

Resolution 1977-169 mislabeled as Resolution 1977-168 in 11.09.1977 City Council meeting minutes.

- Resolution 1977-169: Amending Personnel Rules
- Resolution 1977-168: Approving PDX Tech. Asst. Program

RESOLUTION NO. 168 s/p, 69

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

WHEREAS, the City Council of the City of Sherwood is authorized and directed under the provisions of Ordinance No. 77-686 to adopt rules and regulations for the administration of the personnel system created in said ordinance; now, therefore, be it

RESOLVED, that the City Council of the City of Sherwood does hereby adopt the following personnel rules, policies and procedures:

ARTICLE 1: GENERAL

Section 1.1: PURPOSE. The purpose of this resolution is to provide systematic and equitable procedures and regulations relating to the hiring, compensation, hours of work, leave, safety, training, working conditions, promotions, transfer, discipline, removal and other matters affecting the status of employees of the City of Sherwood. Said rules and regulations are provided to maintain uniformity and equity in personnel matters which will make the City service attractive as a career and to encourage each employee to give his best service to the City.

Section 1.2: VARIANCES. The City Administrator shall have the power to vary or modify the strict application of the provisions of this resolution in any case in which the strict application of said provisions would result in extreme hardship or in emergency situations.

Section 1.3: DEFINITIONS. As used in this resolution, the following terms shall have the meanings indicated:

- (1) Advancement. A salary increase within the limits of a pay range established for a class.
- (2) Allocation. The assignment of a single position to its proper class in accordance with the duties performed and the authority and responsibility exercised.
- (3) Anniversary Date. One year from the date of employment.
- (4) Appeal. A request to a supervisor, department head, or City Administrator for consideration of and a decision or ruling on a problem or situation.
- (5) Appointing Power. The City Administrator or department head to whom authority is delegated to make the appointment to fill a vacant position.
- (6) Calendar Year. Twelve (12) month period beginning January 1 and ending December 31.
- (7) Central Personnel File. A file maintained in the office of the appointing power which contains complete personnel records of all City employees.

- (8) City Administrator. The chief executive officer and the head of the administrative branch of the City Government who is directly responsible to the City Council for the proper administration of all affairs of the City, with the exception of the Police Dept.
- (9) Class. A group of positions sufficiently alike in responsibilities and authorities to require similar qualifications.
- (10) Class Specification. A written description of each class of position including a class title, a statement of objectives, the reporting relationships and the relationships other than reporting. Positions, not the individual, are classified.
- (11) Compensatory Time Off. Time off from work to compensate the employee for overtime worked.
- (12) Continuous Service. Uninterrupted employment with the City. Reasonable absences due to military service or extended leaves approved by the City Administrator do not constitute a break in continuous employment.
- (13) Demotion. A transfer of an employee from a position in one class to a position in another class which has a lower salary range.
- (14) Department. A major functional unit of the City Government.
- (15) Department Head. A person directly responsible to the City Administrator for the administration of a department.
- (16) Discharge. Termination of employment with the City for reasons attributable to the employee.
- (17) Disciplinary Action. Imposition of certain personnel actions e.g. reprimand, warning, suspension, dismissal, demotion, as a result of conduct detrimental to the City.
- (18) Dismissal. Termination of employment with the City for reasons attributable to the employee.
- (19) Duty Day. Any day or shift on which an employee is scheduled to be available for work.
- (20) Employee. Anyone who is employed by the City of Sherwood who is not a volunteer and who is not an independent contractor.
- (21) Examination. Any test for the purpose of evaluation of an applicant for an employment vacancy.
- (22) Full-Time Employee. An employee who works the normal amount of working hours for the class assigned.
- (23) Grievance. An employee's written expression of objection to a disciplinary action affecting him, or an alleged violation of his rights, for the purpose of attempting to gain an adjustment of said cause.

- (24) Hourly Rate. Rate of compensation for each hour of work performed. It is determined by dividing the annual regular salary by the regular number of hours worked each year.
- (25) Immediate Family. The husband, wife, son, daughter, father, mother, father-in-law, mother-in-law, brother, sister, stepmother, stepfather, or other relative living in the employee's household.
- (26) Layoff. A separation from employment because of organizational changes, lack of work, lack of funds, or other reasons not reflecting discredit upon an employee.
- (27) Month. One calendar month.
- (28) Non-occupational Disability. Disability from an accident or sickness suffered or contracted by the employee which cannot be attributed to the performance of assigned duties.
- (29) Occupational Disability. Disability from an accident or sickness suffered or contracted by the employee as a result of the performance of assigned duties.
- (30) Leave of Absence. Time off from work for reasons within the scope and purpose of these rules and regulations upon prior approval of the employee's supervisor, department head, or City Administrator.
- (31) Mayor. The elected chief executive officer of the City.
- (32) Military Leave. Leave of absence for an employee entering reserve military training.
- (33) Overtime. Overtime shall be considered as time worked in excess of the regularly scheduled workday or workweek. Shift personnel shall be subject to the definition of overtime as provided in their respective departmental rules and regulations.
- (34) Part-time employee. An employee who is employed regularly for less than the normal number of working hours, but who normally follows a predetermined, fixed pattern of working hours.
- (35) Permanent Employee. An employee who has been retained in his appointed position after the completion of his probation period.
- (36) Personnel Action. Any action taken with reference to appointment, compensation, promotion, transfer, layoff, dismissal, or other action affecting the status of employment.
- (37) Police Chief. The chief executive officer and head of the Police Dept. who is directly responsible to the City Council for the proper administration of the Police Dept.
- (38) Probation Period. A working test period during which an employee is required to demonstrate his fitness for the duties to which he is appointed by actual performance of the duties of the position.
- (39) Promotion. The change of position for an employee from a position in one class designation to a position in a class assigned to a higher salary range.
- (40) Reclassification. A change in classification of a position by raising it to a higher class, reducing it to a lower class, or changing it to another class at the same level.

- (41) Seniority. Priority of an employee based on the length of the employee's continuous service to the City since the employee's last date of hire.
- (42) Supervisor. Any person who is responsible to a higher divisional or departmental level of authority and who directs the work of others.
- (43) Shift Employee. An employee whose daily hours of work rotate from one shift to another periodically and whose duties are continuous from the start to the end of the shift.
- (44) Suspension. Temporary separation of an employee from City service without pay for disciplinary purposes.
- (45) Temporary Employee. An employee who has been appointed for a limited period not to exceed six months for full-time, temporary employee, or 1040 hours of employment in any given calendar year for a part-time employee.
- (46) Transfer. A change of an employee from one position to another in the same class or to a position in a comparable class within the City service.
- (47) Workday. The regularly scheduled workday shall be eight hours.
- (48) Workweek. The regularly scheduled workweek shall be five consecutive scheduled workdays.

Section 1.4: For the purposes of this document, the pronoun he, his and him shall not be limited solely to the masculine gender. They shall also include the feminine gender and may be used interchangeably with the pronoun she, hers, her.

ARTICLE 2: PERSONNEL POLICIES AND PROCEDURES

Section 2.1: APPOINTMENT.

Section 2.1.1: All original appointments to vacancies shall be made solely on the basis of merit, efficiency and fitness. These qualities shall be determined through careful and impartial evaluation of the following:

- (a) The applicant's level of training relative to the requirements of the position for which he has applied.
- (b) The applicant's level of education relative to the requirements of the position for which he has applied;
- (c) The applicant's physical fitness relative to the requirements of the position for which he has applied;
- (d) The results of an oral interview;
- (e) Whenever practical, the results of a competitive written examination or demonstrative test, which shall be a fair and valid test of the abilities and aptitudes of applicants for the duties to be performed, and
- (f) The applicants availability to commence employment with the City.

Section 2.1.2: No question in any test or in any application form or by any appointing power shall be so framed as to attempt to elicit information concerning race, color, ancestry, sex, national origin, or political or religious affiliation for the purpose of discriminating.

Section 2.1.3: All statement submitted on the employment application of attached resume shall be subject to investigation and verification prior to appointment.

Section 2.1.4: If required by the department, applicants shall be fingerprinted prior to appointment.

Section 2.1.5: Any job applicant or employee may be required to take a physical examination. In cases where a physical examination is deemed advisable, the City shall pay the cost of the examination.

Section 2.2: PROBATIONARY PERIOD.

Section 2.2.1: All original and promotional appointments shall be tentative and subject to a probationary period of not less than six consecutive months' service.

Section 2.2.2: In cases where the responsibilities of a position are such that a longer period is necessary to demonstrate an employee's qualifications, the probationary period may be extended; however, no probationary period shall be extended beyond twelve months. The employee shall be notified in writing of any extension and the reasons therefor.

Section 2.2.3: During the probationary period, the employee shall not be eligible for vacation benefits, but he shall earn vacation credit to be taken at a later date.

Section 2.2.4: Upon satisfactory completion of the probationary period, the employee shall be considered as having satisfactorily demonstrated qualifications for the position, shall gain regular status, and shall be so informed through his supervisor.

Section 2.2.5: During the probationary period, a probationary employee may be terminated at any time without appeal.

Section 2.2.6: In the case of promotional appointments, the promoted employee may be demoted at any time during the probationary period without appeal, provided that the probationary employee be reinstated in the class designation from which he was promoted, even though this necessitates the layoff or demotion of the employee occupying the position.

Section 2.3: HOURS OF WORK.

The hours during which City offices and department shall be open for business shall be determined by the City Council and the City Administrator. City offices and departments will be open for business during week days between the hours of 8:00 a.m. and 5:00 p.m. with the exception of those holidays listed in Section 6.1. Some employees, at the discretion of the Department head, shall be assigned different hours in order to perform their work.

Section 2.4: ATTENDANCE.

Section 2.4.1: Employees shall be in attendance at their work in accordance with the rules regarding hours of work, holidays and leaves of absence.

Section 2.4.2: An employee shall not absent himself from work for any reason other than those specified in this resolution authorizing sick leave without making prior arrangements with his supervisor. Unless such prior arrangements are made, an employee, who for any reason fails to report to work, shall make a sincere effort to immediately notify his supervisor of his reason for being absent. If the absence continues beyond the first day, the employee shall notify the supervisor on a daily basis unless other arrangements have been made with the supervisor.

Section 2.4.3: Departments shall maintain records of employee's attendance.

Section 2.4.4: Any unauthorized absence of an employee from duty shall be deemed to be an absence without pay and may be cause for disciplinary action.

Section 2.4.5: One hour shall be allowed for a lunch break to be scheduled by each department head. Ten minute morning and afternoon "coffee breaks" will be at the discretion of department heads, provided such breaks can be taken without adversely affecting the operations of the City, nor at the inconvenience of the public.

Section 2.5: PERSONNEL RECORDS.

Section 2.5.1: The City Administrator shall cause a service or personnel record to be maintained for each employee in the service of the City.

Section 2.5.2: The personnel record shall show the employee's name, title of position held, the department to which assigned, salary, change in employment status, training received, and such other information as may be considered pertinent.

Section 2.5.3: A Personnel Action Form shall be used as the single document to initiate and update personnel records.

Section 2.5.4: Employee personnel records shall be considered confidential and shall be accessible only to the following:

- (a) The employee concerned as set forth in Chapter 861, Oregon Laws, 1977, and
- (b) Selected City officials authorized by the City Administrator.

Section 2.6: TRANSFERS.

Requests from employees for transfers from one department to another shall be made in writing and shall be directed to the employee's present department head and referred to the appropriate department head and the appointing power. Such requests shall be given consideration when a suitable vacancy occurs; however, no employee shall be transferred to a position for which he does not possess the minimum qualifications.

Section 2.7: PROMOTIONS.

Section 2.7.1: Job vacancies shall, whenever possible, be filled by promoting qualified employees within City services.

Section 2.7.2: Nevertheless, the appointing power may recruit applicants from outside the City service whenever there is reason to believe that better qualified applicants are available outside City service.

Section 2.7.3: The appointment to fill the vacancy shall be made on a competitive basis, utilizing the criteria for appointments established in Section 2.1 of this resolution. Where qualifications and ability are determined to be relatively equal, seniority within the City service may be the determining factor.

Section 2.8: LAYOFF.

If there are changes of duties in the organization, lack of work, lack of funds, or other reasons, the appointing power may lay off employees; however, the appointing power shall first make every reasonable effort to integrate those employees into another department by transfer. When layoffs are required, the appointing power shall base the decision on relative merit, and shall give due consideration to seniority in the City service only where the employee's qualifications and ability are relatively equal.

Section 2.9: LEAVE OF ABSENCE WITHOUT PAY.

A permanent employee may be granted leave of absence without pay for a period not to exceed twelve months, provided such leave can be scheduled without adversely affecting the operations of the City. Requests for leave of absence without pay shall be in writing, shall be directed to the City Administrator, and shall contain reasonable justification for approval. No leaves for other gainful employment shall be allowed.

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Section 2.10: MILITARY LEAVE OF ABSENCE WITHOUT PAY.

Section 2.10.1: Military leave of absence without pay shall be granted to a permanent employee during a period of active duty with the Armed Forces of the United States, if drafted or required by law to serve. Voluntary enlistment does not qualify.

Section 2.10.2: The employee shall, upon honorable discharge from such service, be returned to a position in the same class as his last held position, at the salary rate prevailing for such class, without loss of seniority or employment rights. If it is established that he is not physically qualified to perform the duties of his former position by reason of such service, he shall be reinstated in other work that he is able to perform at the nearest appropriate class to his former class.

Section 2.10.3: Such employees shall make application for reinstatement within ninety days and shall report for duty within six months following separation from active military duty. Failure to comply shall terminate military leave. If an employee voluntarily re-enlists, his military leave shall be deemed canceled.

Section 2.11: OUTSIDE EMPLOYMENT.

Section 2.11.1: No full-time employee shall accept outside employment, whether part-time, temporary or permanent, without prior written approval from the City Administrator. Each change in outside employment shall require separate approval.

Section 2.11.2: To be approved, outside employment shall:

- (a) Not conflict with the employee's City work;
- (b) In no way detract from the efficiency of the employee in his City work; and
- (c) In no way conflict with the interest of the City or be a discredit to the City.

Section 2.12: RESIDENCE REQUIREMENT.

Employees are encouraged to live within the City and to participate in civic affairs. Telephones may be required of employees residing outside the city limits.

Section 2.13: DEPARTMENTAL RULES AND REGULATIONS.

Each department of the City is encouraged to establish departmental rules, regulations, safety rules and procedures. Such rules, regulations, safety rules and procedures shall be in harmony with the provisions of this resolution and shall be binding on employees.

Section 2.14: TRAVEL EXPENSE.

Section 2.14.1: When employees are required to travel outside the City on City business, reimbursement for expenses incurred shall be determined as follows:

- (a) Prior to traveling outside the City, the employee shall obtain approval for the trip and the mode of travel from the City Administrator.
- (b) Travel on official business outside the City by a single individual should be via public carrier or City-owned vehicle. If the employee is authorized to use a private vehicle, mileage shall be paid at the rate of \$.12 per mile. If City vehicle is available and employee elects to use his private vehicles mileage will be paid one way only. This rate includes all travel, insurance and storage expense of the vehicle.
- (c) Reimbursement for subsistence on official trips shall only be the amount actual and approved reasonable expense incurred during the performance of official duty as a City employee for the City's benefit.

Section 2.14.2: City vehicles shall not be used for private purposes.

Section 2.15: IN-SERVICE TRAINING

Section 2.15.1: The City encourages training opportunities for employees and supervisors in order that services rendered to the City will be more effective. The City will assist department heads in meeting training needs in their department and in developing training programs designed to meet immediate City-wide personnel needs and to prepare employees for promotion to positions of greater responsibility.

Section 2.15.2: Training sessions may be conducted during regular working hours at the discretion of department heads.

Section 2.16: SELLING AND PEDDLING AMONG EMPLOYEES.

No peddling, soliciting, or sale for charitable or other purposes shall be allowed among or by employees during working hours without the approval of the City Administrator.

Section 2.17: POLITICAL ACTIVITY.

Section 2.17.1: No City employee shall be an officer of a political party or hold political office during his employment.

Section 2.17.2: Nothing contained within this section shall affect the right of the employee to hold membership in and support a political party, to vote as he chooses, to privately express his opinions on all political subjects and candidates, to maintain political neutrality, and to attend political meetings.

Section 2.18: RELATIVES IN THE CITY SERVICE.

Section 2.18.1: Two members of an immediate family shall not be employed under the same supervisor. Neither shall two members of an immediate family be employed at the same time, regardless of the administrative department, if such employment will result in an employee directly or indirectly supervising a member of his immediate family.

Section 2.18.2: The provisions of this section shall apply to promotion, demotion, transfer, reinstatement, and new appointment. The provisions of this section shall not be retroactive.

Section 2.18.3: "Members of an immediate family" shall, for purposes of this section, mean individuals who have the relationship of wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, daughter-in-law, son-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent or stepchild.

ARTICLE 3: GENERAL CONDUCT, DISCIPLINE,
TERMINATION AND APPEAL

Section 3.1: PERSONAL APPEARANCE AND CONDUCT.

Section 3.1.1: Public relations shall be an integral part of each employee's job.

Section 3.1.2: All employees shall be neat and clean in appearance and shall conduct themselves in a manner which is appropriate for an employee in the public service.

Section 3.1.3: Employees shall be courteous, efficient, and helpful to everyone in their work and shall do the best job possible on every assignment.

Section 3.1.4: Personal business shall not be conducted during working hours.

Section 3.2: CAUSES FOR WARNING, SUSPENSION OR DISMISSAL.

Section 3.2.1: When an employee's conduct falls below desirable standards, he may be subject to disciplinary action.

Section 3.2.2: General reasons for which an employee may be disciplined include:

- (a) Drinking intoxicating beverages or use of non-prescription drugs on the job, or arriving on the job under the influence of intoxicating beverages or drugs;
- (b) Violation of a lawful duty relating to employees' job;
- (c) Insubordination;
- (d) Breach of discipline;
- (e) Being absent from work without first notifying and securing permission from the employee's supervisors;
- (f) Being habitually absent or tardy for any reason;
- (g) Misconduct or conduct which is unbecoming of a city employee;
- (h) Conviction of a felony or of a misdemeanor involving moral turpitude;
- (i) Using religious, political or fraternal influence;
- (j) Accepting fees, gifts, or other valuable things in the performance of the employee's official duties for the City;
- (k) Inability to perform the assigned job in an efficient manner.
- (l) Failure to follow orders of supervisor or department head;
- (m) Being wasteful of material, property, or working time;
- (n) Inability to get along with fellow employees so that work is hindered or below required standards;
- (o) The unauthorized use of City vehicles, tools, or work equipment for personal business or private matters.

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- (p) Knowingly making false statements in any report or resume, or to any person in connection with the employees duties or employment.

Section 3.3: FORM OF DISCIPLINARY ACTION

Section 3.3.1: Disciplinary action may range from oral or written reprimands to suspension, demotion and finally dismissal from the City service, and depends on the severity of the offense as well as the number and the frequency of previous acts of misconduct.

Section 3.3.2: Definitions in regard to this subject are as follows:

- (a) Disciplinary action: an action taken as a corrective measure against an employee who has failed to perform in a satisfactory manner or who has failed to meet acceptable standards of conduct. Forms of disciplinary action include admonishment, reprimand, and adverse actions leading to the removal or suspension from duty and pay of an employee. A disciplinary action may be accompanied by a demotion, reassignment, or both.
- (b) Admonishment: An informal discussion, other than corrective action taken routinely, in which an employee is orally cautioned concerning deficiencies in performance or conduct. When it is believed by the supervisor that such discussion may be the basis for further action, he shall keep an informal record of these admonishments. Admonishments do not become part of an employee's official personnel file unless more serious action is initiated.
- (c) Reprimand: a formal censure given in writing. The reprimand becomes a part of the employee's official file. An accumulation of three or more written reprimands may be cause for dismissal, in addition to those causes listed in Section 3.2.2.
- (d) Suspension: the temporary removal of an employee from work and pay without his consent. In addition to being used as a disciplinary action, a suspension may, when circumstances warrant, be used pending an investigation or verification of charges. Annual leave may not be used to cover periods of absence under suspension.
- (e) Separation for cause: the dismissal, removal or discharge of an employee from the City service.

Section 3.3.3: The immediate supervisor is responsible for the conduct and performance of employees under his direction, as well as the prevention of conditions not conducive to good management or sound employer-employee relations. The immediate supervisor is responsible for initiating prompt corrective action or recommending appropriate disciplinary action.

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Section 3.3.4: It shall be the duty of all City employees to comply with and to assist in carrying into effect the provisions of the City's personnel rules and regulations. Discipline shall be in accordance with procedures established by the personnel rules and regulations.

Section 3.3.5: A written notice shall be given for each disciplinary action stating the reasons for the disciplinary action and the date it shall take effect. The notice shall be given to the employee at the time such action is taken. A copy of the notice, signed by the employee, or department head after refusal of an employee to sign, shall be placed in the employee's personnel file and shall serve as prima facie evidence of delivery.

Section 3.3.6: All permanent employees shall have the right to appeal disciplinary action taken against them within five days after the effective date of disciplinary action. Appeals shall be made as grievances in accordance with the provisions of Section 3.4 of this resolution.

Section 3.4: GRIEVANCE PROCEDURE

Section 3.4.1: The City shall promptly consider and equitably adjust employee grievances. Furthermore, the City desires to adjust the causes of grievances informally--both supervisors and employees are expected to resolve problems as they arise.

Section 3.4.2: The following steps shall be followed in submitting and processing a grievance.

- (a) Step 1. The aggrieved employee or group of employees shall orally present the grievance to the immediate supervisor within five working days of its occurrence, not including the day of the occurrence. The supervisor shall give his oral reply within three working days of the date of presentation of the grievance, not including the day of the presentation.
- (b) Step 2. If the grievance is not settled in Step 1, it shall be prepared in detail, shall be reduced to writing, shall be dated, shall be signed by the aggrieved employee or group of employees and shall be presented to the department head within five working days after the supervisor's oral reply is given, not including the day the answer is given. The department head shall reply in writing to the grievance within five working days of the date of the presentation of the written grievance, not including the day of the presentation.

- (c) Step 3. If the grievance is not settled in Step 2, the written grievance shall be presented along with all pertinent information accumulated to date to the City Administrator, or Police Chief if employee is in the Police Dept., within seven working days after the department head's response is given, not including the day the response is given. The City Administrator, (Police Chief) shall meet with the aggrieved employee or group of employees, the immediate supervisory personnel and the department head. The City Administrator (Police Chief) shall reply to the grievance in writing within seven working days of the date of presentation of the written grievance.
- (d) Step 4. If the grievance is not settled in Step 3, the written grievance shall be presented along with all pertinent correspondence, records and information accumulated to date to the City Council within seven working days after the City Administrator's (Police Chief's) response is given, not including the day the response is given. The City Council may meet with the aggrieved employee or group of employees, the City Administrator (Police Chief) and the department head. The City Council shall reply to the grievance in writing within seven working days of the date of presentation of the written grievance. The decision of the City Council shall be final and binding on the employee or group of employees.

Section 3.4.3: If the grievance procedures are not initiated within the time limits established by this section, the grievance shall be considered not to have existed.

Section 3.4.4: Any grievance not taken to the next step of the grievance procedures shall be considered settled on the basis of the last reply made and received in accordance with the provisions of this section.

Section 3.4.5: If the City fails to meet or answer any grievance within the time limits prescribed for such action by this section, such grievance shall automatically advance to the next step.

Section 3.4.6: The time limits prescribed in this section for the initiation and completion of the steps of the grievance procedures may be extended by mutual consent of the parties so involved. Likewise, any step in the grievance procedures may be eliminated by mutual consent. Mutual consent shall be indicated in writing and shall be signed by all parties involved.

Section 3.4.7: No employee shall be disciplined or discriminated against in any way because of the employee's proper use of the grievance procedure.

Section 3.5: RESIGNATION.

Section 3.5.1: To resign in good standing, an employee shall give the appointing power not less than ten working days prior notice of such resignation unless the appointing power agrees to permit a shorter period of notice because of extenuating circumstances. The notice of resignation shall be in writing and shall contain the reasons for leaving the City service.

Section 3.5.2: Failure to comply with this section shall be entered in the employee's service record and may be cause for denying future employment by the City.

Section 3.6: COST CONSCIOUSNESS.

Section 3.6.1: City employees shall practice every reasonable economy possible in the discharge of their duties.

Section 3.6.2: Employees are encouraged to recommend to their supervisors work procedures which will result in a cost saving or improved service to the public.

Section 3.7: SAFETY.

Section 3.7.1: The City Administrator shall be responsible for the development and maintenance of a safety program. Such program shall include safety regulations and controls. Failure to comply with safety rules is cause for disciplinary action.

Section 3.7.3: When accidents occur on City property, the employee shall contact his supervisor immediately and the supervisor shall complete an accident report form. In case of a motor vehicle accident, the Police Department shall also be notified immediately.

Section 3.7.4: The City Administrator shall be notified of all accidents involving City employees and City equipment as soon as possible and not later than the next workday.

ARTICLE 4: CLASSIFICATION PLAN

Section 4.1: POSITION CLASSIFICATION PLAN.

Section 4.1.1: A position classification plan as adopted and amended by the City Council shall be a part of these rules.

Section 4.1.2: The classification plan shall consist of positions in the City service defined by class specifications and identified by the class titles. The classification plan shall be so developed and maintained that all positions substantially similar with respect to duties, responsibilities, authority, and character of work are included within the same class, and that the same schedules of compensation may be made to apply with equity under like working conditions to all positions in the same class.

Section 4.1.3: Copies of this plan and of specifications for individual classes shall be available in the office of the City Administrator.

Section 4.2: TITLES AND SPECIFICATIONS.

Section 4.2.1: The position classification plan shall include titles and written specifications for the various classes of positions as a guide toward equal pay for equal work. Job titles shall refer to a particular position, not to the individual filling a particular position, and shall be used in all personnel, budget and financial records.

Section 4.2.2: Each position shall be allocated to an appropriate classification on the basis of the duties and responsibilities of the position.

Section 4.2.3: Each classification shall have a specification that includes a concise, descriptive title, and a description of the duties and responsibilities of each position in the class. Position specifications take into consideration the requirements of the job and are merely descriptive and explanatory of the work to be performed. They may not include all of the duties and are not intended to replace detailed work assignments.

Section 4.3: RECLASSIFICATION.

Section 4.3.1: Positions may be reclassified whenever the duties of the position change materially, provided the reclassification can be accomplished within the limitations of the current budget of the City.

Section 4.3.2: Reclassification of a position shall not be used to circumvent the effects of disciplinary action or to avoid restrictions concerning compensation.

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Section 4.4: NEW POSITIONS.

Section 4.4.1: The City Administrator shall be responsible for keeping the classification plan current through periodic studies of the positions within the City service.

Section 4.4.2: No position or class shall carry an official title which has not been approved by the City Council as being appropriate to the duties performed.

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ARTICLE 5: PAY PLAN AND COMPENSATION

Section 5.1: PAY PLAN

Section 5.1.1: The City Administrator shall prepare a compensation plan which shall prescribe a minimum, a maximum and any intermediate levels of pay appropriate for each class.

Section 5.1.2: The rate or range for each class shall equitably reflect the difference in duties and responsibilities and shall be related to compensation for comparable positions in other places of public and private employment within the same job market.

Section 5.2: ANALYSIS OF PAY PLAN

Section 5.2.1: At least once each fiscal year, the City Administrator shall review the current compensation rates and personnel policies, giving consideration to development in the job market, cost of living changes, budgetary factors, suggestions and other relevant information. The City Administrator shall then examine the salary range for each class of position to ascertain whether current minimum and maximum salaries should be maintained, increased or decreased during the succeeding fiscal year; and, upon the basis of this analysis, shall submit recommendations for amending the pay plan to the City Council.

Section 5.3: APPOINTEE COMPENSATION

Section 5.3.1: Upon initial appointment to a position, the employee shall receive the minimum salary for the position classification.

Section 5.3.2: However, in the cases when unusual difficulty in filling the vacancy is experienced, or when the appointee is exceptionally qualified, the City Administrator may cause the appointment to be made at a salary level above the minimum, but not more than the maximum, for the classification.

Section 5.4: PAY DAY

Section 5.4.1: Normally, employees shall be paid on the 15th and the last day of each month. If the 15th or the last day of the month falls on a Saturday, Sunday, or holiday, employees will usually be paid on the last working day preceding that date.

Section 5.5: OVERTIME

Section 5.5.1: Department heads and supervisors shall assign to each employee regular work duties and responsibilities which can normally be accomplished within the established workday and workweek. Any overtime must be approved before it is worked.

Section 5.5.2: When employees are required to work overtime, department heads shall authorize compensatory time off or overtime which shall be one and one-half times the employee's regular hourly rate of pay. The determination to grant cash compensation or compensatory time off shall rest with the department head who shall give due consideration to the desires of the employee, to budgetary controls and to the provisions of Section 5.5.3 of this resolution.

: Compensatory time accumulation shall not exceed forty hours. Once this maximum accumulation has been reached, all overtime compensation earned by the employee shall automatically be paid.

Section 5.5.3: For some positions, overtime is considered part of the job responsibility and therefore does not justify overtime pay. Compensation for overtime shall not be granted to the following positions:

- (a) City Administrator
- (b) Department Heads who have 3 or more persons under their supervision.
- (c) Assistant Department Heads who have 3 or more persons under their supervision.

Section 5.6: PAYMENT UPON CLASSIFICATION CHANGE.

When an employee's salary is changed due to demotion or promotion, all accrued salary and overtime pay shall be converted to cash at the rate earned. In the case of accumulated compensatory time, for employees exempt from the Fair Labor Standards Act, the employee may elect to have a payment or have the hours at the rate earned.

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ARTICLE 6: FRINGE BENEFITS

Section 6.1: HOLIDAYS

Section 6.1.1: The following dates shall be observed as holidays:

New Years Day	January 1
Lincoln's Birthday	First Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Christmas Day	December 25

In addition to the foregoing Washington's Birthday, (third Monday in February) shall be a "floating holiday, that is the city will conduct business and City Hall will be open on that day with not less than fifty percent (50%) of city employees being off on said day. Employees who work on said day shall, within the calendar year, select an alternate day to be off in exchange for having worked on Washington's Birthday (third Monday in February) subject to approval of the City Administrator. The City Administrator shall determine in his discretion which employees shall work on Washington's Birthday.

Section 6.1.2: If an employee is required to work on a holiday for which an exchange holiday is not given, the rate of pay for that holiday worked shall be double that employee's usual rate of pay.

Section 6.1.4: Holidays which occur during vacation or sick leave shall not be charged against such leave.

Section 6.2 VACATION

Section 6.2.1: Permanent employees with less than five years of continuous service shall be granted ten days annual vacation leave with pay. Employees with five or more years but less than ten years of continuous service shall be granted twelve days of annual vacation leave with pay. Employees with ten or more years but less than fifteen years of continuous service shall be granted fifteen days of annual vacation leave with pay. Employees with fifteen or more years of continuous service shall be granted one day annual vacation leave with pay for each year of continuous employment.

Section 6.2.2: New employees shall not be eligible for vacation leave during their first six months of employment, although vacation leave shall accrue from the beginning of employment.

Section 6.2.3: Annual vacation leave shall accrue on an anniversary date basis. Said vacation leave shall be recorded as leave to be taken by the employee between the time at which the employee first becomes eligible to take vacation leave and the end of the employee's first complete year of employment.

Section 6.2.4: Vacation leave can carry over one year only with a maximum accrual limit of thirty days.

Section 6.2.5: Department heads shall schedule vacations for their respective employees with due consideration for the desires of the employees and the work requirements facing the department. Vacation schedules may be amended to allow the department to meet emergency situations.

Section 6.2.6: Vacation leave shall not be used in blocks of less than one-half days.

Section 6.2.7: Upon separation of an employee from City employment, unused annual vacation leave earned in the current year and all accrued annual vacation leave shall be paid in a lump sum. Such time will be paid at the rate of pay applicable at the time of termination. Employees not successfully completing six months employment will not be eligible for vacation time or pay.

Section 6.3: SICK LEAVE

Section 6.3.1: All full-time City employees shall earn sick leave with full pay at the rate of one workday for each calendar month of service. Sick leave shall accrue from the date of employment, but shall not be taken until the successful completion of the probationary period. Sick leave shall not be accumulated in excess of sixty days.

Section 6.3.2: Employees are eligible for sick leave for the following reasons:

- (a) Non-occupational personal illness or physical disability.
- (b) Quarantine of an employee by a physician for non-occupationally related disability.
- (c) Dental and doctor appointments will not be considered a basis for paid sick leave unless it can be shown that the doctor in question does not maintain office hours outside the employees regular work time, or on the employee's regular days off.

Section 6.3.3: Sick leave shall be charged as one day sick leave for each duty day absent on the basis of a forty hour workweek.

Section 6.3.4: Abuse of the sick leave privilege shall be cause for dismissal. An employee who is unable to report to work because of any of the reasons set forth in Section 6.3.2 above shall report the reason for his absence to his supervisor as soon as possible but no later than one hour from the time he is expected to report for work. Sick leave with pay shall not be allowed unless such report

has been made. The City may require a doctor's certificate before paying such requests for sick leave in excess of three days. The certificate, if requested, shall be a certificate from a licensed physician stating that the employee was unable to attend work due to sickness or disability such that the employee could not substantially perform his or her usual duties or that the employee's attendance at work would endanger the health of others on each day for which the employee is requesting sick leave compensation. If City is dissatisfied with the report of illness, City may require a medical exam from a doctor agreed upon by both the City and the employee and such exam shall be at the expense of the City.

Section 6.3.5: The employee's supervisor or department head shall have the authority to send the employee home on sick leave if the employee is actually sick and either cannot perform his duties accurately or endangers the health of others.

Section 6.3.6: Employees must inform the department head of any anticipated medical treatment so that the department may plan for such loss of manpower during the employee's absence.

Section 6.3.7: Unused sick leave shall not be compensated for in any way at the time of resignation or dismissal of an employee.

Section 6.3.8: Absence required due to pregnancy. Pregnancy leave with pay shall not be granted except to the extent required by Chapter 330 Oregon Laws, 1977, Senate Bill 714. Pregnancy leave is subject to all the requirements of this section.

Section 6.4: LEAVE OF ABSENCE WITH PAY

Section 6.4.1: Employees may request leave of absence with pay for the purposes specified in this section. Each request shall be judged by the appointing power on its merits and on the basis of the guidelines provided in this section.

Section 6.4.2: Witness or Jury Duty. When a City employee is called for jury duty or is subpoenaed as a witness, he shall not suffer any loss of his regular City compensation during such absence; however, he shall be required to transfer any compensation he receives for the performance of such duty to the City. Time not worked because of such duty shall not affect vacation or sick leave accrued. An employee, who in his official duty status and in obedience to a subpoena or direction by authority, appears as a witness in court proceedings is carried on Court leave with pay.

Section 6.4.3: Voting. When an employee's work schedule is such that he would not be able to vote prior to or after his normally scheduled working hours, he shall be granted a reasonable time off duty to vote without loss of pay, accrued vacation or sick leave.

Section 6.4.4: Military Leave. An employee who has successfully completed the probationary period and who is a member of the National Guard or a reserve component of the Armed Forces of the United States or of the United States Public Health Service shall be entitled to such benefits and rights provided by statute and no others.

Section 6.4.5: Conferences and Conventions. Decisions concerning attendance at conferences, conventions, or other meetings at City expense shall be made by the department head with the approval of the City Administrator. Permission may be granted on the basis of an employee's participation in or the direct relation of his work to the subject matter of the meeting. Members of professional societies may be permitted to attend meetings of their society when such attendance is considered to be in the best interest of the city.

Section 6.5: EMERGENCY LEAVE

Section 6.5.1: Three days emergency leave shall be granted to an employee upon the death or serious illness in the family of the employee or spouse family, meaning only children, mother, father, brothers, sisters, or grandchildren.

Section 6.5.2: Emergency leave shall be granted only by the Mayor or City Administrator or Police Chief.

Section 6.5.3: More than three days on emergency leave will be deducted from the employee's vacation earned or accumulated for that year.

Section 6.6: EDUCATIONAL OPPORTUNITIES

Section 6.6.1: The City may reimburse an employee for all the amount of tuition for courses directly related to the employee's work and conducted outside the employee's regular working hours, provided that:

- (a) Funds for such expenditures are available in the current budget;
- (b) The employee has made application for approval of the course and tuition reimbursement to his department head at least ten days prior to the registration for such courses;
- (c) The employee submits evidence of C grade or equivalent upon completion of the course; and
- (d) The employee is not receiving reimbursement for tuition from any other source.

Section 6.6.2: Courses which are only offered during regular working hours may be approved by the department head and the City Administrator provided time off can be arranged conveniently and reasonable arrangements can be made to make up time off.

Section 6.6.3: The City may allow time off with pay and reimburse an employee for the expenses of attending employment related classes, lectures, conferences or conventions when attendance is on an assignment basis with prior approval of the City Administrator and the employee's department head.

Section 6.6.4: Normally, the cost of textbooks and technical publications required for such courses shall be the responsibility of the employee. If the City purchases any of the textbooks and publications for such courses, said textbooks and publications shall become the property of the City, and shall be kept at the City Library for use on a check-out basis.

Section 6.7: RETIREMENT.

After six months full-time employment, employees become eligible to participate in the City's retirement plan. Information concerning the retirement plan may be obtained from the City Administrator.

Section 6.7.1: The retirement age for City employees is as follows:

- (a) Sixty (60) years for police employees; and
- (b) Sixty-five (65) years for all other employees.

Section 6.6.2: At the end of the month in which an employee reaches retirement age, the employee shall automatically terminate his service with the City. However, the appointing power may grant an extension of the retirement age on a year-to-year basis when it is in the interest of the City to do so. A complete physical may be required by the Council at city expense as a condition of extension.

Section 6.8: SOCIAL SECURITY.

The City will make contribution and withhold the employees contribution as required by the Social Security Act.

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Section 6.9: INDUSTRIAL ACCIDENTS.

All employees shall be covered by workman's compensation insurance. Benefits include medical treatment and care as well as disability compensation during periods of time lost from the job. When an employee must take leave due to job-related disability, he will receive compensation from the insurer.

Section 6.10: MEDICAL AND HOSPITAL INSURANCE.

The City may provide medical and hospital insurance for the employee. The employee may elect to cover his dependents at the employees expense. Copies of details of coverage are available by request to the City Administrator. Gross medical benefits shall be subject to cancellation or modification at any time that the Council determines that such insurance program should not be continued or should be modified.

Section 6.11: LIFE INSURANCE.

The City will provide life insurance for the employee. The employee may elect to contribute the full premium cost for coverage for his dependents.

INTRODUCED AND ADOPTED this 9th day of
November, 1977

CITY OF SHERWOOD, OREGON

By Polly Blankinbaker
Recorder

By Jack P. Harper
Mayor