion of the full salary, one-half day of sick leave shall be deducted from the employee's accrued sick leave.

(e) Pregnancy.

Paid sick leave will not be granted for reasons of pregnancy.

(f) Absence Without Leave:

It is required that each employee notify his supervisor when he can not come to work afor any reason. If an employee is absent without permission, it shall be deemed to be an absence without leave and may be grounds for disciplinary action by the department head. An employee who absents himself for two consecutive days without authorization, shall be deemed to have resigned. Such an absence may be authorized, however, by the department head when extenuating

circumstances are found to have existed.

(g) Leave of Absence With Pay:

Employees may request leave of absence with pay for such purposes as death in the immediate family, witness or jury trial, participation in a funeral, or attendance at a conference or convention with direct relationship to the work with the city. Each of these requests shall be considered and judged on its own merits by the department head.

(h) Military Leave:

A full time employee called to active duty by the United States of America will retain re-employment rights with the city. When the employee is released to inactive duty, he must notify the department head within 30-days of his intention to exercise his right to re-employment. Failure to do so will cause the employee to lose his re-employment rights. Military leave will be granted as specified by State and Federal regulations.

(i) Leave Without Pay.

A permanent employee may be granted a leave of absence without pay when the work of the department will not be handicapped by his absence. Requests for such leave must establish reasonable justification for approval by the department head or personnel committee.

SECTION V. TRAVEL

- a) 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. Prior to traveling from the city, approval of the trip will be required from the Standing Committee. Immediately upon return, expense sheets shall be filled out by the employee, approved by the department head and forwarded to the Treasurer's office.

SECTION VI. DISCIPLINARY ACTION

All city employees are subject to termination, suspension without pay, a reduction in pay, or reprimand for various reasons, among which are the following.

1. Violation of the lawful duty, insubordination or breach of discipline.
2. Obvious negligence or misconduct causing damage to or waste of public supplies or facilities.

3. Chronic physical or mental ailment.
4. Absence from duty without leave
5. Abusive language or conduct unbecoming an officer or employee. This includes excessive use of alcoholic beverages off the job as well as drinking on the job.
6. Incompetence.
7. Conviction of a criminal offense involving moral integrity or turpitude.
8. Personal acceptance of a fee, gift, or other valuable thing in the course of his work for the city, intended for special favors.
9. Failure to reasonably provide for the payment of personal debts.

#### SECTION VII. OUTSIDE EMPLOYMENT

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

Subject to the approval of the department head, the employee may be allowed to work outside the city employment subject to the following conditions:

1. Employment must be compatible with the employees city work.
2. In no way detract from the efficiency of the employee in his city responsibilities.
3. In no way conflict with the duties of persons on emergency call.
4. If the proposed work does not adversely effect the cities public relations by seriously competing with other taxpayers employment opportunities.
5. If it is clearly understood that in any situation where extra duty would be necessary in his city work, that such extra work will be in preference to his outside work and that such outside work will not conflict with his extra hours.



#### SECTION VIII. 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.

#### ADDITIONAL RULES AND REGULATIONS

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. 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.

SECTION IX. EFFECTIVE DATE

This Ordinance shall take effect July 1, 1971; and Ordinance No. 1203 is hereby repealed effective said date.

Passed by the Council and approved by the Mayor this 20th day of April, 1971.

  
HARRY M. CHRISTENSEN  
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Mayor

ATTEST:

  
\_\_\_\_\_  
Recorder