

RESOLUTION NO. 96-044

A RESOLUTION AMENDING EMPLOYEE HANDBOOKS  
OUTLINING CITY POLICIES AND PROCEDURES AND  
INCORPORATING INTO A SINGLE DOCUMENT

WHEREAS, City Council adopted Resolution 92-103, September 8, 1992, establishing three separate handbooks for the different classifications of Exempt/Management Employees; and

WHEREAS, City Council now wishes to incorporate all handbooks into a single document; and

WHEREAS, City Council adopted Resolution 96-030 changing certain benefits to the Exempt/Management Employees; and

WHEREAS, the current handbooks make reference to Fire Department Personnel no longer employed by the City; and

WHEREAS, the City Council has reviewed the proposed amended handbook and given their approval to the amended handbook; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

Section 1. The employee handbooks for Group I and II, III and IV, and IV and V, are hereby amended and consolidated into a single document, including the changes set forth in this Resolution and are adopted as the City's current employment policies and procedures.

Section 2. The policies and procedures set for in the amended handbook shall be effective July 1, 1996.



PASSED AND ADOPTED THIS 9TH DAY OF SEPTEMBER, 1996.

Voting Yes, Councilmembers: Davis, Briggs, Hill

Voting No, Councilmembers: Van Cleave

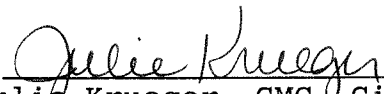
Absent, Councilmembers: Koch

Abstaining, Councilmembers: None

AND APPROVED BY THE MAYOR THIS 9TH DAY OF SEPTEMBER, 1996.

Attest:

  
\_\_\_\_\_  
David R. Beckley, Mayor

  
\_\_\_\_\_  
Julie Krueger, CMC, City Clerk

EXEMPT/MANAGEMENT EMPLOYEE HANDBOOK

REVISED AUGUST 1996

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## 1.0 COVERED EMPLOYEES

This Personnel Policy Manual covers personnel in all City Departments not in a bargaining unit.

## 2.0 TYPES OF EMPLOYEES

### 2.1 STATUS

2.11 Permanent: One who has successfully completed his\her probationary period as required in Section 3.0 as evidenced by a satisfactory performance evaluation and recommendation by the Department Head per Section 3.6.

2.12 Probationary: One who has not received permanent appointment in accordance with section 3.0 and can be terminated at the discretion of the City.

2.13 Temporary: One who is hired to serve a specific period, normally not to exceed six months. Temporary employees are not eligible for benefits.

2.14 The relationship between the Department Head employees and the City is an at-will relationship. Since the employment relationship is based upon mutual consent, either the City or the employee may terminate employment at any time, for any reason or for no reason.

### 2.2 Hours of Work

2.21 Full-Time: One who is employed to work a regular schedule of forty hours per week or an established work week for Police personnel.

2.22 Part-Time: One who is employed to work less than forty hours per week, including job-share personnel.

## 3.0 PROBATIONARY STATUS

### 3.1 Original Probation Period

3.11 The length of the probationary period will be the first continuous months of employment based

on the following table:

Non-Public Safety Personnel	6 months
Police - Sworn Personnel	12 months
Police - Non-sworn Personnel	6 months

3.12 Periods of temporary employment do not count towards satisfying probationary requirements.

### 3.2 Subsequent Probation Periods

3.21 When an employee is transferred or promoted, a subsequent probation period is required for that new position. The length of probationary period will be as identified in Section 3.11, except when the provisions of Civil Service govern.

### 3.3 Disciplinary Probation

3.31 Employees may be placed on disciplinary probationary status as an alternative to termination in a final attempt to resolve problems with employees who appear to have the ability to become valuable employees to the City. (See section 52.43)

3.4 During any probationary period employees have the opportunity and responsibility to demonstrate ability, competence, suitability and the probability of sustained successful performance in the future.

3.5 A probationary employee may be terminated at the discretion of the City at any time during the probationary period. Employees serving probationary periods as a result of promotion or change in position may be returned to their former position if the position or a position they qualify for is available. Further, probationary employees do not have access to the City's appeals or grievance procedures. Accrued vacation which is not earned (per section 32.2) will not be paid at termination.

3.6 During any probationary period, the supervisor will observe the employee's performance. Prior to the end of the period a formal performance evaluation will be conducted by the supervisor recommending one of the following actions:

3.61 Termination\return to previous position

3.62 Extension of Probation

3.63 Promotion to Permanent Status

Any extension of probationary time shall be established at the time of evaluation but in no circumstances shall the extension be more than one-half the original probationary period.

3.7 Except as provided for in Section 12.2, probationary employees are not eligible for promotion or transfer.

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#### **4.0 EQUAL EMPLOYMENT OPPORTUNITY**

The City is an equal employment opportunity employer. The City bases decisions on employment solely upon the individual's demonstrated skills, knowledge and ability to succeed in the position being filled. The City recruits, hires and promotes for all job classifications without regard to race, sex, color, religion, age, ancestry, national origin, military status or physical handicap, except where an individual's handicap would prevent him/her from successfully performing the essential function of the position to be filled despite a reasonable accommodation by the City.

#### **5.0 EMPLOYMENT OF ALIENS**

Employees must be citizens of the United States, resident aliens or persons possessing a visa permitting them to work in the United States. The immigration status of an alien will be ascertained by the Personnel Department prior to consideration for employment. Employment of a permanent nature, whether full-time or part-time, is possible only for those aliens having immigrant status as "permanent resident aliens"; however, employment of a temporary nature is provided for under certain non-immigrant visa classifications.

#### **6.0 JOB RELATED EXAMINATIONS**

6.1 Pre-Employment Examinations - Many positions with the City require the employee to meet minimum agility and/or skill requirements to ensure an employee can perform job-related functions. The Personnel Department will notify all prospective applicants of the requirements and the dates of any job-related examinations.

6.2 Employment Examinations - The City may require job-related examinations for positions requiring a continuous demonstration of minimum skills, agility and other job related functions. Employees will be notified by the Personnel Department as to the dates of the examinations, and the results.

#### **7.0 SUPPLEMENTAL ACTIVITIES/OUTSIDE EMPLOYMENT**

7.1 Upon accepting employment with the City, each individual agrees that the City will be their primary employer. He/she further agrees that should conflicts

in work schedules occur due to shift or job reassignment or for any other reason, the work schedule at the City is his/her primary obligation.

7.2 Employees agree that they will not allow outside employment to interfere with the fulfillment of their job responsibilities or will not engage in activities that will create a conflict of interest or bring discredit to the City.

7.3 Employees agree that they will notify the Department Head and/or the City Manager prior to starting any outside employment. Where any possible conflict of interest may occur or where there is any possibility that such outside employment may bring discredit on the City, it will not be allowed.

#### 8.0 MOVING EXPENSES

The City does not ordinarily pay or reimburse travel and moving expenses for new staff employees. In addition, pre-employment travel and related expenses by an applicant are not paid by the City unless specifically negotiated in advance of the trip and approved by the City Manager. Relocation expenses by a new employee must be negotiated in advance of the relocation and approved by the City Manager.

#### 9.0 EMPLOYMENT OF RELATIVES

9.1 The City permits employment of members of the same family, subject to the following restrictions. No officer or employee of the City may employ, direct the employment, promote or direct the promotion, directly or indirectly supervise the work, evaluate the performance or influence the compensation of any family member within the third degree of relationship or work for, arrange, or suggest such employment, promotion or other benefit. The third degree of relationship includes:

- Daughter/Son
- Parents/Parents-in-law
- Brother/Sister
- Spouse
- Brother-in-law/Sister-in-law
- Son-in-law/Daughter-in-law
- Grandparents/Great Grandparents
- Grandchildren/Great Grandchildren
- Aunt/Uncle

Niece/Nephew  
First Cousin  
Step parent/step child

9.2 Members of the same family may be employed in the same department except:

9.21 When one family member is responsible for making decisions in personnel matters involving the appointment, retention or salary level of another member of the same family, or;

9.22 When one member of a family is responsible for supervising, evaluating or auditing the work of another member of the same family, or;

9.23 When other circumstances exist which place members of the same family in situations of actual or reasonably foreseeable conflict between the interests of the City and the interests of the family members.

## 10.0 REHIRE RULES

Former employees with good work records are eligible for rehire. Except as provided for under Section 51, Involuntary Termination, former employees will be considered for rehire by following all procedures for employment applications outlined for new employees in this document. Benefit status for rehired employees will depend on the reason for previous termination. All seniority status for benefits is forfeited for voluntary terminations.

## 11.0 RECRUITING AND HIRING

### 11.1 General

With the help and/or cooperation of the Personnel Director each Department Head is responsible for the recruitment process of new employees under his/her supervision or control. His/Her recommendation is forwarded to the City Manager, who is responsible for hiring decisions. It is the policy of the City to staff each position with the person who best demonstrates the skills, knowledge and ability to succeed in each position. Consideration will be given to related work experience, education and personal characteristics which may contribute toward an employee's effectiveness in any position.

## 11.2 Procedures

- 11.21 All job openings, whether for existing or newly created positions covered by this manual, will be advertised in-house to give any qualified employee opportunity to apply. At the discretion of the Department Head, outside advertisement for a position may be done at the same time to allow for a broader cross section of applicants. Advertisements will state the closing date for applications to be received for consideration. In house advertising may be waived for technical and professional positions, where no inside employee appears to be qualified.
- 11.22 After the closing date, the Department Head and the Personnel Director will review all applications and select those applicants for interview and/or testing, who (in their opinion) appear to best meet the requirements to succeed in the position.
- 11.23 An interview board of at least three employees shall conduct interviews of those applicants selected. This interview board shall consist of the Department Head or designee, the Personnel Director and the City Manager or designee. The Department Head may also invite other members of the department to serve on the interview board. Public Safety Departments may also utilize outside professionals as a part of the interview board.
- 11.24 The findings and recommendations of the interview board will be forwarded to the City Manager for final decision as to hiring. The City Manager will have the ultimate hiring responsibility concerning all positions of the City. He/she will, however, consult with the Department Head before making this decision.

## 12.0 PROMOTION AND TRANSFER

- 12.1 The City seeks to provide opportunities for its employees to be considered for promotion and/or advancement. To this end, no manager or supervisor shall obstruct the advancement of an employee to another position for which the employee is qualified or to a lateral position which may lead to a promotional opportunity.
- 12.2 Probationary employees are not eligible for promotion or transfer unless a specific exemption request is made in writing by the employee's supervisor and approved by the City Manager.
- 12.3 Transfer will not adversely affect an employee's vacation, sick leave, or any other benefits to which he/she would otherwise be entitled.
- 12.4 The procedures for applying for open positions through transfer or promotion, are the same as outlined in Section 11 above. Any employee applying for transfer or promotion shall give written notice to his/her supervisor as well as the Personnel Director. The Supervisor and/or Department Head shall be contacted by the Personnel Director for such employment reference as may be required to ensure that said employee is indeed qualified to succeed in the open position.
- 12.5 Employees requesting a transfer to a position in a lower pay grade, will be reduced in salary to that pay grade upon acceptance to the new position. In no instance will an employee be granted a salary higher than the maximum allowed for a given position with the City.

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### 13.0 PAY PLAN/SALARY SCHEDULE

The pay schedule for all exempt/management positions is attached. It is composed of the following items:

#### 13.1 FIVE EXEMPT/MANAGEMENT GROUPS

There are five individual Groups in the Exempt/Management Employee Pay Plan. Each group has certain standard/common characteristics pertaining to employment within each group. Some over-lap in groups exists depending on conditions that existed prior to adoption of this manual.

13.11 Groups I and II are exempt (from bargaining unit) positions but are subject to FLSA Standards for overtime and compensatory time rules. These employees have access to the City's Appeals and Grievance procedures or Civil Service Rules, whichever apply.

13.12 Group III and the Public Works Engineer I and the Police Captain from Group IV are management positions exempt from FLSA standards for overtime and compensatory time rules. However, these employees also have access to the City's Appeals and Grievance Procedure or Civil Service Rules, whichever apply.

13.13 Group V and the City Clerk, Library Director and the Personnel Director from Group IV are at-will, senior management employees exempt from both FLSA Standards and the Appeals and Grievance Procedures.

#### 13.2 PAY RANGES

Each Exempt/Management Group has an identified pay range. The range begins at a BASE level salary and progresses to the maximum rate of pay in seven individual STEP levels. Steps are separated by 4% and advancement may be granted annually based on a satisfactory employee performance evaluation (per section 41.3), successful completion of task assignments and time in position.

## 14.0 HIRE RATES

All new or newly promoted employees shall be paid at the Base step unless the City Manager determines that it is in the best interest of the City to employ at a higher step of the pay range, or if the Base step would require a significant decrease in salary for a newly promoted employee.

14.1 Any request to employ an individual above the Base rate of a pay range must consider the following:

14.11 Education and Experience: When one's education and/or experience is substantially higher than the minimum requirement and the goals of the department would not be met with an individual with less education or experience who is still qualified.

14.12 Market Factor: Difficulty in hiring an individual for a specific position because the position requires some significant skills or the requisite skills are needed to serve the community.

14.13 Budget: The individual department budget must be sufficient to cover the added cost of a higher step.

## 15.0 PAY CHANGES

### 15.1 Performance

15.11 For employees hired at the Base Salary, advancement to Step 1 will be upon completion of the appropriate probationary period as defined in Section 3.0 and completion of a satisfactory evaluation. Advancement to successive steps may occur each year thereafter on the anniversary date of last increase in accordance with Section 41.3.

15.12 For employees hired above the Base Salary level, upon completion of probationary period and satisfactory evaluation they may either stay at the step level originally hired, or advance to the next step in the pay range in accordance with Section 41.3.

15.2 Cost of Living - Cost of living increases, if granted by the City Council, will apply to all groups on the Exempt/Management Pay Plan and will be effective July First.

15.3 Promotion - Same as section 14 above.

15.4 Demotion

Demotion is defined as a disciplinary action resulting in the reclassification of pay Step or Group to a lower salary than previously held. Reclassification because of reorganization, reduction in force or voluntary reassignment are not demotions. The salary for any demoted employee shall be approved by the City Manager.

15.5 Transfer

Same as section 14 above.

15.6 Serving in Acting Capacity

Any Exempt employee who is temporarily appointed to serve an "acting capacity" position in a higher pay grade for more than 15 consecutive working days shall receive additional compensation of 5% retroactive from the date of appointment until no longer serving in the temporary position. "Acting in Capacity" does not increase the amount of retirement contribution since the regular base salary is not increased.

15.7 On-Call Pay

Only exempt employees in Groups I and II who are designated by their department heads shall receive on-call pay.

## 16.0 OVERTIME/COMPENSATORY TIME

16.1 Exempt employees identified in Groups I and II shall be paid overtime at the rate of one and one-half times (1-1/2) their regular hourly rate of pay in accordance with FLSA rules for all approved hours worked in excess of the maximum work hours allowed for an established work week.

16.2 At the option of the Department Head exempt employees identified in Groups 1 and 11 may accrue compensatory time in lieu of over time payment. Compensatory time shall be earned at one and one-half (1-1/2) rate for hours worked in excess of the maximum work hours allowed for an established work week. The total number of compensatory time hours that may be accumulated shall be limited to the equivalent of two work weeks. All compensatory time taken must be approved by the Department Head in advance.

#### 17.0 WORK SCHEDULES

The City's varied activities do not permit a single work schedule. Department Heads are responsible for establishing work schedules appropriate to the mission of their respective areas in accordance with this policy.

#### 18.0 PAYDAYS AND PAYCHECKS

Payday for all City employees is the last working day of each month. For the convenience of our employees, they may apply for a monthly advance of not more than 1/3 of their monthly salary payable on the 15th of each month. These advance payments will be shown as a deduction on the monthly paycheck.

##### 18.1 Mid Month Draw

Each employee wishing a mid-month draw of up to 1/3 of their gross base pay should submit the request to the Personnel Department on a Personnel Action Form. The draw amount requested should be rounded to the nearest dollar amount divisible by 10. The request will remain constant for the balance of the year and will not be adjusted as a result of pay changes unless such pay change is a decreased amount. If the 15th of the month falls on a Saturday or Sunday, the prior Friday will be the date of payment. When garnishment or attachment of wages becomes an issue, it should be understood that this is a draw against wages and not actual wages paid.

##### 18.2 Emergency Paycheck

If an emergency arises, the employee may request an emergency check. An emergency check must be requested on a Personnel Action Form, approved by the Department Head and submitted to the Personnel Director.

Emergency checks may be for 70 percent of the amount the employee has accrued in leaves and unpaid salary.

18.21 The term emergency will include but not be limited to:

1. Death in immediate family
2. Serious illness in immediate family
3. Lack of income due to disability
4. Transportation problems

## 19.0 RECORDS

All employees are required to turn in daily time records on a form provided by the Finance Department in order to maintain a proper record of attendance and leaves. This time sheet must be approved by the Department Head or his designee before processing of wages will take place. A copy of this time sheet, updated with accrued leaves earned, will be returned to the employee with his/her monthly paycheck and the original will be retained by the Finance Department for audit purposes.

## **BENEFITS**

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Preface: These benefit programs are subject to change without prior notice as determined by changes in Federal or State laws or regulations or by decisions of the City Council.

## 20.0 HEALTH/DENTAL/VISION INSURANCE

20.1 The City provides health/dental/vision insurance to its full-time employees and their dependents on a maximum City contribution basis. Part-time employees will receive a pro-rata contribution towards the cost based on their regularly scheduled hours worked compared to a forty hour week.

20.11 Medical/Dental/Vision insurance premiums are capped at the 1995/96 fiscal year rates. Employees are responsible for paying premium rates above the cap. The 1995/96 rates are:

Employee Only	\$133.65 per mo.
Employee + 1 Dependent	290.10 per mo.
Employee + 2 or more Dependents	401.15 per mo.

20.2 Changes in dependent or marital status must be reported to the Personnel Office immediately and all necessary forms filled out to assure proper coverage for the employee and his/her family and to assure proper premium payment by the City to the insurer.

## 21.0 LIFE INSURANCE

The City provides, without charge, a \$10,000 term life insurance policy for each eligible employee. This is a 24 hour policy with an accidental death and dismemberment (AD&D) rider for accidental death.

## 22.0 DISABILITY INSURANCE PROTECTION

### 22.1 Long-Term Disability Insurance

The City provides a Long-Term Disability (LTD) plan for eligible employees at no cost. This plan provides for 2/3 of the employee's base salary for any non job related injury up to age 65. Benefits begin after 90 days of continuous disability. Employees receiving LTD benefits will be placed on leave of absence from the City subject to section 34.

22.11 Retirement benefits will continue as per the requirements of the current retirement plan.

22.2 Short Term Disability Insurance

An employee who, as a result of an injury or illness not covered by workers compensation, is determined by a licensed physician to be temporarily unable to perform the duties of the position shall be placed on disability leave. The City has a short term disability plan available to employees. This plan is at the employees own expense and by payroll deduction only. Employees may utilize accumulated leave benefits during the period of disability until all leave is exhausted but not to exceed 90 calendar days (Long Term Disability is effective at this point). Those employees subscribing to short term disability insurance will collect benefits in addition to any leave paid to a maximum of 13 weeks for each disability. If disability continues beyond 13 weeks, LTD is applicable. In the case of accident, Short Term disability will pay from the time of accident. In the case of illness they will pay after the seventh day of such illness.

22.21 Included with this plan is \$10,000 life insurance for non public safety employees and \$10,500 life insurance for public safety employees. For those employees in the Police Department, the additional \$500. in coverage is paid for by the Police Club. There is an option for dependant life coverage also available under this plan.

23.0 SOCIAL SECURITY

23.1 All employees of the City are required to have a valid Social Security number and contribute to Social Security pursuant to FICA requirements.

23.2 Social Security contributions are deducted from each paycheck at the rate fixed by congress. A matching amount is contributed to each employee's account by the City.

## **24.0 RETIREMENT**

- 24.1 Employees are eligible to participate in the City's retirement plan after one year of continuous employment with the City.
- 24.2 The retirement plan document sets forth the amount the City shall contribute for employees to a defined contribution plan, which is based upon the employee's regular base salary, and the portion which shall be considered the employee's contribution. The retirement plan document sets forth the guidelines for withdrawal of contributions by an employee, for whatever reason, including retirement.
- 24.3 Normal retirement age for non public safety employees is 60 with no minimum required length of service. Early retirement requires 10 years service and age 50. Normal retirement age for public safety employees is age 60 with no minimum required length of service. Early retirement requires 10 years of service as an eligible employee and age 50.
- 24.4 During periods of permanent disability, the City will continue to pay retirement contributions to normal retirement age as per the retirement plan.

## **25.0 DEFERRED COMPENSATION**

Deferred Compensation is a program that allows an employee to take income out of peak earning years and set it aside to provide additional retirement income. It will normally be taxed during retirement years when the employee may be in a lower tax bracket. Employees may enroll in the plan by contacting the Personnel Director and setting up the necessary payroll deduction. Employees considering this benefit should consult their own tax advisor prior to enrollment.

## **26.0 UNEMPLOYMENT INSURANCE**

Employees who terminate from City employment and are unemployed for a length of time may be eligible for unemployment compensation benefits. These benefits are paid entirely by the City and are administered by the State of Oregon Human Resources Department. Eligibility for benefits is determined by the Oregon Human Resources Department where application for such benefits must be made by the employee.

## 27.0 WORKER'S COMPENSATION

- 27.1 All employees of the City are covered from their initial date of hire by Worker's Compensation Insurance. Premiums for this protection are paid by the City.
- 27.2 Workers' Compensation benefits are paid while an employee is disabled from an injury suffered while on the job from the 3rd day of disability. If disability continues beyond the 14th day, benefits are paid from the date of the disability.
- 27.3 Specific procedures are required to be followed in the event of job related accidents resulting in injury to employees. The Personnel Director has all information and forms required to start the claim process. Failure of an employee to report, in a timely manner, an accident or injury caused during the performance of their duty may delay or deny covered benefit payments to the employee. IF YOU ARE INJURED ON THE JOB, REPORT IT.
- 27.4 The City will continue to make contributions toward Health Insurance on behalf of an employee receiving workman's compensation benefits for work related injury for up to 12 months of disability. Leave benefits will not continue to accrue beyond 30 days of any disability.

## 28.0 EDUCATIONAL AID

The City encourages its employees to further their education and training in the pursuit of improving their job skills and relative value to the City. To this end the City will reimburse for tuition, books and required fees for courses approved by the Department Head in which the employee receives a grade of C or better. Courses must be directly related to the employees area of work and be designed to enable the employee to better perform his/her duties. This benefit is not designed to pay for general college courses or degree programs.

- 28.1 Class time should not conflict with regular scheduled work hours. If it cannot be arranged to take classes outside the normal work hours, at the discretion of the Department Head missed hours may be made up one for one on the same day.

## 29.0 CREDIT UNION

Employees wishing to have monies withheld from their paycheck for deposit to the credit union should see the Personnel Department for specifics. The credit union provides both savings and loan services. Applications for loans must be made directly to the credit union and the employee must be currently enrolled as a member.

## HOLIDAYS AND LEAVES

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Exempt Handbook  
Revised August 1996

Preface: In accordance with FLSA regulations, it is the policy of the City, that the pay for employees who qualify for Executive Days will not be subject to reduction for absences of less than a day. For accounting purposes only, employees shall provide a record of the leaves which are used by the employee, on a form supplied by the Finance Department.

### 30.0 HOLIDAYS

- 30.1 Official City holidays approved by the City Council are as follows:

New Year's Day  
President's Day  
Memorial Day  
Independence Day  
Labor Day  
Veteran's Day  
Thanksgiving Day  
Christmas Day

- 30.11 In addition to the above Holidays, the employees shall be credited with 2 Personal Days. The Personal Days will be credited at 8 hours each on July 1 of each year (pro-rata for part time employees).
- 30.2 All permanent employees are eligible for paid holiday leave. Employees working less than full-time will receive a pro-rata benefit for each holiday based upon their regular established work schedule.
- 30.3 Whenever a holiday falls on the employee's regularly scheduled day off, the nearest regularly scheduled work day shall be observed as the holiday.
- 30.4 Employees in Groups I and II will receive 8 hours pay for each of the holidays listed above on which they perform no work. In addition to the above specified holiday pay, they shall be paid at 1-1/2 times their regular hourly rate for all hours worked on said holidays.
- 30.5 Unused holidays as of June 30 will be forfeited except in the instances of Police Sergeants, who must use the accrued holiday within 60 days of the holiday.

- 30.6 Employees, unable due to job requirements, to be off on the day of the Holiday, or whose normal day off falls on the Holiday will receive credit for a holiday worked and be granted another day off during a subsequent week.
- 30.7 If an employee is on authorized vacation, sick, or other leave with pay when a holiday occurs, such holiday shall not be charged against such leave.
- 30.8 Accrued holiday pay will be paid at time of termination.

### 31.0 SICK LEAVE

- 31.1 Sick leave is earned from the date of hire at 8 hours per full month of continuous service. Part-time employees shall receive a pro-rata rate of sick leave based upon regularly scheduled hours.
- 31.2 Employees may accrue unlimited sick leave.
- 31.3 Sick leave may be used by employees for any absence due to illness or injury to the employee or for Parental Leave and Maternity Leave.
- 31.4 Unused accrued sick leave will not be paid at time of termination.

### 32.0 VACATION

- 32.1 Vacation leave is earned at the following rates for full-time employees:

<u>Years of Service</u>	<u>Monthly Accrual</u>	<u>Annual Accrual</u>
1 - 5	8.00 hours	12 days
6 - 10	10.00 hours	15 days
11 - 15	12.00 hours	18 days
16 or more	13.33 hours	20 days

Part-time employees accrue vacation time on a pro-rata basis, based on the regularly scheduled work schedule.

- 32.2 New employees shall accrue vacation from their initial date of hire. However, vacation time is not earned and may not be taken until 48 hours is accrued.

- 32.3 The maximum amount of vacation time accrued shall not exceed the amount earned in 24 months of service.
- 32.4 Except as provided in Section 18.2 under extenuating circumstances and with prior approval of the City Manager and the Department Head, all vacation time must be taken as time off and may not be paid in cash.
- 32.41 At the discretion of the City Manager, Department Heads may be paid up to 40 hours of vacation in lieu of time off if work schedules do not permit the employee to be gone.
- 32.5 Employees subject to overtime and FLSA provisions must report all vacation time off, and may not take vacation time off for less than 2 hours.
- 32.6 Employees exempt from overtime will not be subject to reductions for absences of less than one day.
- 32.7 Except as provided in Section 3.5, unused vacation leave will be paid at the time of termination at the employees current rate of pay.

### 33.0 ADMINISTRATIVE LEAVE ("E DAYS")

- 33.1 Employees exempt from overtime due to the nature of their duties, are periodically required to work beyond their normal work day. Consequently, it is not expected that time off will be taken for each extra hour worked. However, it is appropriate that occasional time off be granted in direct recognition of extra hours worked. Such compensatory time off (called "E Days") shall be granted on the Exempt/Management Pay Plan and may be taken with the approval of the City Manager or Department Head (see Exempt/Management Pay Plan for "E Day" assignments).
- 33.2 Exempt employees who have earned overtime hours prior to receiving "E Day" status, will be allowed to carry those hours forward and may be granted pay or time off until the hours are used up.
- 33.3 The full number of "E Days" is available for each exempt employee at the beginning of each fiscal year. "E Days" not used by June 30 of each year will be forfeited. "E Days" will not be paid at termination. New employees will receive prorated "E Days" based on number of full months remaining in fiscal year.

#### 34.0 LEAVE OF ABSENCE WITHOUT PAY

- 34.1 Policy - The City Manager may grant employees a leave of absence for a maximum of twelve months for any reason deemed sufficient by the Manager.
- 34.2 Eligibility - Any employee on permanent status may request a leave of absence. New employees on probation and temporary employees are not eligible for this leave.
- 34.3 Procedure - Requests for leave must be made in writing through the Department Head who will submit it to the City Manager with his/her recommendation for approval or denial. Department Heads must make requests for thier personal leave to the City Manager.
- 34.4 Pay and Benefits - Employees granted a leave of absence do not receive any pay while on such leave. All benefits will cease to accrue during this period of leave including time earned toward seniority. However, employees may continue to participate in insurance programs if they pay the entire cost of such insurance under the provisions of the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). Arrangements must be made with the Personnel Department prior to beginning any leave in order for insurance to continue.
- 34.5 Reinstatement - When granted a leave of absence, the employee should thoroughly understand that reinstatement may not be guaranteed. The vacated position may be filled or operating conditions may change during the period of leave to such an extent as to make reinstatement impracticable. Otherwise, an employee must notify the City of their intention to return to work fifteen days prior to the anticipated date of return. Failure of an employee to return to work on the day following the expiration of the approved leave will be considered a resignation by the employee, unless the employee has previously notified the City Manager or Department Head and an extension of leave has been granted by the City Manager.

#### 35.0 MILITARY LEAVE OF ABSENCE

- 35.1 Eligibility - All employees employed 6 months or more are eligible for military leave for periods of Annual

Duty for Training as a member of the National Guard, National Guard Reserve or any Reserve Unit of the Armed Forces of the United States or the U.S. Public Health Service.

- 35.2 Procedures - Requests for military leave shall be submitted in writing to the Department Head. Such request must include copies of orders indicating the employee is ordered to active military duty. The City will grant leave for the period of such duty in compliance with ORS 408.290. The leave is intended to cover only those periods of required service and may not be extended for reasons of reenlistment or otherwise.
- 35.3 Pay and Benefits - When a special leave of absence is granted for Annual Duty for Training or local emergency, the City will pay a military allowance for time lost within the regularly scheduled work period up to a maximum of fifteen calendar days in any calendar year. The employee will be entitled to compensation for the maximum number of working days, according to the employees work schedule, that will fall within a 15 day calendar period. Such pay shall be at the employees regular rate of pay and all benefits and seniority shall continue to accrue while on military leave. Any other absence for active duty shall be without pay and all benefits will cease to accrue. Employees must return to work at their next regularly scheduled shift after training.
- 35.4 Reinstatement - Employees called to active duty other than annual duty and granted military leaves of absence will be reemployed after they return to the same position or one of similar seniority, pay and status provided the employees:
- 35.41 are released from active duty under honorable conditions
- 35.42 are still qualified to perform the duties of such positions
- 35.43 make application for reinstatement within 90 calendar days after release from such required service and
- 35.44 accept the first position offered by the City.

## 36.0 MEDICAL/PREGNANCY LEAVE WITHOUT PAY

- 36.1 Policy - All permanent status employees may request a medical leave without pay due to disability for health reasons including pregnancy. Leaves must be requested for periods not to exceed three months and shall include a physicians statement detailing the disability. Subsequent requests for extension may be made in increments of three months, but under no circumstances will leave be granted for more than a period of one year.
- 36.2 Pay and Benefits - Employees should exhaust all accrued sick leave, compensatory time, holidays and vacation time before applying for medical leave. Vacation and sick leave credits do not accrue while on medical leave. Employees may keep their insurance in force by making arrangements in advance with the Personnel Department and paying all premiums as required.
- 36.3 Transfers - If reasonable accommodation can be made a pregnant employee may, for medical reasons, request a transfer to a less strenuous or hazardous position for the duration of the pregnancy. Complications from childbirth may extend the pregnancy leave.
- 36.4 Reinstatement - Employees must furnish the City with a written statement by a physician certifying the employee was unable to work during the period of absence and must further certify unconditionally that the employee is able to return to work. Conditional or "light duty" releases are not acceptable. The City may also choose to have an employee examined by a doctor, chosen and paid for by the City, or paid for by City paid medical insurance for a "fitness for duty" examination.

## 37.0 PARENTAL LEAVE

- 37.1 Following the birth of a baby or adoption of a child under six (6) years of age, parents are allowed to take a combined leave of twelve (12) weeks to bond with the child. Employees are required to give timely request in advance of requested leave. The request must be in writing and shall include the anticipated date of birth or the anticipated date physical custody of a newly adopted child will occur. The written request must also include the dates either or both

parents will commence and terminate their parental leave.

37.11 Employees shall be entitled to reinstatement to their former position upon completion of the leave. In the event the former job has been eliminated, and no equivalent job is available, the returning parent will be offered any available and suitable position.

37.12 The employee may use accrued leave benefits during the leave period, however, all accrued vacation, compensatory time and accrued holiday time must be used before accrued sick leave can be used. During the period of paid leave the employee is entitled to the continuing accrual of benefits.

37.13 Should an employee fail to submit a timely request for leave, the leave may be reduced or delayed by three (3) weeks.

37.2 The 12 weeks begin the day the baby is born, or in the case of an adopted child, the day the parents take physical custody. The only exception to the 12 weeks is in the event of a premature birth. In that case, the parental leave may be extended until the baby has reached the developmental age of twelve (12) weeks.

37.3 Employees requesting parental leave must have been employed ninety (90) calendar days prior to the first day of the requested leave.

37.4 The use of parental leave will not be allowed at any time in which the other parent is on parental leave, whether or not both parents are employed by the City. Additionally, parents may not alternate the leave more than once.

### 38.0 FAMILY MEDICAL LEAVE

38.1 Family medical leave is available for the care of any family member, defined in the statute as a child, spouse, parent or parent-in-law, for up to twelve (12) weeks within any two year period. This leave may be taken for serious health conditions which include any injuries, disease or conditions which pose an

imminent danger of death, or terminal prognosis with a reasonable possibility of death in the near future, or any mental or physical condition that requires constant care. Family medical leave is also available to permit a parent to provide home care for a sick child with a serious health condition.

- 38.11 An employee must be working an average of 25 hours or more per week and have been employed 180 days to qualify for Family Medical Leave.
- 38.12 The request for leave must be made in writing, unless the health condition is unanticipated, as soon as practicable after the necessity for the leave becomes known. The request must be made of the Supervisor, Personnel Director, or someone in management who has the authority to act on the request. When the serious health condition is anticipated the notice shall be provided at least fifteen (15) days prior to the leave. The employee will be notified within three (3) working days of receipt of the leave request that written verification by the treating physician will be required prior to commencement of the leave. Where the serious health condition is unanticipated and the written request confirmation is made within three (3) working days following the oral leave request, the employee will be notified within three (3) working days from receipt of the written leave confirmation that written verification by the treating physician is required. The employee shall be granted ten (10) days to provide the written verification. This period may be extended for good cause.
- 38.13 The request must address (1) the need for the leave, (2) the relationship of the employee to the person needing care, (3) the health condition of the family member necessitating the leave, (4) the anticipated length of leave and (5) where the condition is not life threatening or terminal, the availability of other family members to care for the family member needing care.
- 38.14 Where practicable, and subject to the approval of the treating physician, the employee shall make a reasonable effort to schedule medical

treatment or supervision so as to minimize disruption of the department.

- 38.15 Where the family member suffers from a serious health condition that is not life threatening or terminal, leave of absence may not be granted if another family member is also taking family medical leave or absence or is otherwise available to care for the family member.
- 38.16 The employee will be required to provide written verification from the treating physician of the serious health condition necessitating the leave. The written verification from the treating physician shall be the conclusive evidence of the need for the leave.
- 38.17 At the conclusion of the leave the employee shall be reinstated to their former position, unless the job has been eliminated. In such case, the employee shall be reinstated to an available and suitable job. Reinstatement shall be without loss of seniority or any employee benefits that had been earned at the time the leave commenced, except benefits earned and accrued at the beginning of the family medical leave may be reduced by the amount of such paid leave used during the family medical leave.
- 38.18 The employee may use accrued leave benefits, excluding sick leave during the leave period. During the period the employee is on paid leave, the employee is entitled to the continuing accrual of benefits.

### 39.0 COURT LEAVE

- 39.1 Jury Duty - A permanent employee required to serve as a juror in Federal, State, County or Municipal Court shall be granted court leave with pay with no loss of benefits while serving in such capacity. Employees must submit summons documents to the Department Head.
- 39.2 Witness - Employees will be granted court leave with pay to appear as a witness in a proceeding only if such activity is the direct result of employment with the City. All other required appearances will be without pay (Employees may, however, elect to use

vacation, or other personal accrued leave for this time off).

- 39.3 Procedure - Employees must submit to their supervisor the original summons or subpoena from the court. If possible, at the end of such obligation, a signed statement from a court official must be given to the supervisor showing the actual time of attendance in court by the employee. All payments to the employee by the court, except expense reimbursement, must be turned over to the City if the employee was on paid court leave.

39.31 Employees appearing in court on non-City matters may use accumulated leave. Employees subject to overtime will qualify for overtime only when 40 hours have been worked per week.

#### 40.0 BEREAVEMENT LEAVE

The City Manager may grant up to three (3) days of leave to any employee for bereavement leave. Employees should request leave either directly to the City Manager or through their Department Head. Typically, consideration will be given for a death, accident or serious illness in the immediate family requiring the employee to care for or participate in the care or arrangements for family members.

- 40.1 Immediate family will be defined as spouse, children (broadly defined), parents (broadly defined), and siblings.

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#### 41.0 PERFORMANCE EVALUATIONS

- 41.1 New employees will receive thier first evaluation at the completion of six (6) months of service and then annually thereafter on the anniversary date of permanent appointment with the City, the position, or last pay range STEP increase, whichever is the most recent. Evaluations shall be completed within 30 days of the appropriate anniversary date. Employees should remind their Department Heads/City Manager of the dates for evaluation and if the Department Head does not perform the evaluation within the 30 day period, the employee should notify the City Manager for further action.
- 41.2 Evaluations shall be on a form adequate to show whether the employee is indeed performing to satisfactory standards for the position in which he/she is serving. It should also have space for comments by the supervisor indicating areas that need improvement, dates for accomplishment of goals and general remarks, and an area for comments by the employee either in agreement or disagreement with the evaluation. Included in the evaluation will be a recommendation concerning salary. A signed copy of the evaluation will become a permanent part of each employee's personnel record. Evaluations will be a prime source of consideration for promotions and/or salary determination.
- 41.3 After permanent appointment serving in a position for a year and a satisfactory evaluation are necessary for advancement to the next step, but are not a guarantee of such advancement (See Sections 13.2 and 15.1).

#### 42.0 EMPLOYEE PERSONNEL RECORDS MANAGEMENT

- 42.1 Official Personnel Records - The Personnel Department maintains an official personnel record for all City employees. These files are the only authorized record of an employee's status and history with the City.
- 42.2 Contents - Each employee's official personnel record contains the following:
  - 42.21 All application forms, resumes, transcripts, reference letters, background investigations

and other employment related documents submitted to the City for original employment or subsequent position changes.

- 42.22 All information submitted for withholding and/or tax purposes and required proof of citizenship.
  - 42.23 A chronological file of all Personnel Action Forms, memoranda or other documentation that reflect authorized changes in employment status or pay changes.
  - 42.24 The original of all performance evaluation forms.
  - 42.25 Copies of all official correspondence with the employee regarding commendations, discipline, grievances and employee comments regarding their performance or items in their file.
  - 42.26 Documents, certificates, diplomas, etc. related to further education, training or certification completed by the employee.
  - 42.27 Requests for special leaves, special conditions related to employment and any other memoranda or record which is deemed by the Personnel Director to be appropriate to be filed therein.
  - 42.28 All required forms pertaining to union membership, dues and/or other required memoranda from previous union positions.
- 42.3 Disclosure of Personnel Records - The official personnel records may be disclosed only to the following persons, provided, however, that any disclosure of personnel records shall comply with the provisions of Oregon's Public Records Law.
- 42.31 City personnel, who are determined by the City Manager, Personnel Director or the employee's Department Head to have a need for such records to fulfill a City related function which relates to employment matters concerning the affected employee or others.
  - 42.32 In response to a lawfully issued judicial or administrative subpoena, or an order of a court

of competent jurisdiction.

42.33 Officials of the U.S. Internal Revenue Service or the Oregon Department of Revenue when authorized by applicable federal or state law or regulation or city auditors when required by federal rules and regulations.

42.34 The employee, or a person authorized by the employee in writing to review his/her records.

42.4 Employee Medical Records - All information regarding medical examinations of employees shall be collected and maintained on separate forms, in separate medical files and treated as a confidential medical record per EEOC and ADA regulations.

42.5 Disclosure of Medical Records - Pursuant to EEOC regulations, employee medical records will only be disclosed to the following:

42.51 Supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations.

42.52 First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment.

42.53 Government officials investigating compliance with the EEOC regulations shall be provided relevant information upon request.

42.54 City auditors when required to examine such records as are required to substantiate compliance with pertinent laws, rules and regulations. A statement of confidentiality may be required of the auditors.

#### 43.0 SAFETY

Safety is everyone's business. Every precaution should be taken to eliminate unsafe conditions and preclude accidents. All employees are expected to be aware of safety hazards and follow sound safety practices. A City Safety Committee is charged with the responsibility of administering safety regulations and reviewing City safety standards. All employees are urged to report any violations of such

standards to the safety committee. Knowingly violating approved safety regulations may be cause for severe disciplinary action, including discharge.

#### 44.0 ETHICS

- 44.1 Business Ethics - Employees of the City shall maintain the highest standards of business ethics in transactions with the City, Federal, State and local governments and with the public. Employees are expected to perform their duties faithfully and efficiently to avoid giving rise to suspicion of conflict of interest with the City or any agency of government.
- 44.2 Conduct - In accepting a position with the City, each employee accepts responsibility for conduct, both on and off the job, which reflect and will build a positive image for the City. Involvement in situations which would tend to bring discredit on the City may be cause for disciplinary action.
- 44.3 Gratuities - Employees of the City shall not accept any favor or gratuity from any person, firm or corporation which is engaged in or attempting to engage in business transactions with the City, or any agency of the State or any local government which might affect or give the appearance of affecting the employee's judgment in the impartial performance of his/her duties.

#### 45.0 SOLICITATION

Permission to solicit to City employees at the work site can only be granted by the City Manager with the approval of the Department Head. Employees will customarily be granted permission to solicit for charitable or service organizations providing it does not interfere with normal work activity. Permission to solicit for outside employment activities will not be granted.

#### 46.0 POLITICAL ACTIVITIES

Per ORS 260.432, (2), City employees will observe the following regarding political activities:

"No public employee shall solicit any money, influence, service or other thing of value or otherwise promote any political committee or promote

or oppose the nomination or election of a candidate, the adoption of a measure or the recall of a public office holder while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views."

#### 47.0 COMPLAINTS AND GARNISHMENTS

47.1 Complaints - Complaints against employees for reasons not associated with their employment will not be considered by the City. Telephone complaints of collectors are not to be knowingly referred to employees. Any complaints, claims or requests for collection assistance that have undergone due process of law will be honored, or they may be referred to the Personnel Department for reply. A conference with the employee may be warranted in an attempt to help resolve the issue when the number of calls being received interfere with the City's normal business operations.

47.2 Garnishments - Lawfully issued and received garnishments against earnings of an employee will be honored in accordance with their terms. Employees' whose wages are garnished must seek relief through the courts in order to have deductions cease from their earnings.

#### 48.0 HARASSMENT

48.1 Purpose - The City of The Dalles does not condone and will not tolerate any harassment of any employee by another person. All employees have the right to a work environment free from intimidation and/or harassment because of sex, race, religious or ethnic origin, age, disability or military status.

48.2 Definition - Harassment is defined as the repeated, unwanted, or unwelcome verbalisms or behaviors of a sexist, racist, or ageist nature or with overtones related to a protected characteristic, (e.g., sex, race, ethnicity, religion, age, disability, or military status) tending to create a hostile environment.

48.21 Unwelcome Behavior is defined as conduct that the employee did not solicit or incite and that the employee regards as undesirable or

offensive.

48.22 Hostile Environment is defined as the results of conduct that has the purpose or effect of unreasonably interfering with a person's job performance or creates an intimidating or offensive work environment

48.3 Complaint Procedure - The following procedures shall be followed if any employee feels he/she is the victim of any form of harassment by another individual in connection with the employee's job:

48.31 The employee should file a complaint with the City Manager. If, under the circumstances, the employee wishes to make the report to a person of the same gender, and the City Manager does not qualify, the report should be made to a Department Head of the same gender, who shall forward a report immediately to the City Manager.

48.32 A written report will be created documenting the nature of the alleged harassment, and the requested action by the reporting employee.

48.33 An immediate investigation will be conducted to ascertain the facts concerning the allegations, and to determine if there is or is not reasonable cause for disciplinary action. The person reported to have harassed an employee and the alleged victim of harassment shall be advised that any retaliatory conduct will be subject to disciplinary action regardless of the facts in the allegations of harassment.

48.34 The City of The Dalles will take swift and positive corrective action to ensure the protection of the innocent party, when, as a result of an investigation, the City has reasonable cause to believe this policy has been violated. The action taken may include termination.

#### 49.0 STAFF TRAINING

The City encourages employees to attain greater skills and provides time and expenses for employees to do so. These programs and opportunities are addressed during the budget

process and only approved training programs will be reimbursed or allowed for paid time away from work.

## 50.0 VOLUNTARY TERMINATION

- 50.1 Resignation - An employee may resign for any reason at any time. Employees absent from work without reporting for a period of three days or longer or who fail to return to work following a leave of absence are considered to have resigned.

Resignations should be written and submitted to the Personnel Department at least two weeks in advance of the anticipated date of termination.

- 50.2 Retirement - An employee is considered to terminate as retired if they are eligible for and receive a monthly benefit from a qualified retirement plan offered by the City. (See Section 24.0 for more details.)

## 51.0 INVOLUNTARY TERMINATION

- 51.1 Layoff/Reduction in Workforce - Employees may be terminated by layoff due to lack of funds or a lack of work in the employee's area.

- 51.2 Disability - Loss of ability to perform job requirements through serious illness or injury may result in termination for disability.

- 51.3 Discharge - Employees may be discharged for cause. For example: When employees do not possess the necessary qualifications, skills or abilities to meet their job requirements; When employees have committed violations of the City's rules or regulations; When employees have so conducted themselves that continued employment would adversely affect City activities, image and/or other employees. Other reasons include, but are not limited to: termination for insubordination, incompetency, or any other good and just cause. If a terminated employee is rehired they do not have the right to recapture sick leave forfeited at the time of termination.

### 51.4 Procedures

- 51.41 Department Heads should notify the Personnel Department in a timely manner of all

terminations by submitting a completed Personnel Action Form. Attach all documentation and/or letters from the employee.

51.42 Supervisors/Department Heads should ensure that terminating employees have turned in all keys, tools, uniforms, and/or other City property used by them.

51.43 The Personnel Department should conduct an exit interview with all terminating employees and secure forwarding addresses, review final hours accrued and due at termination, complete all retirement and insurance forms, and explain the final check due the employee.

51.44 Except as provided through COBRA, all pay and benefits shall cease as of the date an employee terminates. The final check will include all accrued leaves that are payable at termination

## 52.0 DISCIPLINARY ACTION

### 52.1 Policy:

52.11 Disciplinary action should be considered by supervisors as a constructive means of dealing with unacceptable behavior or performance deficiencies on the part of staff employees.

52.12 Disciplinary actions should be appropriate to the seriousness of the infraction or performance deficiency.

52.13 Department Heads are authorized to take actions including reprimand, suspension, demotion and disciplinary probation and to recommend termination for cause subject to the guidelines of this policy.

52.14 Employees are disciplined without discrimination because of race, sex, color, religion, age, ancestry, national origin, physical handicap or military status.

52.2 Warnings - A warning, whether oral or written, is not considered to be a disciplinary action in itself; rather, it is intended to correct unacceptable behavior or performance. A written warning should be

used when a verbal warning has not produced the necessary corrective action and where the possibility of disciplinary action will be necessary if the action is not corrected. Both types should indicate to the employee the specific problem, what action is required for correction and that disciplinary action will follow if the employee does not satisfactorily correct the problem. A warning is not subject to the grievance procedure since no punitive action has been taken. Notes about verbal warnings and copies of written warnings should be kept by the supervisor but do not go into the employee's personnel file.

52.3 Suspension with Pay - The City Manager may suspend employees with pay while investigating allegations made by the employee or about the employee. The employee will suffer no loss of benefits or accruals during this period of suspension.

52.4 Disciplinary Actions - The City supports the practice of progressive discipline except in cases of gross misconduct. Depending upon the severity and circumstances surrounding the action, the procedure may be initiated at any of the below stated steps. Since employment is based upon mutual consent either the employee or the employer is privileged to terminate employment. Department Heads and Supervisors, therefore, should apply a form of discipline commensurate with the offense or performance deficiency. If not corrected, more serious forms of discipline should be applied in an attempt to correct the employee's behavior. To that end, four items should be present in all forms of disciplinary action. These are: (1) specific nature of deficiencies or offenses, (2) corrective action required, (3) the fact that more severe disciplinary action will be taken (including termination) if the employee does not correct the behavior, (4) the employee's right to appeal the action by initiating a grievance as outlined under section 53.0.

52.41 Reprimand - The least severe form of discipline. A letter of reprimand, from a supervisor or a department head, should be given when oral and written warnings have failed to produce a desired change in behavior. A copy of the letter will be given to the employee and the original placed in his/her personnel file.

52.42 Suspension Without Pay - Department Heads may suspend employees without pay for periods not to exceed five working days. Suspensions are usually not appropriate to correct performance deficiencies; rather, they are used to correct unacceptable behavior such as misconduct, undependability, etc. Employees do not receive pay while on suspension, however, benefit programs remain in force.

52.43 Disciplinary Probation - Employees are placed on disciplinary probation by their department head as a final attempt to correct continued poor performance in one or more areas. Employees should be given the specific time period of the probation and told of consequences if identified deficiencies are not corrected or become worse during the probation. Employees on disciplinary probation are not eligible for promotion or transfer.

52.44 Demotion - An employee may be permanently demoted by his/her department head to a lower pay grade position as the result of performance deficiencies or other unacceptable behavior.

52.45 Discharge - The most serious form of discipline is discharge of the employee. Department Heads may recommend this action in cases of gross misconduct or where other forms of discipline have failed to achieve the necessary change in behavior. However, final authority to discharge is the decision of the City Manager. See section 51.3 for information regarding termination policy.

## 53.0 GRIEVANCE PROCEDURE

Employees, other than Department Heads, may file a grievance for any decision regarding salary or disciplinary action by following the procedures outlined below. Employees shall not be subject to reprisal of any kind for using the grievance procedure.

53.1 First Step - Employees must present any grievance in writing to their immediate supervisor within ten (10) days of the action causing the grievance. The grievance shall state the nature of the complaint, and

the relief which the employee requests the City provide him/her.

The supervisor must issue his/her written decision within fifteen (15) calendar days of receipt of the grievance.

53.2 Second Step - If not satisfied with the decision, the employee may, with the knowledge of his/her immediate supervisor, present the grievance in writing to the next higher authority within ten (10) calendar days of receipt of the decision. This authority must issue his/her written decision within (20) calendar days of receipt of the grievance. This process may be repeated until the employee has been given a decision by his/her Department Head.

53.3 Final Step - If not satisfied with the decision of his/her Department Head, an employee may submit a written grievance to the City Manager for formal action. This grievance must be filed within ten (10) calendar days of receipt of the decision from the Department Head.

53.31 Upon receipt of the grievance the City Manager will schedule a hearing involving all parties concerned with the issue.

53.32 The employee will be notified of the date of the hearing and advised that he/she may be represented by any willing person they choose. The City will not be liable for any expenses incurred by the employee for representation.

53.33 The City Manager, City Attorney, the employee, the employee's representative and his/her Department Head shall all be present for the entire meeting. Other parties who are called to testify shall be excused when finished.

53.34 The employee will present his/her case in the form of oral and/or written testimony, witnesses which the employee may ask to testify, or any other evidence to support the grievance. All parties present may question witnesses and ask questions regarding any evidence presented.

53.35 A record of the proceedings will be kept. After the hearing, the City Manager will render his decision in writing to the employee within fifteen (15) calendar days. The decision of the City Manager is final.

#### 54.0 DISCLAIMER

All of the policies in this handbook are intended as guidelines for personnel relations between employees and the City. In all instances where the provisions of Civil Service are applicable for Public Safety Employees they shall take precedence. Changes or deletions may occur at the City's discretion without prior notice. These policies are not intended to be a contract of employment, nor a guarantee to any person to continue their employment for any specified length of service. As with any guidelines, exceptions may be made as appropriate for individual situations.

In the event that any provision of these policies or procedures is declared invalid by any court of competent jurisdiction, made illegal through enactment of federal or state law or through government regulations having the full force and effect of law, all other provisions not invalidated shall remain in full force and effect. The invalidated provision declared invalid shall be amended or deleted.

# EXEMPT/MANAGEMENT EMPLOYEE PAY PLAN

Effective July 1, 1996

## GROUP 1

BASE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7
1757	1828	1901	1977	2057	2138	2224	2313

Position Title:	O/T	E-DAYS
Administrative Secretary	yes	0
Payroll/Account Clerk	yes	0
Legal Secretary	yes	0
Administrative Assistant	yes	0
Customer Service Representative	yes	0

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## GROUP 11

BASE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7
2656	2762	2874	2987	3106	3232	3361	3495

Position Title:	O/T	E-DAYS
Police Sergeant	yes	0
Regulatory Compliance Supv.	yes	0

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## GROUP 111

BASE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7
2921	3039	3159	3286	3418	3554	3696	3845

Position Title:	O/T	E-DAYS
Water Quality Control Supervisor	No	5
Utilites Supervisor	No	5
Transportation Manager	No	5

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# GROUP IV

BASE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7
3214	3342	3475	3614	3758	3910	4066	4229

Position Title:	O/T	E-DAYS
Police Captain	No	7
Public Works Engineer I	No	7
Personnel Director	No	7
City Clerk	No	7
Library Director	No	7

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# GROUP V

BASE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7
3535	3676	3823	3976	4135	4300	4472	4653

Position Title:	O/T	E-DAYS
Director of Public Works	NO	7
Community Development Director	NO	7
Finance Director	NO	7
Police Chief	NO	7

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The Associate Planner and Planner position salaries were established by Council outside of the existing groups.

## Associate Planner

BASE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7
2530	2598	2668	2740	2814	2890	2968	3054

## Planner

2108	2193	2280	2371	2466	2565	2668	2776
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Reflects 3% increase over 1995/96 wages