

CITY OF SHERWOOD, OREGON

Resolution No. 98-777

A RESOLUTION AMENDING THE CITY OF SHERWOOD PERSONNEL RULES, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the current City Personnel Rules (hereinafter called ("Rules")) were established by Resolution 93-547, effective July 1, 1993; and,

WHEREAS, the City of Sherwood needs to revise the Rules in order adjust to a growing workforce and a changing work environment; and


WHEREAS, Appendix C, Table 1, Salary Steps by Title, need to be amended effective with the start of Fiscal Year, July 1, 1998, in order to provide for employee cost of living and step increase previously provided for in the City of Sherwood FY 98-99 Budget.

NOW, THEREFORE, THE CITY RESOLVES AS FOLLOWS:

Section 1. Adoption: The City Personnel Rules attached hereto as Exhibit "A", and Appendix C, Table I, Salary Steps by Title attached hereto as Exhibit "B", are hereby approved and adopted.

Section 2. Effective Date. This Resolution shall become effective November 24, 1998.

Duly passed by the City Council this 24th day of November 1998.



Mark Cottle, Council President

ATTEST:



Jon Bormet, City Manager-Recorder

CITY OF SHERWOOD, OREGON

PERSONNEL RULES & EMPLOYEE HANDBOOK

ARTICLE 1

GENERAL PROVISIONS

1.1 Title

1.1.1 This document shall be entitled "The City of Sherwood Personnel Rules" and may hereinafter be cited and referred to as the "Rules."

1.2 Purpose

1.2.1 The purpose of these Rules is to establish a system of personnel administration for the City of Sherwood based upon the principles of merit and fitness; and to implement fair and uniform procedures and regulations for the recruitment, hiring, development, and retention of an effective and responsible work force.

These Rules do not constitute a contract of employment. The City retains the prerogative to change, substitute, interpret and discontinue the policies and benefits described herein, at any time, with or without notice to employees.

No person shall be deemed to have a vested interest in, or legitimate expectation of, continued employment with the City, or any policy or benefit described herein or otherwise generally practiced by the City.

No contract of employment can be created, nor can an employee's status be modified, except by a written agreement signed by the City Manager on behalf of the City. Whenever a question arises as to the meaning or interpretation of any policy or practice of the City, the interpretation given by the City Manager and/or his/her designees shall be final and binding.

These Rules supersede all previous City Personnel Rules.

1.3 Captions

1.3.1 The captions and headings in these Rules are for convenience and reference only, and are not to be used to interpret or define the provisions of sections or subsections.

1.4 Severability

1.4.1 If any section or subsection of these Rules shall at any time be deemed invalid or unenforceable, the remaining provisions shall not be affected thereby, and shall remain valid and enforceable to the extent permitted by law.

1.5 Administration

1.5.1 These Rules shall be adopted, and may be modified and amended, by the City Council in the form of a Resolution. The City Manager is designated as administrator of these Rules and shall be responsible for determining any permitted exceptions to the Rules, unless another individual or body is otherwise specifically authorized to do so. Unless otherwise permitted, all exceptions shall be made in writing.

1.6 Equal Employment Opportunity

1.6.1 Generally. The City's policy is to treat all applicants and employees fairly and equally, and to recruit, hire, train, promote, layoff, discipline, dismiss, or conduct any other personnel actions without regard to the applicant's or employee's race, color, religion, creed, national origin, age, physical handicap, sex, marital, or veteran status, or any other basis prohibited by federal, state, or local law. No employee will be discriminated against for exercising their grievance and appeal rights under Section 3.21 of these Rules.

1.6.2 Treatment and Conduct. No applicant or employee shall be subjected to intentional derogatory conduct or harassment, based on the employee's or applicant's race, color, religion, creed, national origin, age, physical handicap, sex, marital, or veteran status, or any other basis prohibited by federal, state, or local law, where such conduct has the purpose or effect of interfering with the individual's performance or creates an intimidating, hostile, or offensive environment. For the purposes of these Rules sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when submission to such conduct is made a term or condition of employment, is used as a basis for employment decisions affecting an individual, or has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive work environment.

1.7 Definitions

1.7.1 Anniversary Date: A date established for each employee, exactly one year from the time an employee has successfully completed his or her trial employment period, and used annually thereafter for evaluation purposes.

1.7.2 Applicant: An individual who has completed and submitted an application for employment with the City, as per Section 2.1.

1.7.3 Appointment: The offer to, and the acceptance by, a person of a position in the City service on either a temporary or regular basis.

1.7.4 Charter: The City of Sherwood Charter of 1984.

1.7.5 City: The City of Sherwood.

1.7.6 City Manager: The chief executive officer of the City of Sherwood or that chief executive officer's designee. Unless otherwise noted, all references to the City Manager in these Rules are deemed to include the Manager's designee.

1.7.7 Class: A group of job positions which are sufficiently alike in general duties, responsibilities, and entrance qualifications to warrant use of the same range of pay steps.

1.7.8 Class Title: The designation given to a class and each position allocated to a class. This title may take the form of a number.

1.7.9 Classification Plan: A written statement assigning certain positions in the City service into classes according to their general duties, responsibilities, and entrance qualifications.

1.7.10 Classified Service: All positions and offices in the City service which are not specifically included in the unclassified service, as per Section 4.1.2.

1.7.11 Compensation Plan: The official schedule of compensation for City employees, as approved by the City Council, assigning each position to a class composed of a range of pay steps, as per Section 5.1.

1.7.12 Demotion: The assignment of an employee from a position in one class to a position in another class that has a lower range of pay steps.

1.7.13 Department Head: The chief administrative officer of each City department or that chief administrative officer's designee. Unless otherwise noted, all references to department head in these Rules are deemed to include the department head's designee.

1.7.14 Disciplinary Probation: A condition where a regular employee is placed on probation for disciplinary reasons, as per Section 3.19.4.

- 1.7.15 Dismissal: ~~A~~ permanent, involuntary separation of an employee from the City service.
- 1.7.16 Employee: An incumbent of a City job position, including individuals in a leave without pay status. This term includes all officers in the City service.
- 1.7.17 Examination: An oral interview, physical or written test, or the results of such interview or test, which is used to determine eligibility or relative merit, fitness, and ability to discharge the duties of the position to which the applicant or employee seeks appointment or promotion, as per Section 2.2.
- 1.7.18 Exempt Employee: An employee who holds an exempt administrative, professional or executive position, as per Section 5.7.5.
- 1.7.19 Full-time Employee: An employee who is hired to work a predetermined schedule of forty (40) or more hours per regular City workweek.
- 1.7.20 Grievance: Any dispute or question concerning the interpretation or application of these Rules, as per Section 3.21.
- 1.7.21 Immediate Family: An employee's spouse, children, stepchildren, parents, stepparents, siblings, or other bona-fide dependents.
- 1.7.22 Job Description: A written statement describing the class and position, title, general duties, responsibilities and entrance qualifications of a job position in the City service.
- 1.7.23 Layoff: An involuntary, non-disciplinary separation from the City service for any reason which is in the best business interest of the City and necessitates a reduction in the number of City employees, as per Section 3.5.
- 1.7.24 Leave Without Pay: An approved period of unpaid absence from the City service for a specified period of time with specific reemployment privileges, as per Section 6.6.
- 1.7.25 Nonexempt Employee: Any employee who is not employed in an exempt administrative, professional or executive position, as per Section 5.7.5.
- 1.7.26 Overtime: The authorized time worked by an employee in excess of their regular workday or workweek.
- 1.7.27 Overtime Pay: The compensation paid to an employee for authorized overtime work.
- 1.7.28 Part-time Employee: An employee who is hired to work a predetermined schedule of less than forty (40) hours per regular City workweek.
- 1.7.29 Pay Rate: The specific salary or hourly rate of pay for a position.

1.7.30 Pay Steps: Six pay rates having a sequential relationship to one another, and assigned to a class of positions as the compensation for that class.

1.7.31 Position: The duties and responsibilities assigned to an employee, requiring the full, part-time, or temporary employment of one (1) person.

1.7.32 Promotion: The assignment of an employee from a position in one class to a position in another class with a higher range of pay steps, as per Section 3.3.

1.7.33 Qualified Health Care Provider: A physician, osteopath, nurse practitioner, physician's assistant or any other health care professional deemed qualified by the City Manager to render a medical judgment regarding an employee's ability to perform the duties and responsibilities of the employee's position.

1.7.34 Reclassification: The assignment of a position to a different class, with either a higher or lower range of pay steps, due to a material change in the duties and responsibilities of the position.

1.7.35 Regular Employee: An employee who has successfully completed his or her trial employment period.

1.7.36 Related by Blood or Marriage: Grandparents, parents, brothers and sisters, and children are considered "related by blood or adoption". In-laws, co-habitants and spouses are considered "related by marriage". Only spouses, minor children, and bonafide dependents are eligible for City benefits afforded to family members as per Article 6 of these Rules.

1.7.37 Resignation: A permanent, voluntary separation of an employee from the City service, as per Section 3.17.

1.7.38 Selection Procedure: Any written or oral test, physical examination, interview, or other criteria which is used to measure an employee's or applicant's skills, knowledge, and ability to discharge the duties and responsibilities of the position to which the employee or applicant seeks promotion or appointment, as per Section 2.2.

1.7.39 Seniority: The length of time an employee has been employed by the City, by a specific department or in a specific position, since the date of initial or any subsequent appointment.

1.7.40 Suspension: An enforced unpaid period of absence for disciplinary reasons or pending investigation of charges made against an employee, as per Section 3.19.5.

1.7.41 Temporary Employee: An employee who is hired for a position for a limited period of time, not to exceed six (6) months.

1.7.42 Transfer: An assignment of an employee from one position to another position in the same class, as per Section 3.4.

1.7.43 Trial Employee: An employee who has not completed the trial employment period, as per Section 2.5.

1.7.44 Trial Employment Period: Up to the first one hundred eighty-two (182) calendar days of continuous employment for all employees, (except for the trial period of police officers).

1.7.45 Unclassified Service: All positions and offices in the City service which are excluded from the classified service, as per Section 4.1.2.

1.7.46 Workday: The regular City workday consists of a work shift of eight (8) consecutive work hours plus an unpaid sixty (60) minute meal period within any consecutive twenty-four (24) hour period. Saturdays, Sundays and recognized City holidays are generally not considered regular City workdays, except as otherwise established by these Rules. These Rules or the City Manager may establish other normal workdays for individual City departments providing seven (7) days-a-week, twenty-four (24) hours-a-day service, and for exempt employees as per Section 5.7.5.

1.7.47 Work shift: The regular City work shift consists of eight (8) consecutive work hours plus an unpaid sixty (60) minute meal period.

1.7.48 Workweek: The regular City workweek is a period of one hundred sixty eight (168) consecutive hours that begins with the start of the first work shift after 12:01 a.m. Sunday and ends at the conclusion of the last work shift that started before midnight on Saturday. These Rules or the City Manager may establish other normal workdays for individual employees or certain classes of employees, particularly those in City departments providing seven (7) days-a-week, twenty-four (24) hours-a-day service, and for exempt employees as per Section 5.7.5.

ARTICLE 2

RECRUITMENT POLICIES AND PRACTICES

2.1 Recruitment

2.1.1 Generally. The City Manager shall use whatever means are appropriate to recruit qualified applicants for any job vacancies, including, but not necessarily limited to, internal job postings, help-wanted advertisements, or public and private employment agencies.

2.1.2 Publication. Any published announcements of position vacancies shall include the class and position title, the qualifications, principal job duties, the dates applications will be accepted, and the place and manner of filing applications. All announcements shall state that the City is an "Equal Opportunity Employer". The City Manager may add any additional information to the published announcements, as deemed appropriate.

2.1.3 Forms. All applications for open positions shall be made on the forms provided and/or in the manner required by the City. Any information submitted shall be verified and investigated by the City Manager prior to appointment to the extent necessary to determine the applicant's qualifications for appointment. Any false information supplied as part of an application for employment may be grounds for rejection of the applicant or immediate dismissal of an employee.

2.2 Selection

2.2.1 Merit and Fitness. The City Manager shall establish procedures for the initial selection or promotion of employees. All selection procedures and rules shall relate to the applicant's or employee's merit, fitness and ability to discharge the duties and responsibilities of the position to which the applicant or employee seeks appointment or promotion. Prior experience and training may be considered when evaluating an applicant's or employee's fitness for a particular position.

2.2.2 Examinations. Selection procedures may include examinations which measure the applicant's or employee's job-related ability, knowledge, and skills. The appropriate form of each examination shall be determined by the City Manager and may include, but need not be limited to, oral, written, graded, pass-fail, or physical examinations, resume analysis, employment references, reports of supervisors, performance evaluations, and work sampling. The City Manager is responsible for setting any minimum qualifying scores or standards for any required examinations. All selection procedures shall comply with the City's Equal Employment Opportunity policies.

2.2.3 Physical Examinations. Any physical examinations utilized as a selection procedure must be completed at the applicant's or employee's expense by a qualified health care provider before an applicant is appointed or an employee is promoted to a particular position. The City Manager may establish minimum medical and physical standards, where appropriate, which reasonably relate to the duties and responsibilities of a particular position. The standards may differ

based on the duties and responsibilities of each position. No appointment or promotion shall be effective until the applicant or employee demonstrates satisfaction of any required minimum medical or physical standards. Failure to meet the required standards will result in disqualification for appointment or promotion to the position.

2.3 Employment of Relatives

2.3.1 Generally. Individuals who are related by blood, marriage or adoption will be given equal consideration for employment with other applicants for positions, or with other employees for transfers or promotions. Related individuals will not, however, be considered for positions when the City Manager determines that a reporting, auditing, or supervisory relationship would exist between the related individuals.

2.3.2 Marriage. If two (2) employees in the positions defined in Section 2.3.1 were to become related to one another, one must transfer to another department where the reporting, auditing or supervisory relationships would not exist. If a transfer cannot be accomplished due to the unavailability of an open position for which the employee is qualified, one of the employees must resign from the City service. The decision as to which employee will transfer or resign will be made in the first instance by the employees involved. If the employees do not decide which employee will transfer or resign within thirty (30) calendar days of becoming related to one another, the City Manager shall determine which employee will transfer or resign based on the best business interest of the City.

2.4 Residency

2.4.1 Residency within the City of Sherwood shall not be a condition of initial appointment or continued employment, except as otherwise required by the provisions of State law, the City Charter, or applicable City ordinances and resolutions. Provided, however, that an employee's selection of residence shall not interfere with the daily performance of his or her duties and responsibilities, as determined by the City Manager. Telephones may be required of employees where assigned job duties and responsibilities dictate.

2.5 Trial Employment

2.5.1 Purpose. The trial employment period shall be considered an integral part of the employee selection and examination process. The trial employment period shall be utilized to observe closely the employee's work, to secure the most effective adjustment of the new employee to his or her position, and for dismissing any employee whose overall work performance does not meet required performance standards.

2.5.2 Length. The trial employment period shall be the first one hundred eighty two (182) calendar days of continuous employment for all employees, (except police officers). The trial employment period may be extended by the City Manager for any period not to exceed one hundred eight three (183) additional calendar days.

2.5.3 Evaluations. During the trial employment period, an

employee's supervisor, department head, or the City Manager shall evaluate the employee's performance at regular intervals. A written performance evaluation shall be completed during the last month of the trial employment period or before the conclusion of any extended trial employment period.

2.5.4 Dismissal. Employees may be dismissed by the employee's department head or the City Manager at any time during the trial employment period for failure to meet acceptable performance standards, for reason of any of the criteria listed under Section 3.20.2, or for any other aspect of job performance or behavior that warrants dismissal, in the opinion of the employee's supervisor, department head, or the City Manager. Notice of dismissal shall be in writing as per Section 3.20.3. Employees who are dismissed during the trial employment period have no right to appeal their dismissal under Section 3.21 of these Rules, but may request a pre-termination hearing as per Section 3.20.4. The City Manager retains the discretion to deny the request for a terminated trial employee for a pre-termination hearing. Granting of a pre-termination hearing implies no other appeal rights under these Rules.

ARTICLE 3

EMPLOYMENT POLICIES AND PRACTICES

3.1 Distribution of Rules

3.1.1 All employees in the City service shall receive one copy of these Rules at the time of hire. Each employee shall be required to sign a certification of receipt of these Rules, attached hereto as Appendix X. Employees shall be responsible for keeping current with these rules and any subsequent amendments.

3.2 Performance Evaluations

3.2.1 Generally. Employees shall be evaluated in writing during the trial employment period as provided in Section 2.5. After successful completion of the trial employment period, an employee's performance shall be evaluated in writing on or before the employee's anniversary date of employment. The employee's supervisor, department head, or the City Manager may conduct oral or written performance evaluations at other times as are deemed necessary and appropriate.

3.2.2 Content. Regular performance evaluations shall be conducted in writing and completed by the City Manager, the employee's department head, or the employee's supervisor. The performance of the employee with respect to each individual "**essential**" or "**auxiliary**" job duty as prescribed by the employee's written job description, and the performance of the employee relative to the positive undertaking of their job responsibilities, response to job conditions, and handling of external contacts, as per the applicable sections of their job description, shall be evaluated with the following summary ratings:

- a. Not Meeting All Requirements
- b. Not Current Job Requirement
- c. Making Satisfactory Progress
- d. Meeting All Requirements
- e. Exceeding Requirements

Each summary rating, with the exception of "meeting all requirements", shall be accompanied by a written statement describing job related performance, the specific points on which that performance falls short, matches or exceeds expected standards, and reasonable and measurable criteria and deadlines for improving or sustaining performance.

3.2.3 Consequences. Any employee who receives a "Not Meeting All Requirements" performance rating for any two (2) "**essential**" job duties, or for any three (3) "**auxiliary**" job duties and for performance relative to "responsibilities", "conditions", or "contacts", on any two (2) consecutive evaluations, shall not receive a pay step increase as per Section 5.3, and may be dismissed. Any employee who receives a "Not Meeting All Requirements" rating on any three (3) of the foregoing

evaluation categories, on two (2) consecutive evaluations, shall also be denied pay step, and may also be dismissed. If an employee's anniversary date or yearly performance evaluation falls during a leave without pay period of thirty (30) calendar days or longer, the anniversary date and performance evaluation shall be postponed until the employee has returned to work and completed as many days of continuous employment as the length of the leave without pay period.

3.2.4 Form. Performance evaluations shall be in a form prescribed by the City Manager and approved by the City Council. The performance evaluation form shall become a part of these Rules and is included as Appendix A. The City Manager may make administrative guidelines to assist supervisors and employees in the proper application of performance evaluation standards.

3.3 Promotions

3.3.1 The most senior current employee competing for an open position in the City service may be selected and promoted into that open position when the City Manager determines, after consideration of the criteria listed in Section 2.2, that the overall qualifications and abilities of outside applicants and current employees competing for an opening are equal.

3.4 Transfers

3.4.1 An employee may transfer from one City position to another City position without a break in service, provided, however, that the classification and range of pay steps of the new position shall apply, and the employee shall be subject to a trial employment period as per Section 2.5. An employee's request for a transfer shall be made in writing to the employee's department head. The department head shall refer the written transfer request to the City Manager. The City Manager shall either approve or disapprove the request. Transfers will not be made unless the employee is performing satisfactorily in their current position, and an opening exists for which the employee meets the minimum qualifications.

3.5 Layoffs

3.5.1 Generally. Employees may be laid off whenever the City Manager or City Council determines that there is a shortage of work or funds, or that the abolishment of a position or other changes in the City's organization is in the best business interest of the City.

3.5.2 Procedures. Employees shall be selected for layoff based on merit and fitness. Performance evaluations may be undertaken and used as an aid in determining an employee's merit and fitness at the time of layoff. If the affected employees' merit and fitness is not an overriding factor in the City Manager's judgment, the least senior employee in the affected position shall be laid off first. Laid-off regular employees may appeal their layoff as provided in Section 3.21 of these Rules. Laid-off trial employees have no right to appeal their layoff under Section 3.21. The City Manager shall have the discretion to determine merit and fitness for purposes of layoff.

3.5.3 Notice. All employees shall receive written notice of

the cause(s) for the layoff. Written notice of layoff shall be delivered personally or mailed by registered, certified or other similar special mail to the employee at his or her last known address.

3.5.4 Reinstatement. Reinstatement of laid-off employees shall be at the discretion of the City Manager. The City has no duty to recall laid-off employees when the circumstances necessitating the reduction in the number of employees change, nor to afford the laid-off employee preferential standing in the process of recruitment and selection of new employees. Laid-off employees who are reinstated shall, however, be credited with their former length of service for the purposes of calculating seniority.

3.6 Outside Work

3.6.1 Permission Required. Full-time employees must obtain the City Manager's written approval before accepting outside employment or becoming self-employed. An employee's request for such permission shall be in writing. The City Manager shall obtain and consider the recommendations of the employee's department head before approving or disapproving such requests.

3.6.2 Impact. No request shall be approved unless it is demonstrated to the City Manager's satisfaction that such outside employment or self-employment will not detract from the efficiency of the employee's completion of their assigned duties, create a real or potential conflict of interest or the appearance of impropriety, or otherwise conflict with the best business interest of the City.

3.6.3 Revocation. Separate approval shall be obtained for each change in outside employment or self-employment. The City Manager shall have the right to revoke or suspend any previous approval given, if at any time the City Manager determines that the employee's outside employment or self-employment detracts from the efficiency of the employee's completion of their assigned duties, creates a real or potential conflict of interest or the appearance of impropriety, or otherwise conflicts with the best business interest of the City.

3.7 Solicitations

3.7.1 Generally. During City work hours, employees may not solicit or distribute literature for any purpose in or on City property, buildings, and facilities, or at City work sites, other than for City related business. Work hours includes both the soliciting and the solicited employee's work hours. Solicitation between employees will be permitted during non-work hours such as before or after work, or during authorized meal or break periods.

3.8 Political Activities

3.8.1 Generally. Initial or continuing employment shall not be denied on the basis of membership in, or support for, a political party, candidate, or philosophy. Except as may otherwise be allowed by the City Charter or City ordinance, any person who runs for, is elected or appointed to, or holds or has held an elective City office shall not be eligible for initial or continued employment with the City until one (1) year after the last day the prospective employee held such office.

3.8.2 Prohibited Activities. No employees, or elected or appointed official, shall solicit any contributions, assessments, or services on behalf of any candidate, political party, or organization from any City employee(s) during work hours. Employees shall not accept solicitations from private individuals during work hours. Any solicitation undertaken during non-work hours shall comply with the provisions of Section 3.7.

3.8.3 Political Parties. Nothing contained in this Section shall affect the rights of employees to be members of, support, or otherwise participate in the activities of any political party or organization, to vote as the employee chooses, to express the employee's opinions on political subjects or candidates, to maintain political neutrality, or to participate in nonpartisan activities of a civil, community, social, professional or other similar organization. Provided, however, that during work hours in City uniform, while in or on City property, buildings, and facilities, or at City work sites, no City employees may actively work for, or against, or attempt to influence the election or defeat of, any candidate for Mayor or Council, the recall of the Mayor or any Council member, or the election or defeat of any other political candidate or ballot measure. Violations of this Section may be subject to the sanctions authorized by these Rules.

3.9 Conflicts of Interest

3.9.1 Generally. Employees shall not have any direct or indirect pecuniary interest in any contract, service, or work performed for the City nor shall employees profit directly or indirectly from any contract, purchase, sale or service between the City and any individual(s), partnership(s), association(s), organization(s), corporations(s), cooperative(s), or any other group of persons.

3.9.2 Prohibited Activities. No employee shall in connection with the performance of his or her duties accept any free or preferred services, benefits or concessions from any other person or group of persons. If an employee is given or offered any free or preferred services benefits or concessions under circumstances which could be reasonably construed to create a conflict of interest or the appearance of a conflict of interest, the employee shall immediately report such activity to his or her supervisor. The supervisor shall in turn inform the employee's department head and the City Manager.

3.9.3 Penalties. Any employee who violates the provisions of this Section may be subject to immediate discipline, up to and including dismissal.

3.10 Employee Appearance and Conduct

3.10.1 Dress and Appearance. Employees shall wear appropriate attire for their position and department. The City Manager or department heads may issue rules regarding what is considered appropriate attire and appearance for the employees of specific City departments and for particular job positions.

3.10.2 Personal Conduct. All employees shall conduct themselves in a manner which is appropriate for an employee of the City

and conduct interactions with the general public and all other parties in a patient, courteous, accurate, and conscientious manner. Job duties and responsibilities shall be performed in a manner that reflects positively on the City, and promotes the efficient allocation of public resources.

3.11 Employee Safety

3.11.1 Safety. All employees shall coordinate and cooperate with other employees and the City to create and maintain a safe work environment. Employees shall observe all safe practices governing their work. Employees shall offer safety suggestions that contribute to a safer work environment and shall use proper safety devices and protective equipment as required by their supervisor, department heads, or the City Manager. Employees shall properly maintain and keep in good repair all personal protective equipment.

3.12 Injury and Illness

3.12.1 Reporting. Employees shall report any suspected or actual on-the-job injury or occupational illness to their immediate supervisor regardless of degree of severity. Employees shall also report to their immediate supervisor, any accidents or illnesses that cause damage to public or private property or equipment before, after, or during working hours and that involve City employees, equipment, or property. Such reports shall be made as soon as possible, but in no case later than twenty-four (24) hours following such accident or the actual or suspected injury or occupational illness. Employees shall prepare any accident or incident reports requested by their supervisors. In the case of a motor vehicle accident on City property, or while the employee is involved in the performance of their duties, the City Police Department shall also be notified immediately.

3.12.2 Notices. Department heads shall notify the City Manager of any actual or suspected on-the-job accidents, occupational illnesses, or injuries as soon as practicable, but in no case later than one (1) regular City workday following the filing of any accident, illness, or injury report.

3.13 Personnel Records

3.13.1 Content. Personnel records shall be maintained on all City employees and shall include, but not necessarily be limited to, the employee's initial employment application, examination materials, reports of the results of any previous employment reference checks, a list of the positions held and compensation received, performance evaluations, and special commendations or awards relating to job performance, notes regarding any disciplinary action(s) or other counseling sessions, and records regarding the payment or administration of benefits. Personnel records shall be maintained at the City Hall Building. All employees, including those on leave without pay status, are required to keep the City informed of their current home address at all times.

3.13.2 Confidentiality. An employee's personnel records are confidential, except as provided in Section 3.13.3. Only the employee, the employee's immediate supervisor, department head, and the City Manager, or other personnel authorized by the City Manager, may examine an employee's confidential personnel records. Confidential personnel

records shall not be released to any unauthorized individuals except with the written consent of the employee. No documents shall be copied or removed from an employee's personnel file without the City Manager's approval, provided, however, employees have the right to copy documents from their own personnel file at any time, subject to notification of the City Manager. Authorized inspections shall take place in the presence of the City Manager or City Manager's Designee.

3.13.3 Public Information. The following information from an employee's personnel file is available for public inspection, subject to any reasonable regulations on the time and manner of inspection that may be determined by the City Manager: Employment application(s); examination materials; position title(s); prior position(s) held by a City employee; an employee's classified or unclassified status; the dates of appointment and separation of a city employee; and the compensation authorized for a city employee.

3.14 Business Travel

3.14.1 Expenses. Employees required to travel outside of the City on City business, including but not limited to meetings, conferences, conventions, or court appearances, shall be reimbursed for all reasonable expenses incurred. Meals and transportation expenses shall be reimbursed or paid by the City as per sections 3.14.2 and 3.14.3 below. An employee scheduled to travel outside of the City on City business shall obtain prior approval from the City Manager as to the necessity of the trip, relevance and importance to the City's business, mode of travel, accommodations, fees and other anticipated expenses. Reimbursement for expenses shall only be for actual and reasonable expenses incurred in the course of performance of official duties as a City official. Employees shall be responsible for obtaining and submitting records verifying all individual expenses exceeding ten dollars (\$10.00).

3.14.2 Meals. The City shall provide a maximum daily per diem for meals of thirty dollars (\$30). This per diem is allocated five dollars (\$5) for breakfast, ten dollars (\$10) for lunch, and fifteen dollars (\$15) for dinner. The employee is not required to keep or turn in receipts for meals. A statement of the meals claimed should be provided to the Finance Department with other expense reimbursement documentation in order to receive the per diem. The meal per diem may be requested in advance of the planned travel if approved by the department head.

3.14.23 Transportation. Transportation for official City business purposes shall generally be by public carrier or City-owned vehicles. City-owned vehicles may be used for City business only. Subject to authorization of the City Manager, privately-owned vehicles may be utilized. Mileage reimbursement for the use of private vehicles shall be paid at the rate of thirty cents (\$.30) per mile. Employees shall be responsible for maintaining and submitting records verifying all mileage accrued. Mileage reimbursement is considered to cover most transportation expenses, excluding vehicle storage, parking and tolls, which are fully reimbursable provided that records for all such expenses are provided.

3.15 Attendance and Tardiness

3.15.1 Attendance Required. An employee shall be in attendance during all work hours designated by the City Manager or the employee's department head. Employees shall report to work and return from rest and meal periods, authorized leave, and holidays at scheduled times and/or dates. Attendance records shall be maintained and made part of the employees personnel record.

3.15.2 Authorized Absence. Any employee unable to report to work for any reason other than personal illness or injury, or any other reason authorized in Section 6-2, Paid Time Off must obtain prior authorization for the absence from the employee's immediate supervisor. Any employee absent without prior authorization or notice to the appropriate supervisor shall be deemed to have forfeited any Paid Time Off or other paid leave and may be disciplined.

3.15.3 Notice. Employees absent due to personal illness or injury, or any other reason authorized in Section 6-2, Paid Time Off shall notify their immediate supervisor no later than the start of the employee's regular work shift. If the absence continues beyond the employee's first regular workday, the employee shall notify the immediate supervisor of each workday's successive absence before the start of the employee's regular work shift, unless other arrangements are made by the employee with the immediate supervisor. If the employee's immediate supervisor is not available, the employee shall notify their department head or the City Manager regarding absences. For any absence due to personal illness or injury that exceeds three (3) of the employee's regular workdays, the employee's department head or the City Manager may require written verification of the illness from a qualified health care provider, as defined per Section 1.7.33 .

3.15.4 Penalties. Employees shall be disciplined up to and including discharge for excessive absenteeism and tardiness. The City Manager shall have the discretion to determine what constitutes excessive absenteeism and tardiness and the manner in which employees shall be disciplined. This determination may differ according to the needs of each City department or the duties and responsibilities of each job position.

3.16 Work Schedules and Rules

3.16.1 Generally. The City Manager or the employee's department head may establish employee work hours and schedules, and any necessary rules, regulations, and procedures, based upon the best business interest of the City and the needs of each department. Departmental rules, regulations, and procedures shall be approved by the City Manager, and are made part of these Rules by reference. Provided, however, that departmental procedures shall not nullify, modify, or run counter to these Rules.

3.16.2 Workday and Workweek. The regular City workday consists of a work shift of eight (8) consecutive work hours plus an unpaid sixty (60) minute meal period within any consecutive twenty-four (24) hour period. Saturdays, Sundays and recognized City holidays are generally not considered regular City workdays, except as otherwise established by these Rules. The regular City work week is a period of one hundred sixty eight (168) consecutive hours that begins with the start of the first work shift after 12:01 a.m. Sunday and ends at the conclusion of the last work shift that started before midnight on Saturday. These Rules, the City Manager, or the employee's department head may establish other regular workdays or workweeks for individual employees or certain classes of employees, particularly those in City departments providing seven (7) days-a-week, twenty-four (24) hours-a-day service, and for exempt employees as per Section 5.7.5.

3.16.3 Schedules. Work schedules shall be established by the City Manager or the employee's department head. Employees shall work all of the hours and days assigned. Work schedules for those departments that are staffed twenty-four (24) hours a day shall be posted in advance by the department head. The City reserves the right to modify any posted work schedule whenever such modifications are in the best business interest of the City.

3.17 Resignations

3.17.1 Notice. An employee may resign by giving their department head written notice of resignation at least ten (10) regular City workdays before the effective date of resignation. "Workdays" as used in this Section shall not include Saturdays, Sundays, and recognized City holidays. The written notice shall state the reasons the employee is resigning. The department head shall forward the resignation notice to the City Manager, and may include a written summary of the employee's current work performance and any additional information regarding the employee's reasons for resignation.

3.17.2 Re-employment. An employee's failure to comply with Section 3.17.1 may be cause for denying reemployment with the City. The City Manager may waive the ten (10) regular City workdays written notice requirement based upon the particulars of any given resignation and permit a shorter written notice period, or may permit a verbal notice. Paid Time Off may not be used as part of the ten (10) regular days notice requirement unless specifically authorized by the City Manager.

3.18 Physical Examinations

3.18.1 An employee may be required by the City Manager to

submit to an examination by a qualified health care provider, as defined per Section 1.7.33 at any time, at City expense, for the purpose of determining the employee's current and continuing ability to perform all the duties and responsibilities of the employee's current position. The qualified health care provider shall send a written report of the results of the examination to the City Manager. A qualified health care provider's opinion that the employee is currently unable to perform all the duties and responsibilities of the employee's position, shall result in the employee being placed on leave without pay status, unless some other reasonable accommodation can be made. The employee's ability to return to work shall be determined by the procedures set out in Section 6.6.

3.19 Disciplinary Actions

3.19.1 Oral Warnings. Whenever an employee's attitude, work habits or personal conduct falls to a level unacceptable to the employee's supervisor, department head, or the City Manager, or whenever an employee's work performance is evaluated as not meeting all requirements, or whenever an employee engages in an action or behavior as per Section 3.20.2 the employee generally should be informed of the unacceptable behavior or unsatisfactory performance and the means to correct the situation. Provided, however, if the seriousness or circumstances of a specific incident or the whole pattern of the employee's past performance and conduct, justifies more severe disciplinary action in the first instance, other disciplinary actions specified in this Section, up to and including dismissal, may be utilized. A written note documenting the oral warning shall be placed in the employee's personnel file.

3.19.2 Written Warnings. If appropriate and justified, an employee who has received an oral warning may be given a reasonable time for improvement before further disciplinary action is taken. If the oral warning does not result in the expected improvement, or other aspects of the employee's job performance, attitude, work habits or personal conduct fall to or remain at unacceptable levels, or where more severe initial action is warranted in the first instance, the employee shall receive a written warning, unless more severe disciplinary action is taken pursuant to section 3.19.3. This written warning shall detail the employee's unacceptable behavior and the means to correct the situation. A copy of this written warning shall be provided to the employee and placed in the employee's personnel file. In the case of unsatisfactory job performance the written warning may take the form of a special job performance evaluation, conducted as per Section 3.2.

3.19.3 Additional Actions. If an oral or written warning has not resulted in the expected improvement, or the seriousness of a specific incident or the whole pattern of the employee's past performance and conduct justifies the imposition of more severe disciplinary action in the first instance, an employee may be suspended without pay, demoted, or placed on disciplinary probation based on a written recommendation by the employee's department head and a subsequent review by the City Manager. Both the written recommendation and a written statement of the action taken, if any, the reasons justifying the action, and the consequences of repeating or engaging in further or other unacceptable behavior shall be provided to the employee, and copies shall be placed in the employee's personnel file. Both written statements shall be

delivered personally to the employee by the applicable department head or the City Manager or mailed by registered, certified or other special mail to the employee's last known address. Once a final action is taken, the written recommendation shall be removed from the employee's personnel file.

3.19.4 Disciplinary Probation. Any disciplinary probation recommended pursuant to this Section shall be preceded by a review by the City Manager of the circumstances leading up to the recommended disciplinary probation. When the investigation is completed and a decision is made as to disciplinary action, the employee shall be informed in writing of the action, if any. Any disciplinary probation imposed under these Rules may be for any period of time up to and including one-hundred and eighty-three (183) days. During the disciplinary probation period, the employee must show the required improvement necessary to remain in the City service. If the employee fails to correct their performance, or repeats the unacceptable conduct during the disciplinary probation period, the employee may be dismissed.

3.19.5 Demotion and Suspension Without Pay. Any demotion or suspension without pay recommended pursuant to this Section shall be preceded by a review by the City Manager of the circumstances leading up to the recommended demotion or suspension. When the investigation is completed and a decision is made as to disciplinary action, the employee shall be informed in writing of the action, if any. If the investigation indicates suspension as the appropriate disciplinary action, the discipline shall be imposed and the employee shall not be paid for the time spent on suspension. Any suspension without pay pursuant to this Section shall not exceed thirty (30) days. If the nature of the action indicates more than thirty (30) days is appropriate, alternative discipline such as demotion or dismissal shall be considered.

3.20 Dismissal

3.20.1 Generally. Based on the written recommendation of the applicable department head, the City Manager may dismiss an employee if previous disciplinary actions have not resulted in the expected improvement. Based on the written recommendation of the applicable department head, the City Manager may also dismiss an employee without previous warning or discipline based on the seriousness or circumstances of a specific incident, or when the whole pattern of an employee's past performance and conduct justifies the imposition of more severe disciplinary action in the first instance.

3.20.2 Criteria. Reasons for dismissal or other disciplinary action include, but are not limited to:

- a. Damage, destruction, unauthorized use, or misuse of public property;
- b. Unsatisfactory, incompetent, inefficient, or negligent performance of assigned duties;
- c. Insubordination, profanity, or displaying an ungovernable or bad temper;
- d. Conviction of a felony or misdemeanor;

- e. Off-duty misconduct which reflects unfavorably upon the employee's suitability for public employment;
- f. Excessive absenteeism or tardiness, unauthorized absences, or failure to return from a leave without pay on or before the designated date;
- g. Abuse of leave privileges;
- h. Real or perceived conflicts of interest, or conduct which creates the appearance of impropriety;
- i. Acceptance of any valuable consideration given in the expectation of influencing the employee in the performance of the employee's duties;
- j. Untruthfulness, dishonesty, or falsification of records, including misrepresentation of qualifications for employment;
- k. Use of the employee's position for personal advantage;
- l. Insubordinate, uncivil, discourteous or disrespectful behavior towards co-workers, supervisors, or the public;
- m. Failure to observe these Rules, work rules established as per these Rules, or other City administrative rules;
- n. Willfully disobeying the lawful orders of a supervisor, department head, the City Manager or other authorized City Official.
- o. Use of alcohol or controlled substances on the job, or working under the influence of such substances.
- p. Sexual harassment of other City employees, or any other form of harassment prohibited by law.

3.20.3 Dismissal Notice. All employees shall be given prior written notice of intended dismissal including notice of the date when the action will become effective. A copy shall be placed in the employee's personnel file. The written notice shall be delivered personally to the employee when practicable, or mailed by registered, certified or other similar special mail to the employee's last known address. The notice shall include a statement of the reasons for the dismissal and cite those portions of these Rules that have been violated. The notice shall also inform the employee of his or her rights of appeal under these Rules.

3.20.4 Pre-termination Hearing. In a case of dismissals, the written notice shall inform the employee that the employee may request a pre-termination hearing and written decision by the City Manager. If the employee requests such a pre-termination hearing within two (2) regular City workdays of the notice of intended dismissal, the City Manager shall give the employee an opportunity to refute any of the charges or reasons stated for the proposed dismissal at an informal hearing for that

purpose. The pre-termination hearing shall be held, if practicable, within two (2) regular City workdays of receipt of the request for a pre-termination hearing, or at such other date as soon thereafter as the City Manager may set, provided that no termination shall be effective until after the requested pre-termination hearing with the City Manager has been held and the City Manager's written decision has been made. In the case of pre-termination hearings, the termination date set forth in the notice of intended dismissal shall be deemed extended to the day following the date the City Manager's written decision is made. The hearing need not be an evidentiary hearing, but shall afford the employee an opportunity to respond to the charges or reasons given for the employee's dismissal. The City Manager may uphold, modify or reverse the dismissal action. Exercising the pre-termination option shall not result in the loss of any other appeal rights afforded regular employees by Section 3.21 of these Rules. Trial employees, as per Section 2.5, shall also be given written notice of dismissal but may receive a pre-termination hearing at the discretion of the City Manager. Dismissed trial employees have no rights to appeal under Section 3.21.

3.21 Grievances and Appeals

3.21.1 Generally. A regular employee in the classified service may, as set forth in Sections 3.20 and 3.21 of these Rules, appeal any warning, suspension without pay, lay off, demotion, disciplinary probation or dismissal, or grieve any alleged violation of these Rules within five (5) regular City workdays after the effective date of the disciplinary action, or of the occurrence giving rise to the grievance. If an employee fails to appeal such disciplinary action within five (5) regular City workdays after the effective date, the employee will be deemed to have waived any appeal of such rights under these Rules, except as provided in Section 3.20.4. "Workdays" as used in Section 3.21 shall not include Saturdays, Sundays, or recognized City holidays.

3.21.2 Exceptions. An appeal by a regular employee of a warning, suspension without pay, layoff, demotion, disciplinary probation or dismissal, shall not forestall the effects of any disciplinary action, except for dismissals as per Section 3.20.4. Provided, however, should the disciplinary action be reversed or modified on appeal, the employee generally will be returned to his or her position, be paid for any lost pay and have all other benefits restored retroactively to the date of disciplinary action, unless the appeal decision specifies otherwise. To the greatest extent practicable and when the best business interests of the City will not be harmed, the City Manager or department head may set the effective date of any disciplinary action, except for dismissal, to commence no less than five (5) regular City workdays from the date of the written notice of the disciplinary action. In the case of a grievance by an employee of an alleged violation of these Rules, the employee may elect to skip any step(s) in the procedure set forth in Section 3.21.5 if the grievance is against the City official specified to hear the grievance. The employee's decision to skip any step in the grievance procedure shall be submitted in writing.

3.21.3 Applicability. The grievance and appeal procedure applies to all regular employees in the classified service. Employees shall exhaust all City grievance and appeal procedures before availing themselves of other methods of dispute resolution, including but not limited to, any federal, state, or local tribunal or court. Trial

employees, as per Section 2.5, do not have the right to grieve or appeal under Section 3.21.

3.21.4 Waiver. If an employee fails to process any grievance or appeal within the time limits specified in these Rules and the time limits are not waived by the City, the employee's grievance or appeal will be deemed waived and such failure shall constitute a bar to any further appeal. If the City fails to answer a grievance or appeal at any step, the employee's grievance or appeal shall automatically progress to the next step and shall not be deemed waived. Nothing in this Section shall be construed to prevent the settlement of any grievance or appeal by mutual agreement of the parties at any time.

3.21.5 Procedure. Except as otherwise provided in these Rules, the following steps shall be followed in submitting and processing a grievance of an alleged violation of these Rules, or an appeal of a disciplinary action or dismissal. All parties to a grievance or appeal shall endeavor, whenever practicable, to process their actions within fewer regular City workdays than specified by this Section.

- a. Step I: Any employee(s) shall first present any grievance or appeal to their immediate supervisor within five (5) regular City workdays after the grievance or appealed action arose. The supervisor and the affected employee(s) shall meet to discuss the grievance or appeal and attempt to resolve the issue within five (5) regular City work days of the date the grievance or appeal was presented to the immediate supervisor. The supervisor shall inform the employee(s) of the decision on the appeal or grievance within this five (5) day period. The supervisor's decision may be given verbally or in writing.
- b. Step II: If the grievance or appeal is not resolved at Step I, the affected employee(s) shall reduce the grievance or appeal to writing and submit the issue to their department head within five (5) regular City workdays after the decision of their immediate supervisor is given. The written grievance or appeal shall contain a description of the alleged problem(s), the date(s) of alleged occurrence(s), the corrective actions(s) desired, and a summary of what occurred during Step I of the grievance or appeal procedure. A meeting between the department head and the affected employee(s) shall be held within five (5) regular City workdays of the receipt of the written grievance or appeal. The department head shall respond to the employee(s), within five (5) regular City workdays of the meeting, with a written decision on the appeal or grievance.
- c. Step III: If the grievance or appeal is not resolved at Step II, the affected employee(s) may, within five (5) regular City workdays of receipt of the department head's written decision, present a written grievance or appeal to the City Manager, along with all

pertinent correspondence, records and information accumulated to date. For the purpose of resolving the grievance or appeal, the City Manager shall meet with the affected employee(s) and the department head within five (5) regular City workdays after receipt of the grievance or appeal. The City Manager shall respond with a written decision on the appeal or grievance to the employee(s), within five (5) regular City workdays of the meeting. The decision of the City Manager shall be final.

ARTICLE 4

CLASSIFICATION PLAN

4.1 Coverage

4.1.1 Applicability. All offices and positions in the City service shall be assigned to the classified or unclassified service. Unless specifically provided otherwise, these Rules shall apply only to employees in the classified service.

4.1.2 Unclassified Service. The unclassified service shall include the following positions: The Mayor, Council Members, Municipal Judge(s), the City Manager, members of boards, commissions, and other plural authorities, all other personnel appointed, elected, approved, or confirmed by the City Council, all personnel who serve without compensation, and all temporary part-time or volunteer personnel.

4.1.3 Classified Service. The classified service shall include those positions which are not specifically included in the unclassified service, as per Section 4.1.2.

4.2 Creation

4.2.1 Generally. The City Manager shall annually prepare and submit a compensation plan to the City Council for approval. The compensation plan shall become a part of these Rules, and is summarized in Appendix C, Table I.

4.2.2 Classes. Positions shall be grouped into classes based on similarity in established duties, responsibilities, and entrance qualifications. Each class of positions shall be given a class title which may take the form of a number.

4.2.3 Class Specifications. Class specifications in the form of a job description(s), shall be prepared for each position. Each specification shall include, but need not be limited to, the following information: the position title, a general statement of duties and responsibilities, a brief description of job conditions, and any entry level education, experience, licenses, or other relevant skills that must be possessed by any person to be considered for a position. Job descriptions shall be updated as needed to reflect accurately any changes to the duties, responsibilities, entrance qualifications, and other particulars of a position.

4.3 Purpose

4.3.1 The compensation plan is to be used as a guide for recruiting and selecting applicants for employment, determining lines of promotion or demotion, developing employee training programs, determining the pay rate for various types of work, determining personnel costs and departmental budgets, and as a uniform way of referring to positions in the City service that is understood by all City employees and the general public.

4.4 Administration

4.4.1 Responsibility. The City Manager is responsible for maintaining the classification plan and ensuring that the plan reflects the current duties, responsibilities and qualifications of all classified positions in the City service. When new positions are created, the City Manager, or designee, shall review the position's duties, responsibilities and qualifications and incorporate the new position within the City's classification plan. Whenever there are material changes in the duties, responsibilities and qualifications of current positions, the City Manager, or designee, shall review the changes and determine if the classification plan needs an adjustment or correction.

4.4.2 New Positions. Whenever a new position is created or the duties of an existing position materially change, department heads shall provide the City Manager with a written, comprehensive job description(s), describing in detail the duties, responsibilities and qualifications of the affected positions assigned to the class. The City Manager, or designee, shall investigate the suggested or actual duties, responsibilities and qualifications, and take the necessary action to accurately maintain the classification plan.

4.4.3 Incumbents. Incumbent employees who consider their position improperly classified may submit a request for consideration for reclassification in writing to their immediate supervisor. The immediate supervisor shall review the request with the department head. If the department head finds that the position's duties, responsibilities or qualifications have changed materially so that the position's classification is inappropriate, the department head shall make a recommendation as to reclassification to the City Manager. If the department head finds reclassification is not appropriate, the department head shall inform the employee in writing of this decision and the reasons for the decision. In those cases where the department head has recommended reclassification to the City Manager, the City Manager shall review this recommendation and make the final decision.

4.4.4 Appointment. When a position is reclassified from one class to a higher or lower class, the method of filling the position shall generally be in accordance with Sections 2.1, 2.2, 2.3, 3.1, 3.3 and 3.4. Provided, however, whenever the reclassification would result in a demotion of an incumbent employee, the incumbent employee may be appointed to the reclassified position, upon the recommendation of the department head and approval by the City Manager. And provided further, however, that whenever the reclassification is a result of the employee's diligent and appropriate assumption of difficult and additional duties and responsibilities, so that the position warrants a higher classification, the department head may recommend to the City Manager that the incumbent be appointed to the reclassified position without examination. The City Manager shall consider the department head's recommendation and make the final decision regarding how such a reclassified position shall be filled.

ARTICLE 5

COMPENSATION PLAN

5.1 Creation and Coverage

5.1.1 Generally. The City Manager shall develop a compensation plan consisting of ranges of pay steps assigned to classes of positions. Each range of pay assigned to a class shall consist of one (1) minimum pay step, four (4) intermediate pay steps, and one (1) maximum pay step. The compensation plan shall also include merit pay provisions. Each class of positions shall be assigned a range of pay steps. Pay steps shall increase two and one-half percent (2 1/2%) between each step.

5.1.2 Pay Steps. Pay steps for each class shall be coordinated based upon the range of pay steps for other classes, the requisite duties, responsibilities, and entry level qualifications of positions in each class, the rates of pay for similar work in the public and private sector, cost of living data, suggestions from department heads and other employees, fringe benefits, the City's financial policies and position, or any other relevant considerations. Nothing contained in these Rules, the compensation plan, or the City's past practices or customs shall prevent the City from reducing its work force, laying off, promoting, demoting, reclassifying or dismissing employees or otherwise managing and directing the operation of City government in the best business interest of the City.

5.1.3 Applicability. The provisions of the compensation plan shall be applicable to all employees whose positions are listed in the classification plan.

5.2 Maintenance

5.2.1 Responsibility. The compensation plan is intended to provide appropriate and equitable compensation for all positions in the classification plan, taking into consideration those factors listed in Section 5.1.2. The City Manager shall annually study all factors affecting the level of compensation paid City employees, and shall recommend appropriate adjustments to the City Council.

5.2.2 Amendment. The use of pay steps is intended to provide administrative flexibility in recognizing individual differences among incumbents appointed to positions in the same class and to provide an incentive for employees to advance and improve their performance. The City Council may approve the raising or lowering of the range of pay steps for any or all classifications when deemed in the best business interest of the City.

5.3 Within-the-Range Pay Increases

5.3.1 Minimum Rate. The minimum pay step established for a class is the normal hiring rate, except in cases where the background of a new employee, or other factors, warrant appointment at a higher step. Appointments above the minimum pay set for a class shall be approved by the City Manager, based on a consideration of whether the applicant's current qualifications are in excess of the entry level qualifications

required for the class, whether there is a shortage of qualified applicants available at the minimum pay step, whether qualified applicants decline employment at the minimum pay step, or other factors in the best business interests of the City.

5.3.2 Advancement. Advancement to successive pay steps for a class of positions shall be based on an employee's efficient and fully satisfactory performance of the duties and responsibilities of their position. The maximum pay step is considered the full pay rate for an incumbent who is meeting all the requirements of his or her duties. Advancement to the next successive pay step shall be based solely on merit and performance, not on an employee's longevity or seniority. Advancement is not automatic.

5.3.3 Timing. An employee may be considered for advancement to a higher pay step on his or her yearly anniversary date of employment. Provided, however, that trial employees may be considered for advancement to a higher pay step upon successful completion of the trial employment period as provided in Section 2.5. The anniversary date of employment shall be adjusted for employees on leave without pay status as provided in Section 6.6.X. Normally an employee shall only be advanced to the next successive pay step for their class of positions. Provided, however, that the City Manager may advance an employee to a higher step upon his or her anniversary date of employment based on a determination that the performance of the employee has consistently exceeded the normal requirements of their position, and that such advancement would be in the best business interest of the City.

5.4 Merit Pay

5.4.1 Eligibility. All exempt employees, as per Section 1.7.18 shall be eligible for a merit pay award on their first anniversary date following advancement to the maximum pay step for their class of positions, and on each successive anniversary date, provided the employee remains at the maximum step for their class of positions.

5.4.2 Exempt Employees. Eligible exempt employees, as per Section 5.4.1, may receive a merit pay award in an amount not to exceed 5% of base salary for the employment year being evaluated, at the City Managers discretion. Provided, however, that to be eligible for merit pay the City Manager shall find that the performance of the Employee has been exemplary.

5.4.3 Payment. The total merit pay award shall be paid as a lump sum at the time of the first regular payday following approval of award by the City Manager, or in four (4) equal quarterly increments at the employee's option, provided however that merit pay shall be paid out in full within the same fiscal year in which it is awarded.

5.4.4 Approvals. All merit pay awards shall be approved by the City Manager, who shall determine that the performance evaluation was fair and accurate; consistent with the general standards of job performance and conduct applied to other positions in the City service; and that adequate funding exists for an ongoing merit pay program. The City Manager has the discretion to deny or reduce any merit pay award.

5.5 Pay Steps on Promotion, Demotion or Transfer

5.5.1 Promotion. When an employee is promoted, the employee's pay step in the new position shall be at least a five percent (5%) increase from the pay step from which the employee was promoted. The anniversary date of an employee who is promoted shall be adjusted so that it falls one (1) year from the effective date of the promotion.

5.5.2 Demotion. When an employee is demoted pursuant to Section 3.20.3, the employee's pay step in the new position shall be the pay step of their new class of positions which is the smallest decrease from the pay step from which the employee was demoted. If the employee was demoted, but not pursuant to Section 3.20.3, the employee's pay step in the new position shall be any appropriate pay step in their new class of positions that is less than the pay step from which the employee was demoted. In either case, the demoted employee's department head shall make a recommendation to the City Manager as to an appropriate pay step and the City Manager shall review and approve the recommended lower pay step or determine what is a more appropriate pay step. The anniversary date of an employee who is demoted shall be adjusted so that it falls one (1) year from the effective date of the demotion.

5.5.3 Transfer. When an employee transfers from one position to another in the same class of positions, the employee shall continue to be paid at the same pay step and the employee's anniversary date shall not be adjusted.

5.6 Pay Periods

5.6.1 Workday and Workweek. The regular City workday consists of a work shift of eight (8) consecutive work hours plus an unpaid sixty (60) minute meal period within any consecutive twenty-four (24) hour period. Saturdays, Sundays and recognized City holidays are generally not considered regular City workdays, except as otherwise established by these Rules. The regular City workweek is a period of one hundred sixty eight (168) consecutive hours that begins with the start of the first work shift after 12:01 a.m. Sunday and ends at the conclusion of the last work shift that started before midnight on Saturday. These Rules or the City Manager may establish other regular workdays or workweeks for individual employees or certain classes of employees, particularly those in City departments providing seven (7) days-a-week, twenty-four (24) hours-a-day service, and for exempt employees as per Section 5.7.5.

5.6.2 Pay Day. Employees will be paid every other Friday based on hours worked in a predetermined 14 day period.

5.6.3 Advances. Employees may request payroll advances when the normal payday falls during any authorized leave, or in other circumstances as may be authorized by the City Manager. Payroll advances may not exceed ninety percent (90%) of the employee's normal net pay scheduled for that payday.

5.6.4 Shift Differential. Non-exempt classified employees, whose regular, scheduled work shift consists of eight (8) hours between the hours of 3 p.m. and 7 a.m. shall receive additional compensation at the rate of thirty-two cents (\$.32) per hour. Any overtime accrued by such employees shall be compensated for at the regular rate of pay for

positions.

5.7 Overtime

5.7.1 Generally. All employees, except as exempted by Sections 5.7.4 and 5.7.5, will be compensated for hours worked outside of their regular workday or workweek. The regular work shift for such non-exempt employees consists of eight (8) working hours within a given workday, as defined by Section 5.6.1. The regular workweek for such non-exempt employees consists of forty (40) working hours within a given workweek, as defined by Section 5.6.1. No employee may refuse to work scheduled overtime, overtime necessitated by emergencies, overtime necessitated by staff shortages, or any other reasonable requirement for overtime work that is in the best business interest of the City.

5.7.2 Compensation. All authorized overtime work by employees, except as exempted by Section 5.7.4 and 5.7.5, shall be compensated for with time off in lieu of pay, at the rate of one and one-half (1-1/2) hours for each hour of employment worked in excess of the employees regular eight (8) hour workday or forty (40) hour workweek, up to an accrual of forty (40) hours. Such non-exempt employees shall receive cash payment for all overtime accumulated in excess of forty (40) hours, and shall be paid for all unused compensatory time-off upon resignation, layoff, or dismissal. Such excess or unused compensatory overtime shall be paid at the employee's regular rate of pay. By reason of executing the Employee Certification of Receipt of these Rules, the employee agrees to these overtime compensation policies.

5.7.3 Public Works. All employees in the Public Works Department, except as exempted by Section 5.7.5, shall be responsible for serving emergency standby duty, as scheduled by their supervisor or department head. During the employee's regular workday or workweek, no additional compensation shall be due for standby duty, except for actual overtime hours worked as specified in Section 5.7.1. On Saturdays, Sundays and recognized City holidays that are not part of the employees regular workday or workweek, non-exempt employees shall accrue four (4) hours of compensatory time off for every full twenty-four (24) hour standby shift served. Provided, however, that if the employee is called to active duty, compensation shall be provided as specified in Section 5.7.2, in addition to standby compensatory time-off.

5.7.4 Exceptions. Except as otherwise provided herein, exempt classified employees, as specified by Section 5.7.5, are not eligible to receive overtime pay for any hours worked in excess of forty (40) hours in one (1) regular City workweek, as such employees receive a salary which is considered to be adequate cash compensation for all hours worked.

Professional Leave: In recognition of the routine additional hours required of exempt employees, exempt employees shall receive an administrative compensation credit of one week annually, to be taken as leave with pay. This benefit shall be scheduled in the same manner as accrued ~~vacation~~ ^{PAY TIME OFF} and is subject to approval. Professional Leave cannot be carried forward into the next fiscal year. Exempt employees shall not be eligible to collect the benefit unless the employee has completed six (6) months of continuous service to the City prior to the end of the fiscal year. The City Manager has the discretion to permit short periods

of time off for such exempt classified employees for the purpose of attending to personal or civic matters, without loss in salary or requiring the use of other leave benefits. Pay for work on recognized City holidays shall be governed by Section 6, Paid Time Off.

5.7.5 Exempt Positions. For purposes of these Rules, exempt classified employees include those persons employed in an administrative, professional or executive position, as defined by the Fair Labor Standards Act of 1985 or succeeding legislation. Present exempt classified positions in the City service include the Chief of Police, Director of Finance, City Engineer, Librarian and Planning Director. Other positions may be declared exempt when added to the City service or as duties and responsibilities of existing positions are modified.

ARTICLE 6

EMPLOYEE BENEFITS

6.1 Holidays

6.1.1 When Observed. The City shall observe the following holidays on the dates indicated:

- | | | |
|----|----------------------------------|-----------------------------|
| a. | New Years Day | January 1 |
| b. | Memorial Day | Last Monday in May |
| c. | Independence Day | July 4 |
| d. | Labor Day | First Monday in September |
| e. | Thanksgiving Day | Fourth Thursday in November |
| f. | Friday following
Thanksgiving | Fourth Friday in November |
| g. | Christmas Day | December 25 |

6.1.2 Exceptions. If a holiday falls on a Sunday, the following Monday shall be observed as the holiday. If a holiday falls on a Saturday, the preceding Friday shall be observed as the holiday.

6.1.3 Generally. It is the policy of the City of Sherwood to be open the maximum number of days each year so as to best serve the public. As a result, four personal holidays typically recognized by government offices have been included in Paid Time Off (Section 6). Employees are encouraged to use the additional time off for days of national recognition or religious observance, such as their beliefs may dictate.

6.1.4 Holiday Pay. Full-time employees who do not work on a holiday shall receive eight (8) hours holiday pay at their regular rate of pay, provided they have worked their last scheduled workday before and their first scheduled workday after the holiday. Regular Part-time employees working twenty (20) hours or more a week who do not work on a holiday that is their regularly scheduled workday shall receive a portion of the eight (8) hours holiday pay at their regular rate of pay equivalent to the percentage of their hours worked to a full forty (40) hour work week, provided they have worked their last scheduled workday before and their first scheduled workday after the holiday. ~~Temporary~~ Temporary employees do not receive holiday pay. Employees who are on leave without pay are not entitled to receive holiday pay. An unexcused absence from scheduled work on a holiday will result in loss of holiday pay for that holiday.

6.1.5 Exchange Holidays. All classified employees who work on a holiday for which an exchange holiday is not taken within thirty (30) calendar days shall be paid for the first eight (8) hours worked on the holiday at the rate of two (2) time the employee's regular rate of pay, provided, however, that part-time and temporary employees who work on a

holiday shall be paid for all hours actually worked at their usual rate of pay.

6.1.6 Leave Provisions. If a holiday falls during a period of a full-time employee's approved Paid Time Off, the employee shall receive holiday pay and the absence shall not be charged against the employee's accumulated Paid Time Off benefits.

6.2 Paid Time Off

6.2.1 The City shall provide a program of earned time off for regular full- and part-time employees, which can be used to meet the employees' needs or desires for paid time off from work. The Paid Time Off (PTO) Program is a consolidation of, and in lieu of, sick leave, paid floating holidays and vacation leave.

6.2.2 PTO Accrual. PTO accrual rates are determined by a regular employee's length of continuous service with the City. Full-time employees shall accrue PTO each pay period at the following rate:

Years of Continuous Service	Accrual Rate per Pay Period (two weeks)	Yearly Accrual Rate	Maximum Accrual
< 3 years	.65	17 Days	26 Days
=> 3 years	.73	19 Days	29 Days
=> 6 years	.81	21 Days	32 Days
=> 9 years	.88	23 Days	35 Days
=> 12 years	.96	25 Days	38 Days
=> 15 years	1.04	27 Days	41 Days

Part-time employees shall accrue PTO at a prorated rate of full-time employees.

6.2.3 Probationary Employees. PTO accrued during the first six (6) months of continuous service shall not be used until the employee completes the first six (6) months of continuous service.

6.2.4 Maximum Accrual. Leave benefits which are earned may be accrued to a maximum of one and one-half (1 ½) times the employee's annual accrual rate (rounded up). Employees will not accrue or be paid for any leave in excess of one and one-half times the employees' annual accrual rate. However, the City may approve temporary accruals and carry-overs of more than the maximum allowable amount when the employee is unable to take time off due to City staffing and work load requirements, or other legitimate reasons that, in the opinion of the Department Head, make use of accrued paid time off benefits unfeasible.

6.2.5 Procedure For Use of PTO

- A) To schedule days off other than for illness or injury, an employee must submit a request to the immediate supervisor as far in advance as possible. All requests will be granted on a "first come, first served" basis. If two or more time off requests are received at the same time, then resolution of the conflicting time off requests shall be based on seniority. PTO leave request, except in emergency situations, should be made at least two (2) weeks in advance. The immediate supervisor shall respond with approval or denial within one (1) week of receipt of the request. All requests must be made in writing to be considered. Requests may be denied based upon staffing and workload requirements of the City. Approval of requests will not be unreasonably withheld.
- B) Employees must indicate in writing the number of PTO hours for which payment is requested. The combined total of hours worked and PTO's cannot exceed the normal working time in any given pay period, except for authorized overtime.

6.2.6 Sick Leave Accrual. Full-time employees shall accrue twelve (12) days of sick leave per year which may only be used for absences resulting from injury or illness in excess of two (2) consecutive days, or emergency leave. Part-time employees shall accrue sick leave as a prorated rate of full-time employees. Sick leave will be accrued in separate bank and employees will not accrue or be paid any sick leave in excess of 720 hours.

6.2.7 Applicability. Sick leave benefits may be used by regular employees for absences due to personal injury, illness, temporary disability in excess of two (2) consecutive days, which keeps the employee from performing their regular duties, for absences occasioned by the illness or injury of a member of the employee's immediate family, or for actual periods of temporary disability associated with pregnancy or childbirth.

6.2.8 Conversion of Existing Accruals. Existing accrued vacation and personal leave will convert to PTO at a 1:1 ratio effective January 1, 1999. Existing accrued sick leave will convert to sick leave, under these Rules, at a 1:1 ratio effective January , 1999.

6.2.9 Concurrent Leaves. If the leave is for a qualified state or federal family leave purpose, all leaves of absence, no matter how classified, shall be granted against the employee's annual family leave entitlement. In such case, the employee, upon request, shall provide health certification, including second and third opinions and fitness for duty certification as provided by family leave laws.

6.2.10 When an employee is absent from work because of an on-the-job injury, time off will not be charged to sick leave except as provided below. The employee may select one of the following options:

- A) The employee may elect to receive only his/her workers' compensation payments.
- B) The employee may voluntarily turn in their first and all subsequent workers' compensation payments and will, in turn, receive their regular gross wages, and the following will occur:

- 1) Employees shall use available sick leave for integration with their workers' compensation payments in order to receive their regular gross wages. In this situation a check for full gross wages will only be received if the employee has available ~~Disability~~ Sick leave. Deduction to sick leave shall be proportional to the difference between the workers' compensation payments and regular gross wages.
- 2) In the event an employee withholds any of his/her workers' compensation payments, compensation will fall into the integration of sick leave formula described above from the first day of injury. In the event this occurs, the City can automatically deduct any overpayment in full from the employee's next pay check, or any subsequent checks if there is not a sufficient amount in the next pay check

6.4 Special Leave

6.4.1 Jury Duty. Employees who are called to serve on a jury, or subpoenaed as a witness in any court proceeding, shall be allowed time off from work without loss of pay or accrued benefits. Any fees received, including travel allowances, shall be endorsed over to the City for deposit in the City's General Fund, provided, however, that any fees received for such duty occurring on days that are not regular workdays for the employee shall be retained by the employee. Employees excused from jury duty or court proceedings are expected to work the remainder of their regular workday.

6.4.2 Election Leave. When an employee's work schedule constrains their ability to vote in any regular or special election, time off shall be granted up to a maximum of one (1) hour without loss of pay or benefits.

6.4.3 Leave with Pay. Except as otherwise established by these Rules in the form of Paid Time Off, holidays, jury duty, emergency leave, in-service training, and the other forms of leave and training specifically identified, leave with pay is not allowed, except by express authorization of the City Manager.

6.5 Bereavement Leave

6.5.1 Generally. When a death occurs in an employee's immediate

family, as defined by Section 1.7.21, the employee may request up to three (3) workdays paid bereavement leave. Bereavement leave pay shall be that amount the employee would have earned had the employee worked their regular work schedule. All bereavement leave shall be approved in writing by the City Manager setting out the terms, conditions, and length of said leave.

6.5.2 Excess Leave. Bereavement leave may not exceed three (3) workdays in any calendar year. Bereavement leave in excess of three (3) workdays shall be treated as Paid Time Off leave pursuant to Section 6.2, or leave without pay pursuant to Section 6.6 should all Paid Time Off leave be exhausted.

6.6 Leave Without Pay

6.6.1 Generally. Leave without pay may be granted to any regular employee by the City Manager for any period of time up to twelve (12) months for personal, professional, or family reasons, or for time beyond the medically certified period of temporary disability following childbirth. The City Manager shall have the discretion to grant leaves without pay for other reasons consistent with the best business interest of the City. Temporary employees shall not be granted leave without pay.

6.6.2 Authorization. All leave without pay must be requested by the regular employee in writing as soon as the need for such a leave is known. All written requests shall state the reason for the leave and the amount of leave time needed. Written requests shall be submitted to the employee's department head, and referred to the City Manager with the department head's recommendation. All leave without pay shall be approved in writing by the City Manager setting out the terms, conditions, and length of said leave. The City Manager has the discretion to reduce or deny the leave without pay request when the reduction or denial is in the best business interest of the City.

6.6.3 Return to Work. Failure to return from any leave without pay on or before a designated date, will be considered a voluntary resignation and cause for denying re-employment with the City. Employees on leave without pay may return to work early, provided notice is given to their department head at least five (5) regular City workdays in advance.

6.6.4 Benefits. Paid Time Off and ^{Sick} ~~Disability~~ Leave benefits are not earned while an employee is on leave without pay. The City will not pay any portion of the employee's group medical and life insurance premiums while the employee is on leave without pay, though the employee may elect to personally continue such coverage as provided under the terms of such policies. At the City Manager's discretion, an employee may be required to use any earned but unused Paid Time Off and holiday benefits before a leave without pay is granted.

6.6.5 Re-employment. Employees returning from an approved leave without pay are entitled to return to their same position or a similar position in the same class and pay step. Provided, however, if the employee's anniversary date of employment fell during a leave without pay period, the employee's anniversary date shall be adjusted as provided in Section 3.2.

6.6.6 Certificates. Employees who are granted a leave without pay for medical or disability reasons must exhaust all accrued ~~Disability~~ ^{SICK} leave benefits prior to commencing leave without pay. Any employee returning from a leave without pay due to medical or disability reasons must provide a qualified health care provider's certification of the employee's ability to return to work. If the employee was placed on leave without pay status pursuant to the terms of Section 3.18, the certificate shall, if possible, be from the health care provider who previously examined the employee.

6.7 Military Leaves of Absence

6.7.1 Reserve Duty. Any employee required to attend initial or annual military reserve training or other short-term military duty shall be compensated at their normal rate of pay for their regular workdays or workweeks for which they are absent during the period of short-term military duty, in accordance with applicable Oregon Revised Statutes.

6.7.2 Extended Duty. An employee entering the State or Federal armed services for an extended tour of duty shall receive an extended unpaid military leave of absence in accordance with applicable Oregon Revised Statutes.

6.7.3 Re-employment. Employees on leave from the City for service in the armed services or military reserves are entitled to re-employment consistent with any applicable State of Oregon or Federal laws.

6.8 Social Security

6.8.1 The City, and all full-time, part-time, and temporary City employees, shall participate in the Social Security System.

6.9 Education

6.9.1 Generally. The City encourages employees to obtain additional education which facilitates the employee's advancement in the City service, and which is in the best business interest of the City. Course work of five (5) or fewer regular City workdays may be considered in-service training as per Section 6.10, at the discretion of the City Manager.

6.9.2 Plan Provided. The City may provide a financial assistance plan for regular employees who wish to improve their current and future job-related skills, knowledge and abilities through additional education. The City Manager shall have the discretion to determine whether the education for which the employee requests financial assistance is related to the employee's current duties or reasonably anticipated future duties.

6.9.3 Compensation. The City generally does not provide leave with pay for educational purposes if attendance is outside regular work hours, is voluntary, is not directly related to the employee's current position, and if the employee performs no productive work related to his or her current position during the educational sessions, except by

express authorization of the City Council. The employee may elect, subject to the authorizations specified by these Rules, to take, Paid Time Off, compensatory time-off, or leave without pay for such purposes.

6.9.4 Expenses. Employees must make a written application for educational assistance to their department head, who will refer the request to the City Manager with a recommendation. If the request is approved by the City Manager, all or a portion of the cost of tuition shall be reimbursed to the employee after the employee provides official transcripts or other proof of satisfactory completion of the course, and receipts for all tuition. Satisfactory completion shall be considered the award of a passing grade, certificate of completion, or a grade C or better. The cost of books and other required course materials shall be the responsibility of the employee. Other costs of education, such as transportation, meals, and lodgings are not eligible for reimbursement, unless expressly authorized by the City Council.

6.10 In-Service Training

6.10.1 Opportunity. In-service training opportunities for employees shall be provided when funds are available to do so, and the training is in the best business interest of the City. The City Manager may develop training programs to meet City-wide personnel and operational needs, or to prepare employees for promotion, or may offer employees the opportunity to attend programs offered by other agencies, when it is determined such programs will improve the efficiency or effectiveness of the services rendered by City employees.

6.10.2 Scheduling. In-service training sessions may be held during regular working hours at the discretion of the City Manager. Training sessions may be at City facilities or at other locations, as authorized by the City Manager. Training sessions, seminars, and other course work in excess of five (5) regular City workdays shall be treated as per Section 6.9.

6.10.3 Compensation. Employees shall be paid for any time spent in authorized training sessions, provided, however, that employees shall generally not be compensated for any time spent at training sessions held outside of the employee's regular work hours, workdays, or workweek. The City Manager has the discretion to compensate employees for time spent in training programs outside of the employee's regular working hours, if attendance is deemed by the City Manager to be in the best business interest of the City, or is a requirement of continued employment or professional standing, and the training session is related to the employee's current duties or reasonably anticipated future duties.

6.10.4 Expenses. The City shall generally reimburse the employee for all expenses relating to authorized in-service training sessions, including but not limited to enrollment fees, transportation, meals, and lodgings, provided that the City Manager deems the training session to be in the best business interest of the City, or a requirement of continued employment or professional standing, and the training session is related to the employee's current duties or reasonably anticipated future duties. Section 3.14 shall apply in determining proper documentation for reimbursement of in-service expenses.

6.11 Workers' Compensation

6.11.1 Coverage. The City, and all full-time, part-time and temporary City employees, shall participate in the State of Oregon Workers' Compensation Program.

6.11.2 Exceptions. Any on-the-job injuries or occupational illnesses shall be reported as provided in Section 3.12. An employee shall not receive sick leave benefits during any period when the employee is eligible to receive workers' compensation benefits.

6.12 Group Insurance Programs

6.12.1 Generally. All regular full-time employees may participate in the City's group medical, dental, vision, and life insurance programs according to each program's eligibility requirements. Part-time employees working a minimum of twenty (20) hours per workweek may participate in the City's group medical, dental, and vision insurance programs only. Coverage shall extend to the employee's spouse and dependents with the approval of the Insurance Plan. The City may contribute towards the premium cost of group insurance programs. Any premium costs not covered by the City shall be paid by the enrolled employee in a manner determined by the City Manager. The terms, condition and extent of the City's group insurance programs may be modified or canceled at any time by action of the City Council or the insuring agency. Employees are responsible for keeping current with the terms, conditions, and extent of group insurance programs. The City is not responsible for interpreting the terms or conditions of group insurance programs or for errors, omissions, and ambiguities in published materials on group insurance programs.

6.12.2 Life Insurance. The City provides life insurance at one and one-half (1-1/2) times the employee's annual salary. In addition, the City provides dependent life insurance based on EBS Insurance Trust, Plan II. The City pays one-hundred percent (100%) of premium.

6.12.3 Long Term Disability. The City provides Long term disability insurance at 50% of monthly salary up to a maximum monthly benefit of \$3,000. The City pays fifty percent (50%) of the premium for long-term disability insurance.

6.13 Retirement Plan

6.13.1 Enrollment. After six (6) full calendar months of employment, all full-time or part-time employees scheduled to work at least six-hundred (600) hours per year shall participate in the State of Oregon Public Employees Retirement System (PERS). Provided, however, that individuals actively enrolled in PERS as a result of prior employment shall be immediately re-enrolled upon hire. The City shall pay only the employer's share of the cost of the retirement plan for each regular full-time employee, except that the employee's share is deemed picked-up for the purposes of Section 414 (h) (2) of the Internal Revenue Code. Employees do not have the option of receiving this pick-up as salary and paying their contribution directly, and employee salaries reported on W-2 forms will be reduced by the amount of the contribution.

ARTICLE 7

CONTINUITY

7.13 Continuity

7.13.1 Generally. For the continuity, the City's current leave plan shall remain effective through December 31, 1998. Effective January 1, 1999, these rules shall govern the accrual and use of Paid Time Off and Sick Leave. Additionally, the City Manager is authorized to make minor changes and deviations consistent with the purpose of these Rules so as to facilitate the fair transition between the current and new leave plans.

APPENDIX A - SHERWOOD EMPLOYEE EVALUATION

Evaluation for:

Date:

Job Title:

Department:

Evaluation Period:

Purpose:

Evaluator:

Job Title:

Specific Duty	Performance Summary
----------------------	----------------------------

Evaluation for:

Date:

Pg. , of

Evaluators Comments: Required for "Not Current Job Requirement" ratings and any other job related comments.

Employee Comments: May relate to this evaluation or any other employment related issues or concerns.

Action Plan Sheets Attached: **Oral Interview Date:**

Employee Acknowledgment:

Evaluators Signature:

Department Head or City Manager Acknowledgment:

Evaluation for:

Date:

Pg.

Action Plans: Required for "Not Meeting All Requirements",
"Making Expected Progress", and "Exceeds
Requirements" evaluations. Suggested for
"Meeting All Requirements" evaluations.

Table I

Exhibit "B"

CITY OF SHERWOOD
 APPENDIX C - SALARY STEPS BY TITLE
 EFFECTIVE 7/1/98
 FY 98-99

CLASS	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	POSITIONS
	First Month	6 Months	18 Months	30 Months	42 Months	54 Months	
1	1237	1268	1300	1332	1365	1399	INTERN I
2	1406	1441	1477	1514	1552	1591	INTERN II
3	1599	1639	1680	1722	1764	1808	INTERN III PARKS MAINT WRKER
4	1818	1863	1910	1957	2006	2056	FRONT RECEPTIONIST
5	2066	2118	2171	2226	2281	2338	ACCOUNTING CLERK MUNIC COURT CLERK POLICE CLERK BLDG DIV CLERK I SECRETARY UTIL/SERVICE WORKER I VOLUNTEER COORD. LIBRARY ASSISTANT/ CIRCULATION LIBRARIAN/ON-CALL LIBRARIAN
6	2349	2408	2469	2530	2594	2659	COMMUNITY SRV OFFICER ADMINISTRATIVE ASST LIBRARIAN ACCOUNTING TECHNICIAN MUNIC COURT ADMIN BLDG PERMITS SPECIALIST II <i>util/Service Worker II</i>
7	2671	2738	2807	2877	2949	3023	ASSISTANT PLANNER SR UTIL/SERVICE WRKER PROJECT INSPECTOR BLDG INSP/PLANS EXAM I DEPUTY CITY RECORDER ASSIST TO THE CITY MGR CODE ENFORCEMENT OFF ASSIST. DIR (LIBRARY) ENGINEERING COORD LEAD SERVICE WRKER PERSONNEL ASSISTANT LIBRARIAN II/REF LIBR
8A	2856	2927	3001	3076	3152	3231	POLICE OFFICER

CLASS	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	POSITIONS
	First Month	6 Months	18 Months	30 Months	42 Months	54 Months	
8	3036	3113	3191	3270	3353	3437	RESERVE POLICE OFFICER BLDG INSPECTOR II OPERATIONS SPECIALIST ENGINEERING ASSOCIATE PARKS DEVELOP COORD
9A	3247	3328	3411	3497	3584	3674	POLICE DETECTIVE
9	3453	3539	3628	3718	3811	3906	POLICE SERGEANT PUBLIC WRKS FOREMAN ASSOCIATE PLANNER PLANS EXAMINER PLUMBING INSPECTOR ELECTRICAL INSPECTOR CONSTRUCTION SUPER.
10	3925	4023	4124	4227	4333	4441	SR. BLDG INSPECTOR CITY PLANNER ASST CITY MANAGER
11	4463	4574	4689	4806	4926	5049	DIRECTOR OF ENG SVCS FINANCE DIRECTOR POLICE CHIEF COMMUNITY DEV. DIR. PUBLIC WORKS DIR. BUILDING OFFICIAL LIBRARY DIR.
12	5074	5202	5331	5464	5601	5741	

Appendix E - Employee Certification of Receipt

This is to certify that on _____, 19____, I received a copy of the City of Sherwood Personnel Rules and Employee Handbook. I agree to comply with all the terms and conditions contained herein and accept responsibility for reading thoroughly and keeping current with these Rules and any subsequent amendments.

Employee Signature

Employee Name