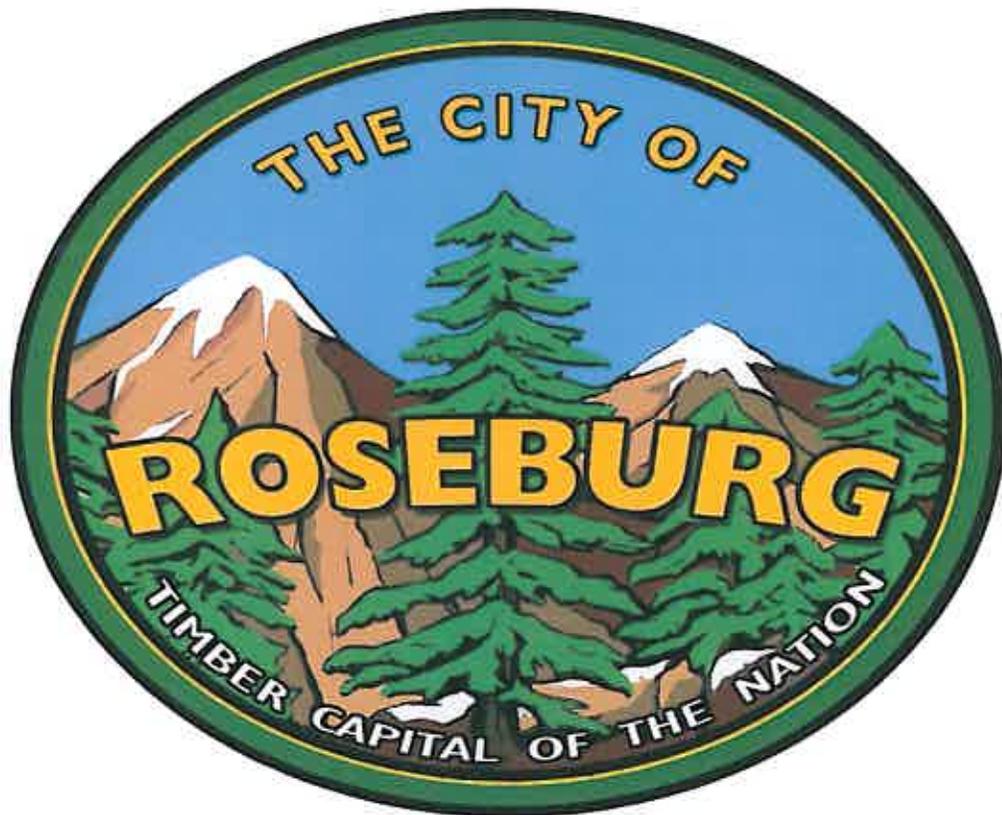


CITY OF ROSEBURG

PERSONNEL POLICIES



2009 Update



Dear Fellow Employees:

On behalf of the City Council, all of our employees and the citizens of the City of Roseburg, I welcome you to our organization. Working for the City of Roseburg offers not only a job, but also a challenge and an opportunity to take part in providing the services that are enjoyed by all the citizens of this community. Their desire for these services is the reason for our being here; their needs are our deeds. We hope that your association with us will be pleasant and mutually beneficial.

This "Personnel Policies" document has been prepared to help acquaint you with some answers to questions about the operation of our municipal government. It may also serve as a reference manual for those employees who have been with us for some time.

In addition to these policies, all employees are covered either by a collective bargaining agreement, which shall be provided by your appropriate Union representative, or the Non-Represented Employees Handbook which is provided by the Human Resources Office to all affected employees. Please feel free to discuss the information in this document with your supervisor or the Human Resources Office.

Let's all work together to provide the best municipal service possible for the citizens of the City of Roseburg.

Sincerely,

P. Eric Swanson
City Manager

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TABLE OF CONTENTS

Page No.

INTRODUCTORY INFORMATION

Welcome Letter	
Executive Branch – Mayor	i
Legislative Branch - City Council	i
Judicial Branch - Municipal Court	i
Administration - City Manager	i
Citizen Involvement	i
Serve the Council	ii
Strive for Excellence as Public Employees	ii
Strive for Excellence as an Organization	iii
Strive for Excellence as Individuals	iv

SECTION 1: **DEFINITIONS** 1-1

SECTION 2: **GENERAL PROVISIONS**

Purpose	2-1
Application of Personnel Policies and Procedures	2-1
Dress Code	2-2
Employment References	2-2
Personnel Records	2-2
Emergency Closure	2-3
Emergency Preparedness Plan	2-3
Employee Pictures	2-4
Notary Public Services	2-4
Outside Employment	2-4
Parking	2-5
Political Activities	2-5

SECTION 3: **POLICIES**

Cellular Telephones	3-1
Commercial Driver	3-2
Conflict of Interest	3-2
Drug Free Work Place	3-3
Electronic Equipment	3-4
Voice Mail	3-5
Employee Recognition	3-5
Equal Access to Services (ADA)	3-8
ADA Grievance Procedure	3-8
Equal Employment Opportunity	3-10
Ethics Code	3-10
Harassment and Discrimination	3-12
Identity Theft	3-13
Infectious Disease	3-13

Oregon Medical Marijuana Act-----	3-14
Religious Freedom Act-----	3-14
Right to Search -----	3-14
Sexual Harassment-----	3-15
Tobacco-----	3-16
Whistleblower -----	3-16
Workplace Violence Prevention -----	3-17

SECTION 4 CLASSIFICATION

Purpose-----	4-1
Class Specifications -----	4-1
New Positions-----	4-1
Reclassifications-----	4-2
Maintenance of Classification Plan-----	4-2

SECTION 5: APPOINTMENTS

Announcement of Vacancies-----	5-1
Applications-----	5-1
Reasonable Accommodations -----	5-1
Employment of Relatives/Associates -----	5-2
Appointments-----	5-3
Provisional Appointment-----	5-3
Emergency Appointment -----	5-3
Service Credit -----	5-3
Probationary Period -----	5-3
Promotions-----	5-4
Transfers -----	5-4
Temporary Assignment-----	5-4
Demotion -----	5-4

SECTION 6: COMPENSATION

Transfer-----	6-1
Step Increases -----	6-1
Pay Period -----	6-1
Payroll Changes-----	6-1
Payroll Distribution -----	6-2
Authorization for Overtime -----	6-2

SECTION 7: ATTENDANCE

Hours of Work-----	7-1
Meals and Rest Breaks -----	7-1
Rest Breaks for Nursing Mothers -----	7-1

SECTION 8: BENEFITS

Retirement -----	8-1
Extended Health Benefits -----	8-1

Retiree Coverage-----	8-4
Workers Compensation-----	8-5
Light Duty Provisions-----	8-6
Credit Union-----	8-7
Employee Assistance Program-----	8-7
Deferred Compensation-----	8-8
Regular Part-Time Employee Benefits-----	8-8
Additional Coverages-----	8-8

SECTION 9: LEAVES OF ABSENCE

Oregon Victims of Domestic Violence, Sexual Assault & Stalking-----	9-1
Military Leave-----	9-1
Family Medical Leave-----	9-2
Overview-----	9-3
Basic Provisions Related to Family Medical Leave-----	9-5
Parental Leave of Absence-----	9-5
Family Medical Leave of Absence-----	9-7
Pregnancy Leave-----	9-8
Leave of Military Families-----	9-9
Family & Medical Leave Request Form-----	9-10
Employer Response to Leave Request Form-----	9-11
Certification of Health Care Provider Form-----	9-13
Certification Attachment-----	9-15

SECTION 10: TRAINING

Philosophy-----	10-1
Attendance-----	10-1
Expenses-----	10-1

SECTION 11: PERFORMANCE APPRAISAL

Purpose-----	11-1
Procedure-----	11-1

SECTION 12: SAFETY 12-1

SECTION 13: VEHICLE USAGE

Vehicle Use-----	13-1
Vehicle Assignment Criteria-----	13-2
Seat Belts-----	13-2
Drivers' Licenses-----	13-2
Fuel-----	13-3
Personal Vehicles for City Business-----	13-3
Ride Along Policy-----	13-3
Accident Reporting Policy-----	13-3

CITY GOVERNMENT

Executive Branch - Mayor

The Mayor serves as the executive officer of the City and is elected to a two-year unpaid term of office by all city voters on a nonpartisan ballot. As the formal representative of the City, the Mayor presides over City Council meetings but has no vote except in case of a tie. The Mayor does have the power to veto; however that veto may be overridden by a three-fourths vote of the Council.

Legislative Branch - City Council

The City Council, Roseburg's legislative body, consists of the Mayor and eight Council members. Two Councilors represent each of the City's four wards. Voters in each ward elect their councilors to four-year unpaid terms of office on a nonpartisan ballot. Terms are staggered to provide for continuity. Ward maps are available in the City Recorder's Office.

Judicial Branch - Municipal Court

A Municipal Judge, appointed by the City Council, serves for an indefinite term as the presiding officer of the Court. The general laws of the state govern the Municipal Court's jurisdiction for justices of the peace and justice courts except as City ordinance prescribes to the contrary.

Administration - City Manager

The City Manager is appointed by the City Council as the administrative officer of the City and serves upon the direction of the Council. Under its general direction, the City Manager plans and directs the activities of all departments, including the appointment of department heads. These are the departments of the City:

- City Manager's Office
- City Recorder
- Community Development
- Finance and Management Services
- Fire
- Human Resources/Risk Management
- Police
- Public Works

Citizen Involvement

A number of groups are appointed by the City Manager, Mayor or the City Council to serve in an advisory capacity to them. Most of these commissions and committees are established by city ordinance and meet regularly; however, temporary advisory bodies are appointed to inform the City Manager or Council on specific issues. Those regular bodies are:

- Airport Commission
- Budget Committee

Economic Development Commission
Historic Resources Review Commission
Parks & Recreation Commission
Planning Commission
Public Works Commission
Visitor & Convention Commission

SERVE THE COUNCIL

- ◆ Remember that the City Council is the legal representative of the corporate owners - the public.
- ◆ Maintain professional rapport with members of the City Council and commissions.
- ◆ Give Councilors responses to questions pursuant to Council policies. When Councilors bring you a constituent's question or concern, treat it as a chance to:
 - A. explain part of the organization;
 - B. show how efficient the organization is;
 - C. admit if we've made a mistake and say how we plan to fix the problem.
- ◆ Keep the Council informed about the strengths, capabilities, needs and limitations of City government and warn them in advance about issues and problems that may be developing.
- ◆ Follow up on City Council and community priorities and get them into your organizational work plan.
- ◆ Expect City Councilors to engage in political actions separate from their role as councilors. Don't expect them to be City Councilors all of the time.
- ◆ Respect the contribution of others. Don't second-guess or criticize Councilors and commission members or citizens. Help them as much as possible.

STRIVE FOR EXCELLENCE AS PUBLIC EMPLOYEES

- ◆ Put our customers, the public, first.
- ◆ Keep informed about broad organizational issues and use the information in working with our customers.
- ◆ Remember, as City employees, we represent all government, not just the City, to our customers.
- ◆ Be aware that each of us is accountable for the success of City government.
- ◆ Take care of the assets in the public trust: people, land, buildings, streets, equipment and money.
- ◆ Stay open to suggestions from our customers. Help people participate in City government; help them understand the process.
- ◆ Get to the bottom of any complaint, no matter who is making it. Make sure you're fixing the right problem.
- ◆ Know the rules and the alternatives available in order to meet special needs. Each person must be recognized as an individual, if good service is to be given. Keep in mind, however, that the needs of the public body take precedence over individual needs.

STRIVE FOR EXCELLENCE AS AN ORGANIZATION

Plan and Review

Plan by:

- a. developing and updating mission statements;
 - b. setting goals and objectives;
 - c. forecasting needs;
 - d. describing the work to be done in terms of specific products;
 - e. scheduling work realistically and with consideration for the people doing it;
 - f. keeping your own "to do" lists;
 - g. regularly evaluating progress toward your goals and objectives;
 - h. changing plans when you need to if conditions change.
-
- ◆ Develop long-range plans for all parts of the organization and work your part of the plan.
 - ◆ Think strategically. Don't be surprised.
 - ◆ Analyze your plans and be open to new ideas.
 - ◆ Establish priorities and time frames.
 - ◆ Do not change merely for the sake of change.
 - ◆ Follow up on City Council and community priorities and get them into the organization's work plan.

Review by:

Periodically review and assess our performance:

- a. Where are we now? (situation)
 - b. Where do we want to be? (target)
 - c. How do we get there? (proposal)
 - d. Who is going to do what by when? (action plan)
-
- ◆ Examine and assess both individual and organizational effectiveness.
 - ◆ Quantify the product, not for absolute accuracy, but for effective planning (e.g. miles of streets, number of acres of parks).

Decision Making:

- ◆ Participate in and promote the ownership of group decisions.
- ◆ Encourage open, honest communication.
- ◆ Support decisions once they are made. The time for disagreement is during the problem-solving process, not after.
- ◆ Participate actively in group decisions. Share viewpoints openly, even if they contradict the group.
- ◆ Follow through to make sure decisions are implemented.

Getting the work done together...productivity, teamwork, more teamwork:

- ◆ Turn out a good product and take pride in what we do.
- ◆ Share information and ideas so teamwork can happen. Communicate!!
- ◆ Encourage productivity by creating a climate where all employees believe they will get a fair deal from the organization. Create positive employee-employer relations.
- ◆ Encourage a trusting, caring environment which respects the individual. Be sensitive to individual needs. If you have to say "no," say why.
- ◆ Try to manage your time and control your work pace and intensity. Be sensitive to the effects of work demands on yourself and other staff.
- ◆ Consult other people before acting.
- ◆ Seek to collaborate. Be willing to compromise, but be aware of values that cannot be compromised.
- ◆ See yourself and your department as part of a larger City organization when you serve the public. Consider the effects of what you do on the total organization, not just your department.
- ◆ Accept responsibility for the success of City government in general, as well as that of your own department in particular.
- ◆ Don't personalize the organization by saying "my....". Remember that you alone don't own the organization.

Confronting and resolving conflicts and problems:

- ◆ Use conflict as a positive opportunity for change, and understand what part you play. Conflict is an inevitable and integral part of people working together.
- ◆ If you don't know what to do, get help. Don't let the conflict fester.
- ◆ State positive solutions instead of complaining about what's wrong.
- ◆ Remember that fixing a problem together is the best organizational development in the world.
- ◆ Use all the talents in the organization to solve problems.
- ◆ If there's a problem, help fix it. Don't blame people or search for who was at fault.

STRIVE FOR EXCELLENCE AS INDIVIDUALS

Encourage excellence in others:

- ◆ Make this a stimulating place to work.
- ◆ Remember there are no "perfect" employees. The purpose of an organization is to fill in the gaps of each other's weaknesses and develop collective strength.
- ◆ Don't get caught up in non-productive personal behavior. Use facts and focus on the problem a behavior is causing, not the behavior itself.
- ◆ Remember that people use different skills in different ways and have different styles. Consider individual differences and strengths. Acknowledge the talent of others and listen to new ideas.

- ◆ Encourage promotions and transfers for individual growth. Help people with their individual professional development plans.
- ◆ Recognize people for their contributions.
- ◆ In everything you do, work toward making the organization become recognized for the excellence of the people who work here.
- ◆ Use praise; it's a more effective tool than blame.
- ◆ Remember that employees want to contribute to the organization.
- ◆ Encourage creativity; risk-taking is a part of being creative. (Not associated with compromising safety standards.)
- ◆ Treat other staff members as professionals.

Our excellence as professionals:

- ◆ Keep growing, keep learning.
- ◆ Look for opportunities for professional growth and development -- for yourself and others.
- ◆ Be involved in professional and community organizations.
- ◆ Be on the cutting edge -- be aware of the state of the art in your field.

Our own excellence:

- ◆ Be the best you can be.
- ◆ Speak for yourself. Share your ideas and feelings. Don't withhold important information.
- ◆ Respect the contribution of others. Don't second-guess or bad-mouth other staff or departments. Help them as much as possible.
- ◆ Balance job, family and leisure-time.
- ◆ Be an active listener. Try to understand what other people are really saying and feeling.
- ◆ Ask for help and give it.
- ◆ Don't use any language that demeans or labels another person.
- ◆ Use humor. Let's not take ourselves too seriously.
- ◆ Take good care of your personal health and safety.
- ◆ Take full responsibility for yourself and your choices.
- ◆ Treat everybody humanely. Respect individual and human rights.
- ◆ Be honest in self-appraisal. Encourage others to give you confidential feedback.
- ◆ Identify a personal growth partner with whom to exchange ideas, concepts, professional action plans and feedback.
- ◆ Be a role model for other staff.

SECTION 1 - DEFINITIONS

1.1 Definition of Terms

This definition of terms applies to the Personnel Policies and Procedures and the Nonrepresented Employee Handbook. Unless the context clearly denotes another meaning, the following terms are defined as follows.

Administrative Leave: time off to compensate exempt employees for additional hours worked.

Allocation: the assignment of an individual position to an appropriate classification on the basis of the level and type of knowledge, skills and abilities required and the work performed in the position.

Anniversary Date: the date of hire, until an employee is promoted. Upon promotion, the effective date of the promotion becomes the new anniversary date.

Calendar Year: twelve-month period beginning January 1 and ending December 31.

Caregiver for an Injured Service Member: An employee who is the spouse, son, daughter, parent or next of kin of a covered service member.

City: the City of Roseburg.

Class or Classification: a group of positions sufficiently similar in duties, authority and responsibilities that the same qualifications may reasonably be required for, and the same schedule of pay can be equitably applied to, all positions in the group.

COBRA: The Consolidated Omnibus Budget Reconciliation Act of 1985 which requires that employees and family members whose coverage under a group health plan would otherwise be terminated by reason of certain events be given the opportunity to elect an extension of that coverage on a self-pay basis for a limited time period.

Compensatory Time Off: time off from work to compensate a non-exempt employee for overtime worked, in lieu of cash.

Continuous Service: service unbroken by separation from City service, except that time spent by an employee on military leave will be included as continuous service. Time spent on other unpaid leaves in excess of thirty calendar days will not count as part of continuous service, except that employees returning from such leave or employees who were laid off or rehired from an on the job disability within three years of the date of injury will be entitled to credit for service prior to the leave.

Council: the City Council of Roseburg.

Covered Service Member: A member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, on the temporary disability retired list, for a serious illness or injury that occurred while on active duty.

Days: calendar days, unless stated otherwise.

Demotion: an appointment of an employee from a position in one class to a position in another class having a lower maximum salary rate. A reclassification to a lower classification is not considered a demotion.

- A. Involuntary Demotion: the demotion of an employee as a disciplinary action.
- B. Voluntary Demotion: a demotion requested by an employee where the action is entirely voluntary on the part of the employees and not taken for disciplinary reasons.

Department Head: a person directly responsible to the City Manager for the administration of a department.

Disciplinary Action: imposition of certain personnel action (e.g. reprimand, warning, suspension, dismissal, demotion, etc.) as a result of conduct detrimental to the City.

Dismissal: involuntary termination of employment with the City for reasons attributable to the employee.

Domestic Partners: are 18 years or older; not legally married to anyone; each other's sole domestic partner living together in a spousal equivalent relationship; shared the same regular permanent residence for at least six months immediately preceding the date of the affidavit and intend to continue to do so indefinitely; financially interdependent and jointly responsible for "basic living expenses"; not related by blood so close as to bar marriage in the State of Oregon and are mentally competent to consent to contract when the domestic partnership began.

Domestic Partnership: two individuals of the same sex who have received a Certificate of Registered Domestic Partnership from the State of Oregon in compliance with Oregon laws or an affidavit of same.

Examination: the overall process of testing, evaluating or investigating the qualifications and abilities of applicants.

Exempt Employees: an employee who holds an administrative, professional or executive position as defined under the wage and hour laws of the Fair Labor Standards Act (hereafter referred to as FLSA).

Fire Protection Employee: any employee who

1. is employed by an organized fire department, pursuant to local ordinance, has been trained and has the legal authority and responsibility to engage in the prevention, control or extinguishment of a fire of any type and
2. performs activities which are required for, and directly concerned with the prevention, control or extinguishment of fires, including such incidental non-firefighting functions as housekeeping, equipment maintenance, lecturing and inspecting homes and schools for fire hazards.

Fiscal Year: twelve-month period beginning July 1 and ending June 30.

Full-Time Employee: an employee who is appointed to a position which has a schedule of forty hours per week; except for fire protection employees where full-time averages fifty-six hours per week. Full-time employees may be regular or temporary.

Harassment: Acts or words of a discriminatory, disruptive or threatening nature based upon an employees characteristics such as race, religion, age (as defined statutorily), marital status, etc., all as defined by applicable Federal or State law.

Hours Worked: time spent in actual performance of assigned duties at the employee's assigned work location, including paid vacation, holiday or sick leave.

Immediate Family: persons related to an employee by blood, marriage or legal adoption as follows: employee's spouse, their children, their parents, their siblings, their grandchildren, the employee's grandparents or the spouse's grandparents.

Incumbent: Employee currently holding a classified position.

Layoff: a separation from the City due to changes in duties or a reorganization of positions, a position or service is abolished, there is lack of work or shortage of funds, or other appropriate reason which does not reflect discredit on an employee.

Leave With Pay: an authorized leave in a paid status.

Leave Without Pay: an authorized leave in a non-paid status.

Merit Salary Increase: an increase from one step to a higher step within the established salary range for the class when the employee has performed successfully.

Non-exempt Employee: an employee who is not employed in an exempt administrative, professional or executive position as defined under the FLSA.

OPSRP: retirement plan through the Oregon PERS System for employees hired after August 29, 2003.

Overtime: time worked in excess of 40 hours per week OR 56 hours per week for fire protection employees working 24-hour shifts. There may be additional definitions in individual bargaining unit contracts which will govern.

Part-Time Employee: an employee who is appointed to a position whose weekly hours are less than the hours established for full-time positions. Part-time employees may be regular or temporary.

Person With a Disability: Any person who has, or who has acquired a physical or mental impairment, has a record of such impairment or who is regarded as having an impairment, which limits one or more major life activities, such as self care, performing manual tasks, seeing, hearing, speaking, breathing and working on a temporary or permanent basis.

Personal Relationship: includes relatives, individuals who are romantically involved, dating cohabitation or engaged in any other personal relationship that could give rise to an actual or perceived conflict of interest or appearance of favoritism.

Personnel Action: any action taken with reference to appointment, compensation, promotion, transfer, layoff, dismissal or any other action affecting status of employment.

Personnel File: A file maintained in the Human Resources Office which contains complete personnel records of all City employees.

PERS: Public Employees Retirement System.

Physical or Mental Impairment: Any physiological disorder, disfigurement or anatomical loss or limitation or any mental or psychological disorder acquired as a result of illness, accident or birth.

Position: a group of related duties and responsibilities requiring the full-time or part-time employment of one person.

Probation: a working trial period during which an employee is evaluated on the basis of actual job performance for fitness for the position. This is the final step in the competitive screening process.

Promotion: movement of an employee from a position in one class to a position in another class having a higher maximum salary rate.

Provisional Appointment: an appointment to a position, in the absence of qualified candidates for the class, of a person meeting the minimum qualifications of the class. This appointment is to continue only until the position can be filled through the normal process.

Qualified Person With a Disability: A person with a disability whose experience, education and/or training enable the person with or without reasonable accommodation to perform the essential functions of the job.

Reasonable Accommodation: The effort made to make adjustments for the disability of an employee or applicant by structuring the job or the work environment in a manner that will enable the person with the disability to perform the essential functions of the job. Reasonable accommodation includes, but is not limited to, modifying written examinations, making facilities accessible, adjusting work schedules, restructuring jobs, providing assistive devices or equipment, providing readers or interpreters and modifying work sites.

Reclassification: the allocation of a position to another class when the duties and responsibilities of the existing position have significantly changed.

Regular Employee: an employee who has satisfactorily completed a probationary period and is employed in either a full-time or part-time position.

Resignation: the termination of employment made at the request of the employee.

Ride-Along: an officially approved City sanctioned program for citizens to spend time in City vehicles with our employees to observe work activities.

Seniority: length of time in the City service which begins on the date of employment. Resignation, retirement or dismissal cancels all seniority accrued.

Serious Illness: Serious illness as regards spouse and children in the home is defined as an illness requiring the employee to attend. Except for the employee's spouse and resident children, serious illness is defined as an illness requiring a person to be hospitalized in serious or critical condition and/or scheduled for major surgery or in intensive care. See definitions in Section 9, Family and Medical Leave.

Sexual Harassment: verbal comments, gestures or physical contact of a sexual nature which is not freely and mutually agreeable to both parties or a hostile work environment.

Supervisor: any employee having authority in the interest of the City to hire, transfer, suspend, layoff, recall, promote, discharge, assign, evaluate, reward or discipline another employee, or having responsibility to direct other employees or adjust their grievances or effectively recommend such action. Indirect supervision is supervision at any level within a work section, division, department, where the supervisor has ultimate decision making authority over all the employees within a unit. Direct supervision is primary supervision of an employee.

Suspension: an involuntary absence without pay imposed for disciplinary purposes.

Temporary Employee: an employee hired for not longer than a six-month period. Temporary employees receive no fringe benefits except for Workers' Compensation.

Transfer: appointment to a position in the same or different class which has the same salary range provided, however, that the employee is qualified to do the work.

Undue Hardship: an accommodation that would be unduly costly, extensive or substantial or that would fundamentally alter the nature of operations. Even if a particular accommodation would impose undue hardship, the City must consider whether there are alternative accommodations that would not impose such hardship.

Work Week: The basic work week for City employees begins at 12:01 a.m. on Monday and ends at midnight on Sunday. An individual work week may be established for either a group of employees or an individual employee with the approval of the City Manager or his/her designee.

Working Day: for the purpose of these policies and procedures, Monday through Friday, excluding City recognized holidays.

SECTION 2. GENERAL PROVISIONS

2.1 Purpose

The City Council, City Manager and administration of the City recognize that a personnel system which recruits and retains competent, dependable city personnel is indispensable to effective and economical governing of the City.

The purpose of these policies and procedures is:

- A. To establish, develop and maintain for the City a system of personnel administration.
- B. To provide a fair and equitable system of personnel management in City government.
- C. To establish and maintain a uniform plan of classification.
- D. To develop a program of training, advancement and tenure that will make a career in City service attractive and encourage each employee to give their best service to the City.
- E. To promote high morale among City employees by providing good working conditions, consideration for their general welfare, opportunity for advancement and a basis of understanding of the conditions of City employment.

These policies establish those procedures which assure similar treatment for all employees and define the responsibilities, privileges and prohibitions which are placed upon all officers and employees of the City.

2.2 Application of Personnel Policies and Procedures

These personnel policies and procedures apply to all City employees except elected officials and those employees who may have a contractual agreement with the City Council. In the event of a conflict between these policies and any collective bargaining agreement, City ordinance, state or federal law, the terms and conditions of that agreement, rule or law will apply. In all other cases, these policies and procedures will apply.

In the event of the amendment of any ordinance, rule or law incorporated in this document or upon which these provisions rely, these policies will be deemed amended in conformance with those changes.

The City Manager specifically reserves the right to repeal, modify or amend these policies at any time with or without notice. None of these provisions will be deemed to create a vested contractual right in any employee nor to limit the power of the City

Manager to repeal or modify these rules, neither shall these changes be made in a form contrary to established governing rules and laws relating to existing conditions/situations.

The City recognizes this section is not considered to be a waiver of any statutory right as regards a mandatory subject of bargaining.

2.3 Dress Code

In the interests of presenting a professional image to our customers, employees shall observe good habits of grooming and personal hygiene. Please dress conservatively and professionally in an appropriate manner for the work location. If there are any questions as to what constitutes proper attire within a given department, the supervisor or Department Head should be consulted. Employees that choose to do so are welcome to dress appropriately for the following events:

- A. Graffiti Weekend
- B. Halloween

2.4 Personnel Records/Employment References

- A. Personnel Records - Personnel Records are maintained on all City employees, are the property of the City and shall be retained by the City in accordance with the records retention schedules promulgated by the State Archivist. The records include, among other things, an employee's application, any examination materials, personnel action forms, performance appraisals, notes regarding disciplinary action(s), commendations or other counseling session and records relating to fringe benefits. Medical records are confidential and are not contained in the personnel files.

Access to the personnel file will be limited to the employee in the presence of an official of the Human Resources Office, management personnel of the City who have job related reasons for inspection of the file and the Staff of the Human Resources Office. Access will be available to bargaining unit representatives in cases where appropriate and allowed by statute. Access will not be granted to inspect pre-employment information, i.e. employment references. An employee may include a written statement of explanation or rebuttal to any material placed in the file. Copies of materials in the personnel file will, upon request, be provided to the employee subject to reasonable copy charges. No information will be placed in the personnel file without the employee being aware of it.

- B. Employment References - All requests for any information regarding past or present City employees will be directed immediately to the Human Resources Director. Because of the potential for liability, supervisors and managers should not respond directly to such requests for information.

- C. Public Records Law - Generally, public records are available for public inspection. ORS 192.410 to ORS 192.50, Public Records Law, outlines material that is exempted from public disclosure. This exemption includes most of the material in an employee's personnel file unless a public need is shown for its disclosure. Personnel records are the responsibility of the Human Resources Director and request to review records must be made in writing. A decision on the request to review records will be made promptly.

2.5 Emergency Closure

Emergencies such as severe weather, fires, etc., can disrupt City operations. In extreme circumstances this may require the closing of a City work facility. If the event occurs during nonworking hours, local media will be asked to broadcast notification of the closing.

When a decision to close is made AFTER the workday has begun, Department Heads will receive official notification from the City Manager or designee. Department Heads are then responsible for contacting their respective employees. In this situation, time off from scheduled work for the remainder of the workday will be paid at regular pay. When the decision is made BEFORE the workday has begun, the employee will be authorized to make up the time or use accrued paid time off leave, compensatory time or unpaid leave if no accrued leave time is available. This applies only to non-public safety positions.

In cases where extreme weather conditions make coming to work dangerous, employees may choose to not report to work. In such a case, the employee should provide timely notice to the supervisor. Nonexempt employees may either make up missed work time within the same work week or use compensatory time, paid leave or unpaid leave if no accrued leave time is available. Making up time is permitted in this situation with the approval of the supervisor.

An employee in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive pay in accordance with federal and state wage and hour laws.

2.6 Emergency Preparedness Plan

Both during and after a major emergency or disaster, City residents and businesses expect the City to provide some level of service. Depending on the severity of the incident, the level of service provided may be restricted to those activities that are directly related to life safety and response and recovery operations. To ensure some level of service is maintained during disaster and emergency operations, an employee may be assigned to staff a position in the City's Emergency Operations Center (EOC), augment other departments or perform normal work duties. Each employee is expected and required, as a condition of employment, to be available to respond during major emergencies and disasters and may be disciplined for failure to respond.

It is each employee's responsibility to become familiar with the Emergency Response Plan which is distributed in December and June of each year.

2.7 Employee Pictures

At the time of hire a photograph will be taken of each employee to be used for City of Roseburg identification cards. These photographs will also be placed in the employee's personnel file, and when appropriate, on the City's website. In addition, candid photographs might be taken of employees at a variety of City sponsored events. Employee pictures, as described herein, are intended for internal use only and may not be downloaded, forwarded or reproduced.

2.8 Notary Public Services

City employees who serve as a Notary Public shall only provide Notary services for City related documents/customers during work hours. Requests received for Notary services unrelated to the City can be referred to the yellow pages of the telephone directory. This prohibition does not apply to the employee's own personal time; however, since there is no charge for City Notary services, State law prohibits charging for services on the employee's personal time, also.

2.9 Outside Employment

Permission to work at outside employment while in a standing of full employment with the City of Roseburg may be granted by the Department Head. Should the Department Head disapprove the request, the employee will not be allowed to work other than with the City of Roseburg. It should be understood that the Department Head or the City Manager may, at any time, revoke permission to hold outside employment. City Manager approval is necessary for Department Heads to work at outside employment. In order to be approved, the request for outside employment must be in writing and comply with the following requirements.

- A. In no way detract from the efficiency of the employee in his/her work.
- B. In no way be a discredit to City employment.
- C. Not take preference over extra duty required by City employment.
- D. Not involve the employee in a conflict of interest with his employment with the City.

As regards Fire bargaining unit employees no restriction will be placed on outside employment unless there is a valid conflict of interest or the outside employment adversely affects the employee's ability to perform their duties while on duty.

2.10 Parking

The City shall provide suitable parking spaces for use by employees within two blocks of the employee's work location.

2.11 Political Activities

No City employee shall simultaneously hold offices as an elected City of Roseburg official.

The restrictions imposed by the State of Oregon on political activities are that "No public employee shall solicit any money, influence, service or other thing of value or otherwise aid or promote any political committee or promote or oppose the nomination or election of a candidate, the adoption of a measure or the recall of a public office holder, while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views."

An employee's violation of this rule may constitute cause for dismissal from the service of the City.

SECTION 3. GENERAL POLICIES

3.1 Cellular Telephones

The City Manager will determine which employees shall be issued cell phones for their use. They are to be used only when it is safe and appropriate to do so.

Cellular telephones are provided to enhance the efficiency, effectiveness and safety of City personnel. They may also be used as a means of communication in the event of a radio communications failure or, if operable, in the event of an emergency requiring a City response. They are not intended to take the place of personal communications between employees. Long distance calls are to be made from the Roseburg area on City cell phones when to do so is more efficient than returning to the office. Any other long distance calls should be made from landlines.

Avoid lengthy conversations on cell phones whenever possible. Minimize use as best you can when outside the home service area. Retrieving messages on your cell phone, with your cell phone, results in a charge to the City. At all times when practical, turn off your cell phone and retrieve your cell phone messages from a landline. Under no circumstances shall texting be allowed while driving a City vehicle. Police patrol officers may use their MDT's for work related reasons while driving when necessary and can be performed safely.

Personal numbers may be programmed on department telephones and personal calls made and received in only the following cases. Employees who choose to use this provision must be on the proper line (personal or City) depending upon whether they are making or receiving a personal or business call. In this instance, personal calls would not be expected to be made on the business line.

- A. Your personal cellular service must be with the current City service provider;
- B. You must pay personally for cellular phone service with the current City service provider;
- C. You must purchase a phone from the service provider, whether you use it or not.

Cellular telephones are issued to employees for City businesses related use only. Personal use on the business line is not allowed except for the following specific instances:

- A. To receive incoming calls related to a family emergency;
- B. To make a personal call related to a family emergency or business related discussion related to disruption in schedule which could cause a dangerous family condition (i.e. child not picked up at day care; spouse waiting for a ride home).

These calls must be infrequent (2-3 times per month maximum) and of brief duration. Failure to follow this policy may be investigated by and considered an abuse of the

guidelines of the Ethics Rules. Such failure may also subject employees to discipline, up to and including termination.

Please refer any questions on telephone maintenance to your supervisors.

3.2 Commercial Driver

The City has an applicable Commercial Driver's License Drug and Alcohol Policy in their Safety Manual. Those employees and applicants required by their positions to have Commercial Drivers Licenses shall be subject to all Federal and State regulations relating to those positions. This includes pre-employment drug and alcohol testing, participation in a random drug and alcohol screening program and post-accident or reasonable suspicion testing as required. The City's Safety Manual contains the complete Drug and Alcohol Policy relating to Commercial Drivers License use. Refer also to Policy 3.13 regarding the Oregon Medical Marijuana Act.

3.3 Conflict of Interest

Each employee has an obligation to conduct the City's business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the City wishes to conduct its business. The purpose of these guidelines is to provide general direction so that employees act appropriately and, if needed, can seek further clarification on issues related to the subject of acceptable standards of operation.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision or gains information that is not available to the public, that may result in personal gain for that employee, or for a relative, as a result of the City's business dealings. For the purposes of these guidelines, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if an employee has any influence on transactions involving purchases, contracts or leases, it is imperative that disclosure be made to an officer of the City as soon as possible regarding the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the City does business, but also when an employee or relative receives any "kickback", bribe, substantial gift or special consideration as a result of any transaction or business dealings involving the City. However, unsolicited gifts such as flowers and candy are considered "de minimus" and are allowable under this policy as long as such gifts do not provide the employee with any personal gain.

Each employee is expected to report any actual or potential conflict of interest to the supervisor.

Contact the Human Resources Office for more information or questions about conflicts of interest.

3.4 Drug Free Work Place

(This policy does not apply to Police employees. Police employees shall refer to the appropriate section of their department procedures manual for their policy on this topic. Fire employees shall refer to their manual of operations for more specific departmental procedures.)

It is the City's intent and obligation to provide a drug-free, healthy, safe and secure work environment. To satisfy these responsibilities and to be in compliance with the Drug-Free Work Place Act of 1988, the City will maintain a work environment where employees are free from the effects of illegal drugs, alcohol or other job-impairing substances.

All employees are expected and required to report for work free from the influence of drugs or alcohol and in a mental and physical condition that promotes a productive, safe, healthy, secure and drug-free work environment.

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or alcohol in the work place is prohibited.

Employees who are taking prescribed medication that may affect the performance of their jobs are required to notify their supervisors of this before performing their assigned job. In the event there is a question of employee's ability to perform the essential functions of their job, the employee's attending physician's clearance may be required. Any medical information will be kept confidential, except as may be legally necessary to ensure municipal functions. Employees taking non-prescription, "over the counter" medications are also responsible to assure they do not affect their ability to perform their jobs. Prescription and non-prescription drugs are to be taken according to instructions.

The City recognizes drug/alcohol dependency as an illness and a major health problem. The City also recognizes drug/alcohol abuse as a potential health, safety and security problem. Employees needing help in dealing with such problems are encouraged to seek assistance from any supervisor or the Human Resources Office or the Employee Assistance Program.

Violations of this policy may result in disciplinary action, up to and including discharge. Such discipline shall be taken within thirty days of the City's knowledge of any such violation. (This time limit applies to Federal grant money employees.) The City shall investigate and take such action it deems necessary. In addition to disciplinary action

or as a separate sanction, the City may require the employee to satisfactorily participate in a drug/alcohol abuse assistance or rehabilitation program.

The City may, in its effort to insure a drug-free work place, request that applicants for City employment submit to a routine drug screening and that current employees submit to a drug/alcohol screening if they have a reasonable suspicion the employee is under the influence of drugs/alcohol.

All employees must, as a condition of employment, abide by the terms of this policy and report any conviction under a criminal drug statute occurring in the work place. The report of a conviction must be made within five days after the conviction and will be made to the employee's Department Head. Failure to report a conviction as specified above may result in disciplinary action up to and including discharge. Within ten days of learning about such conviction, the City must notify the applicable federal agency which has provided a grant to the City. (This provision applies to those areas of employment dealing directly with Federal grant money.)

3.5 City Electronic Equipment

Employees may use City equipment, including but not limited to electronic media, computers, printers, software, e-mail and Internet access for City business purposes only. Personal use of City equipment, including personal use of e-mail or Internet access, is not permitted. Employees using City equipment must comply with all applicable City policies, including the City's policy prohibiting discrimination and harassment. For example, employees may not send or receive sexually explicit material, material containing discriminatory content, jokes, chain letters, marketing information or defamatory or derogatory information on City equipment or systems.

Files and e-mails are subject to public disclosure under the Oregon Public Records Law. Files and e-mails that are deleted continue to exist on the system and may be recovered and subject to public disclosure. Employees must use e-mail for communication and document creation purposes accordingly. Employees should only disclose information or messages from the e-mail system to authorized persons.

The City reserves the right to monitor its computer and e-mail system to insure that it is being used for business purposes only, to insure that the City's policies are being followed and to access information. Any files, e-mails or other information produced or stored on City equipment is subject to review by the City at any time without prior notice to the employee. Employees do not have a personal privacy right in any matter created, received, stored in or sent from the City's computer system.

Employees may not install any personal software or files onto the City's equipment or system, make changes to computer setups or download any files, messages or attachments from the Internet without the prior approval of the Department Head, Information Systems Administrator and the City Manager.

3.5.1 Voice Mail

Voice mail is used for our customers' convenience – not the employees' convenience. Voice mail messages are the property of the City and are also subject to Oregon's Public Records Law (ORS 192.410 to 192.505). Inappropriate or offensive messages are prohibited. Staff should never record information that might be embarrassing if overheard by others.

Voice mail is a business communications tool. The following policies and procedures apply to the use of that tool:

- A. Voice mail will be activated only for specific line usage (job line, building inspection request line) or after a caller has talked to an individual and given permission to be transferred to a voice mail line.
- B. The system will not be used to become inaccessible; answer all telephone calls when you are available for calls.
- C. Use the system to exchange information, not merely to automate telephone tag.
- D. Respond to messages promptly.
- E. Use greeting recordings to inform callers about your schedule. For example, record a new or alternate greeting when you are going to be out a day or more.
- F. Greetings: Voice mail greetings should be as brief as possible, yet shall include the following items:
 - 1. your name and department;
 - 2. a brief statement advising the caller that they may leave a message after the tone;
 - 3. an indication as to when you are expected to be available.

3.6 Employee Recognition

The City recognizes that retaining experienced employees and recognizing employee and team efforts to continually improve their performance is a direct benefit to the City and to the public. This policy is designed to enhance and acknowledge both length of employee service and dedication to effective, efficient and excellent work performance by employees. The policy applies to all regular full and part-time City employees, as funding allows and unless otherwise addressed by, or in conflict with, a collective bargaining agreement.

- A. Goals: The goals the policy is designed to accomplish and reflect are:

1. Motivating employees to consistently work toward and sustain excellent work performance.
2. To assist employees to understand and keep in mind the value of each employee's work in relationship to the City's mission to provide services to the citizens of Roseburg in a cooperative, professional, cost effective manner.
3. To support and encourage both employee retention and dedication.
4. To encourage constructive and positive feedback among colleagues.

B. Recognition Criteria: In order to fulfill the goals of the policy, the following criteria will be used to grant an appropriate form of employee recognition.

Outstanding Customer Service

Can apply to all employees including those who serve external customers (citizens, service providers) and internal customers (other employees and departments). Outstanding customer service can be:

1. Providing service that is notably outstanding on a regular basis.
2. Volunteering for, and successfully completing, an extra or emergency assignment while still efficiently maintaining their own workload.
3. Producing a work product of exceptionally high quality under tight deadlines.
4. Consistently displaying an exemplary, helpful attitude toward customers.
5. Going the extra mile, voluntarily, to provide customer service above and beyond the expected level.
6. Always willing to lend a hand and support internal or external customers.
7. An innovative idea may qualify for recognition if an employee's personal initiative and creativity generates a new or improved work procedures that.
 - a. Saves staff time;
 - b. Solves an unusual, difficult problem;
 - c. Saves money;
 - d. Creates a new source of revenue;
 - e. greatly enhances employee work safety;
 - f. contributes consistently to a friendly, supportive, respectful workplace atmosphere.

- C. **Methods of Providing Recognition:** Departments are encouraged to involve their employees in nominating potential recipients and should foster methods that allow for peer and customer recognition and nomination. Recognition can be:
1. Immediate thanks and praise from the direct supervisor for a job well done.
 2. Thanks and praise in the department from co-workers and customers.
 3. Thanks and praise from the Department Manager.
 4. Letters of appreciation or commendation from the Department Manager and/or City Manager to be copied to the employee's personnel file.
 5. At the City Manager's discretion, employees may be commended to the City Council.
 6. Co-workers may alert Department Managers to qualifying acts of notable cooperation between departments.
 7. Items of small personal value may be given to employees such as water bottles, key chains, pins, etc., that are signified by markings of the City of Roseburg.
 8. City funded lunches at a \$15.00 limit per person to celebrate and recognize appropriate team and individual contributions as defined in this policy.
- D. **Funding:** Departments are encouraged to budget for potential employee recognition events to be celebrated department-wide. The City Manager Department will budget for retirement and citywide recognition costs.
- E. **Years of Service and Retirement Awards:** The City will continue to give years of service pins in increments of five years of service. Department Managers are to award these pens to their department employees.

Employees who have attained 25 years of City service shall receive a gift card in an amount of \$25.00 to be awarded by the Department Manager or City Manager at a City Council meeting.

Employees retiring from the City, not leaving City service involuntarily or to take another job, may be recognized at an event planned by their department. Departments may buy non-lavish cakes and non-alcoholic refreshments to be shared at a small, internal retirement party. Employees retiring from City service with 20 or more years of service will be recognized at a City Council meeting and

will receive a City purchased retirement watch. With employee approval, employees retiring with 25 or more years of service will be recognized with their watch and a small citywide reception at a City Council meeting.

An annual citywide employee appreciation event may be held if a sufficient member of employees volunteer to plan the event and a majority of employees attend such an event. Quarterly "potlucks" and barbecues in various City locations will be held on a rotating department basis. Such department activities will be scheduled as departments volunteer or as assigned by the City Manager.

In all cases of recognition, departments are encouraged to have an e-mail celebrating the recognition be sent, through I.T. to All.City on the net.

In all instances, this policy will be coordinated through and with the City Human Resources Director. A Committee to assist in this process may be appointed by the Director as needed.

3.7 Equal Access to Services (ADA)

It is the policy of the City to make all services and facilities of the City of Roseburg available to all its citizens regardless of any disability. It is the intent of the City and this policy for the City to comply with the Americans With Disabilities Act. Please contact the City ADA Coordinator (currently the Human Resources Director) for additional information or to request grievance information. Contact the Human Resources Director, City of Roseburg, 900 SE Douglas, Roseburg, OR 97470; (541) 672-7701. This applies to citizens and City of Roseburg employees.

Requests will be reviewed on a case-by-case basis, and each request will be answered. Individuals may grieve alleged ADA violations as provided in the Grievance Procedure.

Reasonable Accommodation/Modification is any change or adjustment to a program, service or activity that permits a qualified applicant or participant with a disability to participate in the program, service or activity offered by the City of Roseburg. An accommodation/modification will be provided if it does not impose undue hardship or fundamentally alter the nature of the program, service or activity.

If a reasonable accommodation/modification is made, any associated cost is borne by the City of Roseburg. There is no charge to the applicant or participant.

3.7.1 ADA Grievance Procedure

The City of Roseburg has adopted a grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act.

Complaints should be addressed to: Barbara Gershon, ADA Coordinator, City of Roseburg, 900 SE Douglas Avenue, Roseburg, Oregon 97470 - (541) 672-7701, who has been designated to coordinate ADA compliance efforts. Oregon Telecommunications Relay Service 1-800-735-2900 (TDD users).

- A. A complaint regarding access or discrimination should be filed in writing. It must contain the name and address of the person filing it and briefly describe the alleged violation of the regulations. Alternative means of filing complaints such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.
- B. A complaint should be filed within 30 days after the complainant becomes aware of the alleged violation.
- C. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation shall be conducted by the ADA Coordinator or designee. This procedure anticipates informal but thorough investigations, affording all interested persons and their representative, if any, an opportunity to submit evidence relevant to the complaint.
- D. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued within 30 calendar days by the ADA Coordinator. Where appropriate, this response shall be in a formal accessible to the complainant.
- E. If the complaint cannot be resolved to the satisfaction of the complainant by the ADA Coordinator, it shall be forwarded to the City Manager within 20 days of receipt of the ADA Coordinator's decision. Testimony and documents may be provided to the City Manager in person or in writing as the City Manager may decide. A written final decision on the ADA grievance shall be provided by the City Manager within 30 days of the hearing date.
- F. The ADA Coordinator shall maintain the files and records of the City of Roseburg relating to the complaints filed.
- G. The right of a person to a prompt and equitable resolution of the complaint filed, hereunder, shall not be impaired by the person's pursuit of other remedies, such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- H. These rules shall be construed to protect the substantive rights of interested persons to meet the appropriate due process standards and to assure that the City of Roseburg complies with the ADA and implementing regulations.

- I. Time lines referred to above concerning the scheduling of hearings may be extended if, after reasonable effort and justification, the hearing cannot be conducted within the 30-calendar day limitation period.
- J. All decisions shall be sent by regular mail to the complainant within 30 calendar days of the date of the hearing and shall be retained in the program file. Phone notification shall also be made in cases involving visually impaired individuals.
- K. This grievance and appeal process may be modified by the ADA Coordinator in order to assure equal access to programs, services and activities for people with disabilities.
- L. Nothing in this grievance process is meant to be used for any personnel, EEO or labor agreement grievance procedure for the City of Roseburg. Contact the City of Roseburg Personnel Department for information regarding Title I grievances.
- M. At any stage of the ADA grievance process, the complainant may choose to be represented by an attorney or other representative, but the complainant shall bear all costs of such representation.

3.8 Equal Employment Opportunity

It is the policy of the City to treat applicants and employees without regard to race, religion, creed, color, national origin, sex, age, disability, sexual orientation (per 2007 SB 2), marital or veteran status, or any other basis prohibited by local, state or federal law (except where there are bona fide occupational qualifications). Equal employment opportunity will be extended to all persons in all aspects of the employer-employee relationship including recruitment, hiring, promotion, layoff, termination, demotion, transfer, training, rates of pay, fringe benefits, use of facilities and other terms, conditions and privileges of employment.

Any alleged act or complaint of discrimination on the part of any City employee should be reported to the Human Resources Director for appropriate investigation and action.

3.9 Code of Ethics

The successful operation and reputation of the City of Roseburg is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

In general, the use of good judgment, based on high ethical principles, will guide employees with respect to lines of acceptable conduct. If a situation occurs where it is difficult to determine a proper course of action, the matter should be discussed openly with your immediate supervisor and, if necessary, with your Department Head for advice and consultation.

All City of Roseburg employees are considered public officials and are subject to the State of Oregon's Government Standards and Practices laws. The City will comply with these and all applicable laws and regulations and expects all its employees to conduct business in accordance with the letter, spirit and intent of all relevant laws and to refrain from any illegal, dishonest or unethical conduct.

Applicable Statutes of the law are:

"Public Official" is defined in ORS 244.020(15) to include any person serving in a governmental capacity for the State of Oregon or any of its political subdivisions as an officer, employee, agent or otherwise.

ORS 244.010(1): "The Legislative Assembly hereby declares that service as a public official is a public trust and that, as one safeguard for that trust, the people require all public officials to comply with the applicable provisions of this Chapter."

ORS 244.040(1): "Except as provided in subsection (2) of this section, a public official may not use or attempt to use official position or office to obtain financial gain or avoidance of financial detriment for the public official, a relative or member of the household of the public official, or any business with which the public official or a relative or member of the household of the public official is associated, if the financial gain or avoidance of financial detriment would not otherwise be available but for the public official's holding of the official position or office."

Employees may not solicit nor receive a promise of future employment with the understanding that the promise of employment will influence their official actions.

Employees may not accept, either directly or indirectly, any gift, gratuity, loan or anything else of value if it arises or is offered due to City employment if the acceptance might tend to improperly influence the action of the employee in the conduct of City business.

Employees may not receive, during a calendar year, gifts with an aggregate value over \$50.00 from any source with a legislative or administrative interest in the employee's position.

Any gifts directed to the City or a department in general may be accepted with the City Manager's approval.

The Oregon Supreme Court has identified the broad policy of Oregon's ethics law as ensuring that "government employees do not gain personal financial advantage through their access to the assets and other attributes of government."

As far as City operations, this provision excludes any gain for our employees, relatives or members of their household as a result of City contractual agreements or other transactions that are not available to the general public. There may be limited instances in which marketing incentives available to other than public employees can also be made available to City employees. These should be reviewed on a case by case basis with assistance of the City Attorney.

Each employee should follow this policy carefully and check with their supervisor immediately if there are any questions. Individual departments may have additional rules and policies relating to gratuities, which shall be followed by their employees.

3.10 Harassment and Discrimination

The City is committed to fair and impartial treatment of employees, job applicants, contractors, volunteers and agents of the City, and to maintain a discrimination and harassment-free work environment where people treat one another with respect. This means that the City maintains a consistent policy prohibiting discrimination in the employment and treatment of its employees. The City's policy is not to discriminate against any employee or applicant for employment because of age (within statutory limits), race, religion, color, sex, national origin or ancestry, sexual orientation (per 2007 SB 2), marital status, disability or any other protected status with respect to hiring, promotion, demotion, transfer, recruitment, termination, salary level or other forms of compensation, or any other term or condition of employment.

The City also has a policy absolutely prohibiting harassment based on protected status during employment. The City defines harassment as any unwelcome verbal, physical or visual conduct based on age (within statutory limits), race, religion, color, sex, national origin or ancestry, sexual orientation, marital status, disability or any other status protected by law or policy, when that conduct is made explicitly or implicitly a term or condition of employment, is used as a basis for employment decisions, or has the purpose or effect or unreasonably interfering with performance or of creating an intimidating, offensive or hostile work environment.

Supervisors are responsible to ensure unlawful harassment does not occur in the workplace. Any employee who believes that the actions or words of another employee or agent of the City may constitute discrimination or harassment is urged to report that belief immediately to a supervisor, Department Head or to the Human Resources Director. All reports of possible discrimination or harassment will be investigated promptly and in an impartial manner. Complaints will be kept confidential to the maximum extent practicable, but the City cannot promise absolute confidentiality. If it is

necessary to make the identity of involved employees known to others, the involved employees will be notified in advance.

In all cases, the complaining or reporting employee will be advised of the City's findings and conclusions.

In all cases where a finding of discrimination or harassment can be established, the City will initiate appropriate remedial action to address the issue. In all cases, the appropriate corrective action will reflect the severity of the problem, the offending employee's overall work record and a full consideration of the circumstances surrounding the situation. When deemed appropriate, disciplinary action, up to and including discharge, will be imposed on employees who engage in conduct amounting to discrimination or harassment.

Any intimidation, coercion, discrimination or retaliation against an individual who files a complaint or who testifies, assists or participates in any manner in an investigation will not be tolerated. All such acts against complainants or other participants should be reported immediately to a supervisor, the Department Head or to the Human Resources Director.

3.11 Identify Theft

In compliance with the 2007 Oregon Consumer Identity Theft Protection Act, the City of Roseburg has adopted an Identity Theft Policy. Employees should refer to the Administrative Policy & Procedure Manual available in each department.

3.12 Infectious Disease

The City of Roseburg is committed to maintaining a healthy and safe work environment for all employees as well as providing support for individual employees who may be facing the trauma of a life threatening or catastrophic illness. This policy also applies to HIV and Arc conditions, as well as the anxiety among employees about the possibility of working with someone who has become infected. The City of Roseburg shall provide a work environment in compliance with the standards set by the:

- A. Federal Occupational Safety and Health Administration
- B. Oregon Occupational Safety and Health Administration
- C. Federal Centers for Disease Control
- D. State Health Division as it applies to the workplace.
- E. Current policies and procedures applying to all disabilities and existing medical benefits or employee policies covering sickness and disability.
- F. Infection control guidelines will be made available to all employees.
- G. First aid kits will be available in all work locations.
- H. Training in infectious disease control may be made available to all employees. Specific safety guidelines will be developed by and adhered to by individual departments as their work activity dictates.

- I. Should employees not subject to OSHA Infectious Disease Control requirements, be exposed to hepatitis or other identified infectious disease, as a result of a work activity, post-exposure vaccinations will be made available and shall be paid for by the City.

3.13 Oregon Medical Marijuana Act

The use of marijuana, which is a Schedule 1 controlled substance under federal law, is expressly prohibited under the City's policies even if its medical use is authorized under state law. However, the Court of Appeals has determined that an employer must make reasonable accommodation of the use, by a disabled individual, of medical marijuana under the Oregon Medical Marijuana Act (OMMA), subject to certain exceptions. An employee subject to the OMMA may be prohibited from using marijuana during work hours or on the City's property. Additionally, the City is not obligated to reasonably accommodate medical marijuana use at any time by any holder of a commercial driver license.

3.14 Religious Freedom Act

Pursuant to the Oregon Workplace Religious Freedom Act, absent undue hardship, no employer may impose an occupational requirement that restricts the ability of an employee to wear religious clothing, to take time off for a holy day or to take time off to participate in a religious observance or practice. An employee must be permitted to use accrued vacation leave or other leave available to the employee for the purpose of allowing the employee to engage in the religious observance or practices of the employee.

3.15 Right to Search

(This policy does not apply to Police employees. Police employees shall refer to the appropriate section of their department procedures manual for their policy on this topic.)

Employees are provided desks, cabinets and lockers for their use and convenience during work. In some cases employees may hold the key to locks or may be permitted to put personal locks on desks, cabinets or lockers. Notwithstanding this fact, employees should remember that all lockers, cabinets and desks remain the sole property of the City. The City reserves the right to open and inspect desks, cabinets, or lockers, as well as any contents, effects or articles that are found in desks, cabinets or lockers. Such an inspection can occur at any time, with or without advance notice or consent. The City may remove personal locks from desks, cabinets or lockers to accomplish an inspection. Such an inspection may be conducted during, before or after working hours by any supervisor, manager or security personnel designated by the City. This policy shall also apply to City provided equipment and shall include, but not be limited to, computer disks and programs, computer terminals, electronic and written mail and storage areas. Employees should have no expectation that any property or effects kept in City property will remain private, regardless or whether the property is provided

to the employee for his/her personal use. The City is not responsible for any articles that are placed or left in a locker or desk that are lost, damaged, stolen or destroyed.

As to Fire bargaining unit employees, City shall allow a shop steward or union representative to be present, whenever possible, if City has reason to search an employee's locker. (Transferred from the Former Weapons Policy).

3.16 Sexual Harassment

Sexual harassment is unlawful discrimination based on gender or sexual orientation. Unwelcome sexual advances, requests for sexual favors and other unwelcome verbal or physical conduct of a sexual nature constitute sexual harassment when that conduct is directed toward a person because of his/her gender, and

- A. submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
- B. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or
- C. that conduct has the purpose or effect of unreasonably interfering with work performance or creating an intimidating, hostile or offensive work environment.

Whether particular conduct constitutes sexual harassment is viewed from the perspective of a reasonable person in the circumstances of the person alleging harassment. The fact that the alleged harasser did not intend to offend does not mean that his/her actions cannot constitute illegal harassment.

Examples of conduct that may be illegal sexual harassment include, but are not limited to gestures, display or circulation of derogatory written materials or pictures, verbal comments, taunting or heckling, demeaning or offensive jokes or physical contact.

Supervisors are responsible to ensure that unlawful harassment does not occur in the work place. An employee who believes he/she is the subject of unlawful harassment should report the complaint to the Department Head, their immediate supervisor or designee for appropriate investigation and action. In the event one of these is involved, the employee will report the complaint to the Human Resources Director. All reports of possible discrimination or harassment will be investigated promptly and in an impartial manner. Complaints will be kept confidential to the maximum extent practicable, but the City cannot promise absolute confidentiality. If it is necessary to make the identity of involved employees known to others, the involved employees will be notified in advance. In all cases, the complaining or reporting employee will be advised of the City's findings and conclusions.

In all cases where a finding of discrimination or harassment can be established, the City will initiate appropriate remedial action to address the issue. In all cases, the appropriate corrective action will reflect the severity of the problem, the offending employee's overall work record and a full consideration of the circumstances

surrounding the situation. When deemed appropriate, disciplinary action, up to and including discharge, will be imposed on employees who engage in conduct amounting to discrimination or harassment.

Any intimidation, coercion, discrimination or retaliation against an individual who files a complaint or who testifies, assists or participates in any manner in an investigation will not be tolerated. All such acts against complainants or other participants should be reported immediately to a supervisor, a manager or to the Human Resources Director.

3.17 Tobacco Policy

The City of Roseburg has a philosophy of good health and a safe work place. In keeping with this philosophy, it is important that the work place and office environment reflect the City's concern for good health. Smoking and/or the use of tobacco in any form (this includes smokeless or "chew") is therefore not permitted inside offices or any work areas or vehicles. Employees who wish must limit their tobacco use to break and meal periods. Use of tobacco is only permitted outside of the enclosed work premises and within specifically designated areas. Smoking is not allowed within ten feet of an entrance, exit, windows that open and/or ventilation intakes of all workplaces and public facilities.

3.18 Whistleblower

The City of Roseburg requires employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the City of Roseburg, we all must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws, regulations and policies.

- A. **Reporting Responsibility.** It is the responsibility of all employees to comply with the City's Municipal Code, Personnel Policies, employment contracts and State of Oregon Ethics and to report violations or suspected violations in accordance with this Whistleblower Policy.
- B. **No Retaliation.** No employee who in good faith reports a violation of the Code, Policies, contracts or ethics requirements shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees to raise serious concerns within the City prior to seeking resolution outside the City.
- C. **Reporting Violations.** Employees are encouraged to share, in a timely manner, their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, an employee's supervisor is in the best position to address an area of concern. However, if you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's

response, you are encouraged to speak with the Human Resources Director or anyone in management whom you are comfortable in approaching. Supervisors and managers are required to report suspected violations to the Human Resources Director who has specific and exclusive responsibility to investigate all reported violations.

- D. **Acting in Good Faith.** Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.
- E. **Confidentiality.** Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an appropriate and adequate investigation.
- F. **Handling of Reported Violations.** The Human Resources Director will affirm, in writing to the complainant, receipt of a complaint within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

3.19 Workplace Violence Prevention

The City is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, the City has adopted a "Zero Tolerance" policy with respect to violence in the workplace. All violent behavior is considered inappropriate in the workplace, on both the part of the employee and the customer, and it will not be tolerated.

Workplace violence is defined as any act of physical, verbal or written aggression by an individual or by a group that occurs in the workplace or arises out of work activity, that causes or could cause a reasonable person to be in fear of imminent bodily injury, or that causes or could cause the destruction of property. This definition will be construed to include the infliction of bodily injury or the attempt to inflict bodily injury; harmful physical contact or the attempt to make harmful physical contact; and the abuse or destruction of property or the attempt to abuse or destroy property. When the terms "violence" or "violent behavior" are used here, they are intended to include verbal threats, written threats, and behavior that intimidates or causes fear, announce or alarm on the part of a reasonable person.

Bringing a deadly weapon to work or carrying a deadly weapon while at work is strictly and specifically prohibited. This prohibition does not apply to an employee authorized to carry weapons as part of their job responsibility, such as police officers. "Deadly weapon" means a device, instrument or object that is specifically designed for causing

death or serious physical injury. This prohibition applies to each employee, other than a sworn police officer, who has a concealed weapon permit. This prohibition extends to vehicles brought to work and parked on City property whether owned, leased, rented or borrowed. This prohibition does not apply to personal defense devices such as personal attack alarms, tasers, stun guns or to chemical defense sprays such as pepper spray or mace, provided these devices are only used for personal defense.

All violent acts and threats are to be reported, even if the threat is retracted. It is not helpful to allow a violent or threatening individual to continue with this behavior, because the potential of that behavior deteriorating increases over time.

It is up to all employees to assist in the identification and resolution of threatening or violent behavior. Preventing and de-escalating violence is not solely a management responsibility.

Taking reprisal action against any person because that person reported a violent incident, furnished information or participated in any manner in an investigation is prohibited.

In all cases involving violence, the first priority of employees in dealing with the situation is to protect themselves, their co-workers and the public.

A. Dealing With Violence in the Workplace

If it is reasonable to believe that someone is acting in a manner that is immediately dangerous to himself or herself or another person, then immediate action should be taken. The following steps should be taken:

- Do not attempt to control the violent person.
- Leave the immediate danger area and go to a safer area. If available, use the panic button device provided for various work areas.
- Call 9-1-1 for emergency police assistance. Tell the 9-1-1 dispatcher that there is an immediate danger and provide the location, description of the suspect and a summary of the situation.
- Notify co-workers and management of the danger.

If a person is making threats but the person is not presently violent, or no immediate danger is apparent, then the employee perceiving the threat or having knowledge of the violence should:

Notify the immediate supervisor or supervisor on duty. If no supervisor is available, then the Department Head, the Human Resources Director or the City Manager should be notified.

Try to keep away from the threatening person, if possible, pending the results of an investigation.

If it is not possible to keep away from the threatening person, then the affected employee should develop contingency plans for self-defense and emergency escape routes. Panic buttons are located in each City Hall department. Employees should ensure they know the location of the panic button(s) in their department. In the event of a situation where anyone's personal safety is threatened, the panic button should be utilized. Pushing the panic button will cause the Police to be notified immediately and dispatched to the department needing assistance.

Threatening or violent behavior from customers is not acceptable. Employees are directed to record threats in writing as soon as possible after the threat is communicated. Thereafter, the employee is to immediately notify the supervisor of the threat and follow the procedure described above. Violent behavior on the part of customers towards City employees and property will not be tolerated. Persons exhibiting violent behavior will be asked to stop and/or leave immediately. If such a person fails to leave immediately, employees are to request emergency police assistance by calling 9-1-1 (after obtaining an outside line).

Upon receipt of a report of workplace violence where an employee is the alleged perpetrator, the supervisor will immediately begin to investigate the report and take immediate corrective action, if appropriate. The Human Resources Director will be notified of any action taken as soon as possible. The Human Resources Director, or designee, will supervise the completion of the investigation of the incident. Where criminal wrongdoing is apparent, the matter will be reported to the Police Department.

The City has an interest in the personal life of an employee only as it may affect the City or the employee's job performance. If an employee's personal activities interfere with the employee's job performance or with the ability of other City employees to perform their job functions, then the City has the right to regulate, control or prohibit that behavior. With respect to domestic violence, the City may become involved and take action if or when the violent behavior takes place while the employee is on the job. Incidents of domestic violence at work will be reported and investigated in the same manner as other violent incidents. At the request of an employee, the City may make provisions to shield or protect an employee from abuse while at work through prudent temporary measures.

Department Heads will immediately forward any report of workplace violence to the Human Resources Director. The Human Resources Director, or designee, will conduct an internal investigation. If criminal behavior is reported, the Police Department will be asked to investigate. During the internal investigation, confidentiality will be maintained to the extent possible. However, during an investigation, it is often necessary to make the employee or the customer against whom the allegation has been made aware of the complaint in order to ascertain the facts. In addition, other employees, supervisor and customers who may have

witnessed or have knowledge of the incident will usually need to be interviewed. The Human Resources Office will keep a confidential written record of the steps taken during the investigation.

At the conclusion of the investigation, the Human Resources Director will determine the action or actions to be taken, if any. A written summary of the steps taken in the investigation and the results of the investigation will be made and kept in a confidential manner by the Human Resources Office. As appropriate, the reporting party will be informed of any actions to be taken as a result of the investigation.

The City encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Human Resources Office before the situation escalates into potential violence. The City is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns.

SECTION 4. CLASSIFICATION

4.1 Purpose

The classification plan is, in effect, an occupational inventory of positions. It is fundamental to personnel administration since it makes possible standardization of class titles for purposes of personnel record keeping, employment testing, pay administration and related personnel administration objectives.

4.2 Class Specifications

The classification plan consists of a class specification for each class of positions. The specification includes the title of the class, a statement of typical duties and responsibilities and the desirable qualifications an applicant should possess to perform the work. Positions that are similar with respect to duties, responsibilities, authority and level of work are included within the same class.

Class specifications are descriptive and not restrictive. They are intended to indicate the kinds of duties that may be assigned to any position allocated to the class, while still providing supervisors the flexibility of making work assignments. The use of a particular expression or illustration as to duties will not be held to exclude others not mentioned that are of similar kind or quality, nor will any specific omission necessarily mean that such factor is not included.

All employees will receive a copy of the job description upon hire or placement into a new position.

4.3 New Positions

A Department Head may request City Manager approval to create a new position in their department. After City Manager approval of the position, the Department Head will send to or describe to the Human Resources Director a detailed description of the duties and responsibilities of the position and a statement of the suggested qualifications for the position. After reviewing this information, the Human Resources Director shall compose a job description and may allocate the position to an existing class or, if there is no appropriate class, prepare a new class specification. This new class specification, along with minimum and maximum salary levels will be submitted to the City Manager for consideration and approval of salary range.

No person may be appointed or promoted to fill any position until the classification plan has been amended to provide therefor.

4.4 Reclassifications

Whenever a Department Head wants to make any substantial changes in the duties, authority or responsibilities of a position, they must have City Manager approval to proceed. If approval is received, written notice of the proposed changes must be submitted to the Human Resources Director for determination of the effect, if any, on the classification of the position. The City Manager or Human Resources Director, upon his/her own initiative or at the request of a Department Head or employee, may review the duties of any position to determine if the classification is proper.

Positions, the duties of which have changed materially so as to necessitate reclassification, will be allocated to a more appropriate class, whether new or already created, in the same manner as originally classified and allocated.

Reclassification of positions will not be used to avoid restrictions surrounding demotions and promotions.

Reclassifications will have the following effect on employee status:

- A. Reclassification to a Higher Salary Range. When a position is reclassified to a class that carries a higher salary range and the incumbent meets the qualifications established for the class, probationary status in the new class will be given. If the incumbent does not meet the necessary qualifications, the rules governing transfer, demotion or layoff will apply.
- B. Reclassification to the Same Salary Range. When a position is reclassified to another class that carries the same salary range, or there is a change in title or description that does not constitute an upgrading or downgrading of the class, the incumbent will retain the same probationary or regular status in the new class. Any exception to this rule must be based on a finding that the new class requires knowledge, skills or abilities which the incumbent does not possess.
- C. Reclassification to a Lower Salary Range. When a position is reclassified to a class that carries a lower salary range, the incumbent will retain the same probationary or regular status in the lower class. The employee will be placed on the promotion list in the same manner as provided for demotion.

4.5 Maintenance of the Classification Plan

The City Manager or Human Resources Director, when directed by the City Manager, is responsible for maintaining the classification plan through periodic reviews. Based on these reviews, the City Manager may establish new classes or to make revisions to current classes.

Department Heads are responsible for notifying the Human Resources Director of any unusual changes in positions. An employee may also request of the Department Head

or the Human Resources Director that his/her position be reviewed to determine whether it is properly classified. The Human Resources Director will make the necessary investigation of any such request and any changes in job classification will be documented in written form.

The City Manager may abolish or consolidate an office, position or class in the City and layoff, transfer, demote or reclassify the employee(s) holding affected positions. Individual bargaining unit contracts or nonrepresented employee handbook may address this for specific groups.

SECTION 5. APPOINTMENTS

5.1 Announcement of Vacancies

Upon prior approval of the City Manager, the Human Resources Office shall publicize notices of employment opportunities in the classified service. At its discretion, the City may post vacancies and recruit for candidates internally only, externally only or both internally and externally. The City will comply with any collective bargaining agreements which require that internal candidates receive preference for seniority or some other specified basis.

The City may choose to advertise in writing, by posting notices and by using available media and/or the Internet at the City's discretion.

The vacant position may be filled by either a transfer or promotion of a City employee or recruitment of a new employee.

All information regarding recruitment shall come from the Human Resources Office.

5.2 Applications

The City of Roseburg's application form shall be provided solely by the Human Resources Office. Applications will be provided in person, or by mail or are downloadable from the City's website. Applications will not be faxed or e-mailed to applicants. Applications shall only be accepted for specific, advertised and available positions. Resumes will not be accepted in any circumstance. Applications faxed or e-mailed to the City are not acceptable. Assistance in completing applications is available for those requiring ADA accommodation. The Human Resources Office shall be responsible for the recruitment process, with input from the Department Head on testing and establishing criteria and the candidates eligible for consideration.

The Human Resources Office shall review the applications to ascertain the applicants' qualifications for the position.

Rejected applications shall be kept by the Human Resources Office in accordance with the records retention schedule promulgated by the State Archivist and the Equal Employment Opportunity Commission. The Human Resources Office will prepare the appropriate notification to all rejected applicants.

5.3 Reasonable Accommodations

It is the policy of the City of Roseburg to provide reasonable accommodations for qualified persons with disabilities who are employees or applicants for employment. This organization will adhere to all applicable federal, state and local laws, regulations and guidelines with respect to providing reasonable accommodations as required to

afford equal employment opportunity to qualified individuals with disabilities. Reasonable accommodations shall be provided in a timely and cost-effective manner.

- A. In considering a person with a disability for employment or for promotion or in any other personnel action, the existence of their disability should not adversely affect a personnel decision. Employment opportunities shall not be denied to anyone because of the need to make reasonable accommodation to the individual's disability.
- B. In considering a person with a disability for employment or for promotion or in any other personnel action, the existence of their disability should not adversely affect a personnel decision. Employment opportunities shall not be denied to anyone because of the need to make reasonable accommodation to the individual's disability.
- C. In considering a person with a disability, it is appropriate to determine the ability of the person to perform the essential functions of the job with reasonable accommodation. A request for medical verification of the disability of the person requesting the accommodation may be appropriate.
- D. If the applicant or employee wishes to challenge a decision of the City, they have access to the ADA grievance procedure.
- E. An employee and the employee's supervisor should periodically monitor the effectiveness of the accommodation.
- F. Individuals with disabilities shall be afforded the opportunity to provide reasonable accommodations for themselves if it would impose undue hardship on the operation of the City.

5.4 Employment of Relatives/Associates

Two relatives, or two persons living in the same household, or co-workers sharing a personal relationship, may not be employed by the City of Roseburg if one has supervisory responsibility over the other or if such employment is not in the best interest of the City. (A supervisor is responsible for salary administration, evaluation, transfer, promotion, supervision, discipline, adjustment of grievance or recommendation on any personnel action.) If this occurs, one of the employees must transfer to another department or work unit. If no openings exist or if a job transfer will not rectify the situation, one of the employees must resign within one year. If one of the individuals does not resign, the City Manager or the Manager's designee will decide which employee to terminate based on merit, seniority and the best interest of the City.

5.5 Appointments

The qualifications of an application for a position in the classified service shall be ascertained on the basis of one or more of the following:

- A. Information the applicant supplies on the application form;
- B. Written, performance or physical tests or examinations;
- C. Requirements for certification under state law;
- D. Interview;
- E. Background investigation;
- F. Other related requirements.

The initial offer of employment may come from the Department Head or the Human Resources Office. The Human Resources Office shall, thereafter, arrange for the post-offer physical. The final offer of employment will be confirmed in writing by the City Manager upon successful completion of the post-offer physical.

5.6 Provisional Appointment

Any vacancy that cannot be filled may be filled by a provisional appointment. A provisional appointee's tenure shall terminate as soon as the position to which (s)he has been provisionally appointed can be filled by appointment of a qualified person.

5.7 Emergency Appointment

In an emergency that threatens life or property, the City Manager may, without complying with the provisions of these rules, employ, for not more than 120 calendar days, such persons as necessary to meet the emergency.

5.8 Service Credit

A regular employee, other than one who is laid off or rehired from an on the job disability within three years of the date of injury, who separates from City service and subsequently returns to City employment will not regain previously accrued service credit.

5.9 Probationary Period

All new, promoted or transferred employees and re-employments shall serve a probationary period as part of their evaluation process in the new job. During this period the employee shall demonstrate fitness for the duties to which the employee is appointed by actual performance of the duties of the position.

The City reserves the right to terminate any new employee at any time within the probationary period if, in its sole discretion, the City finds the employee unsuitable for

any reasons. While in the probationary period, the employee does not have the right of appeal.

5.10 Promotions

To be eligible for promotion, a person must meet the minimum requirements of the higher level position and must have a current satisfactory performance rating. When a vacancy occurs, all qualified personnel are eligible to apply and will be given equal opportunity for the position.

If, during the probationary period, the employee does not qualify in the new position for reasons other than misconduct or delinquency, the employee may be reinstated to the former position. Individual bargaining unit contracts or the nonrepresented employee handbook may address this for specific groups.

5.11 Transfers

An employee may be transferred from one position to another position, with the recommendation of the Department Head and the approval of the City Manager, provided such transfer is at the same salary level and minimum qualifications are met.

A voluntary transfer, if approved by the City, can be made at the same salary level or lower, provided minimum qualifications are met with Department Head and City Manager approval.

5.12 Temporary Assignment

The City retains the right to temporarily assign any qualified employee to a position in any department to meet the temporary specific needs of the City.

5.13 Demotion

The City Manager may approve demotion of an employee, in terms of pay or rank or both:

- A. For an unsatisfactory performance rating.
- B. For failure to satisfactorily complete a probationary period.
- C. For disciplinary reasons after complying with the procedures for discipline contained in these rules.
- D. To a vacant position in lieu of layoff, with the employee's consent; provided the minimum requirements are met for the lesser position.

- E. A voluntary demotion to a position with less pay provided the minimum requirements are met.

At least two weeks before a nondisciplinary demotion becomes effective, written notice will be given to the employee.

SECTION 6. COMPENSATION

6.1 Transfer

When an employee is appointed to a position in a different classification which has the same pay range or to a different position in the same classification, the rate of pay will remain the same.

6.2 Step Increases

Salary step increases are not automatic. Step increases will be approved only for those employees who have demonstrated acceptable standards of work performance. Length of service in itself will not be considered a sufficient reason for recommending a salary increase. The major emphasis will be placed upon satisfactory job performance.

Eligibility for step increases will normally occur after one-year of service in each step. However, upon satisfactory job performance, step increases may be granted after completion of a six-month period in step 1 and step 2. Step increases are made upon the recommendation of the employee's immediate supervisor, the Department Head and approval of the City Manager.

For new hires, a Department Head may request an exception to the rules regarding entry salary step where circumstances warrant such action. Such requests must be in writing and be only for those employees who have demonstrated outstanding service and work qualifications. All such requests must contain complete justification by the Department Head and be approved by the City Manager or the City Manager's designee.

6.3 Pay Period

Employees are paid on the Finance Department's last workday of the month. The City offers a direct deposit option.

6.4 Payroll Changes

Upon hire, all employees must complete a Form W-2 so the City can withhold the correct income tax from payroll. New W-2 forms must be completed in the event of a name or status change, i.e. marriage, divorce, addition/deletion of dependents. Deduction changes, which are not required by a status change as noted in this section, will be allowed only twice per calendar year.

The Human Resources Office must be notified immediately of any personal changes, i.e. marital status, address, telephone, etc.

Department Heads must notify the Human Resources Office of any changes in job status so the Personnel Action Form can be completed.

Personnel Action Forms must be completed and forwarded to the Finance Department by the 10th of the month of the change. Circumstances for which the Human Resources Office must be notified to prepare appropriate payroll changes include, but may not be limited to:

- ◆ Addition/deletion of incentive pay (certification/degree)
- ◆ Addition/deletion of special assignment pay
- ◆ Change in work hours
- ◆ Cost of living adjustment
- ◆ Demotion
- ◆ Leave of absence (unpaid)
- ◆ Merit increase
- ◆ Promotion
- ◆ Termination

6.5 Payroll Distribution

Payroll checks will be distributed only to the employee. Those employees utilizing the direct deposit option will receive a record of their payroll activity. Any exceptions to the distribution must be provided for in writing. The employee must notify the Finance Department as to who is designated to receive a specific check. "Blanket" authorization for any and all checks will not be accepted.

6.6 Authorization for Overtime

All overtime worked by non-exempt employees must be approved by the immediate supervisor in advance of being worked; however, in the case of emergencies, the employee must notify the supervisor as soon as possible of the need to work overtime. Employees will report actual time worked to their supervisors during the pay period in which the overtime was worked. Departments should set their own policy for manner of reporting that serves their scheduling needs. This will be strictly adhered to.

Failure to comply with these reporting provisions or non-exempt employees who work overtime without proper approval will be subject to disciplinary action.

SECTION 7. ATTENDANCE

7.1 Hours of Work

Employees are expected to be at work on their normally scheduled work days unless they have received prior approval from their immediate supervisor. An employee who is absent from work for two consecutive working days without authorization, except for an unavoidable situation, will be considered to have abandoned his/her job as of the last day of active employment. Because of overtime requirements, non-exempt employees will not begin work early or leave late without prior approval of their supervisors.

7.2 Meals and Rest Breaks

Thirty to sixty minutes shall be provided each employee during their scheduled work shift as a meal break. Such time is the employee's own and not reimbursable as wages. The meal break shall commence between five and six hours from the beginning of the shift, but not later than six hours. The employee must be relieved of all duties during meals periods except in narrow situations where the City can show that exceptional and unanticipated circumstances prevent the employee from being relieved of all duties.

A 15 minute break (rest period) shall be allowed all employees during each half of a scheduled shift as the same are determined to the operating requirements of each division by the supervisor. Breaks are usually at or near the job site.

Any inability of the City to provide regularly scheduled meal and rest periods must be based on the ordinary nature of the work the employee performs.

7.3 Rest Breaks for Nursing Mothers

Reasonable rest periods shall be accommodated for an employee who needs to express milk for a child 18 months of age or younger unless doing so would impose an undue hardship. Reasonable effort shall be made to provide a private location to express the milk.

SECTION 8. BENEFITS

8.1 Retirement

The City participates in the Oregon Public Employees Retirement System (PERS) and OPSRP. Member's Handbooks are available from PERS which describe this program in additional detail.

Normally, an employee becomes a member of PERS after completing six months of uninterrupted work for the City. If a newly hired employee is already in PERS, contributions begin immediately. At this time, the City pays a percentage of the employee's wages into the system. This amount varies from year to year. In addition, there is currently an employee's contribution of 6% which is also currently paid for by the City.

When an employee decides to retire, written notice should be provided to the Department Head at least 30 days prior to the intended retirement date. There is no mandatory retirement date for City employees, with the exception of police officers and firefighters who are required to retire upon their 70th birthday.

PERS counselors will provide complete information on the provisions of this system.

8.2 Extended Health Benefits

In compliance with COBRA (The Consolidated Omnibus Budget Reconciliation Act), the City offers employees and family members whose coverage under a group health plan would otherwise be terminated by reason of certain events, the opportunity to elect an extension of that coverage on a self-pay basis for a limited time period. This information is included in the Personnel Policies to insure all employees are informed, in a summary fashion, of their rights and obligations under COBRA. Employees and if applicable, their spouses should read this section carefully.

Federal law requires that the City give employees and their families, at their own expense, the opportunity to continue their health care coverage when there is a "qualifying event" that would result in a loss of coverage under an employer's plan. Depending on the type of qualifying event, "qualified beneficiaries" can include the employee covered under the group health plan, a covered employee's spouse, and dependent children of the covered employee.

Qualifying Events include,

- End of employment
- Reduction in hours of employment
- Death of employee
- Divorce or legal separation
- Enrollment in Medicare
- Loss of dependent child status

Continuation coverage is the same coverage that the Plan gives to other participants or beneficiaries under the Plan who are not receiving continuation coverage. Each qualified beneficiary who elects continuation coverage will have the same rights under the Plan as other participants or beneficiaries covered under the Plan, including special enrollment rights. Specific information describing continuation coverage can be found in the Plan's summary plan description which can be obtained from the Human Resources Director.

In the case of a loss of coverage due to end of employment or reduction in hours of employment, coverage may be continued for up to 18 months. In the case of losses of coverage due to an employee's death, divorce or legal separation, the employee's enrollment in Medicare or a dependent child ceasing to be a dependent under the terms of the plan, coverage may be continued for up to 36 months. The maximum period for continuation for employee termination is 18 months. Maximum continuation period for other circumstances, i.e. divorce or death, is 36 months.

Continuation coverage will be terminated before the end of the maximum period if any required premium is not paid on time, if a qualified beneficiary becomes covered under another group health plan that does not impose any pre-existing condition exclusion for a pre-existing condition of the qualified beneficiary, if a covered employee enrolls in Medicare, or if the employer ceases to provide any group health plan for its employees. Continuation coverage may also be terminated for any reason the Plan would terminate coverage of a participant or beneficiary not receiving continuation coverage (such as fraud).

If the maximum period of coverage is 18 months, the following sub-paragraphs apply:

- A. If continuation coverage is elected, an extension of the maximum period of 18 months of coverage may be available if a qualified beneficiary is disabled or a second qualifying event occurs. The Human Resources Office must be notified of a disability or a second qualifying event in order to extend the period of continuation coverage. Failure to provide notice of a disability or second qualifying event may affect the right to extend the period of continuation coverage.
- B. *Disability:* An 11-month extension of coverage may be available if any of the qualified beneficiaries is disabled. The Social Security Administration (SSA) must determine that the qualified beneficiary was disabled at some time during the first 60 days of continuation coverage, and the Human Resources Office must be notified of that fact within 60 days of the SSA's determination and before the end of the first 18 months of continuation coverage. A copy of the SSA's determination must be provided. All of the qualified beneficiaries who have elected continuation coverage will be entitled to the 11-month disability extension if one of them qualifies. If the qualified beneficiary is determined by SSA to no

longer be disabled, the Human Resources Office must be notified of that fact within 30 days of SSA's determination.

- C. *Second Qualifying Event:* An 18-month extension of coverage will be available to spouses and dependent children who elect continuation coverage if a second qualifying event occurs during the first 18 months of continuation coverage. The maximum amount of continuation coverage available when a second qualifying event occurs is 36 months. Such second qualifying events include the death of a covered employee, divorce or separation from the covered employee, the covered employee's enrolling in Medicare, or a dependent child's ceasing to be eligible for coverage as a dependent under the Plan. Human Resources must be notified within 60 days after a second qualifying event occurs.

Each qualified beneficiary has an independent right to elect continuation coverage. For example, both the employee and the employee's spouse may elect continuation coverage, or only one of them. Parents may elect to continue coverage on behalf of their dependent children only. A qualified beneficiary must elect coverage by the date specified on the Election Form provided at the time of qualification. Failure to do so will result in loss of the right to elect continuation coverage under the Plan. A qualified beneficiary may change a prior rejection of continuation coverage any time until that date.

In considering whether to elect continuation coverage, the employee and/or qualified beneficiaries should take into account that a failure to continue group health coverage will affect future rights under federal law. First, the right to avoid having pre-existing condition exclusions applied by other group health plans if there is more than a 63-day gap in health coverage may be lost; election of continuation coverage may help avoid such a gap. Second, the guaranteed right to purchase individual health insurance policies that do not impose such pre-existing condition exclusions will be lost if continuation coverage is not obtained for the maximum time available. Finally, take into account that there are special enrollment rights under federal law. COBRA eligible individuals have the right to request special enrollment in another group health plan for which they are otherwise eligible (such as a plan sponsored by a spouse's employer) within 30 days after group health coverage ends because of the qualifying event. The same special enrollment right exists at the end of continuation coverage if COBRA continuation coverage is selected for the maximum time available.

Generally, each qualified beneficiary is required to pay the entire cost of continuation coverage. The amount a qualified beneficiary may be required to pay may not exceed 102% of the cost to the group health plan (including both employer and employee contributions) for coverage of a similarly situated plan participant or beneficiary who is not receiving continuation coverage (or, in the case of an extension of continuation coverage due to a disability, 150%).

If continuation coverage is elected, payment for continuation coverage need not be sent with the Election Form. However, first payment for continuation coverage must be made

within 45 days after the date of election. (This is the date the Election Notice is post-marked, if mailed.) If first payment for continuation coverage is not received within that 45 days, continuation coverage rights under the Plan will be lost.

The first payment must cover the cost of continuation coverage from the time coverage under the Plan would have otherwise terminated up to the time first payment is made. The employee or qualified beneficiary is responsible for making sure that the amount of the first payment is enough to cover this entire period. Contact the Human Resources Office to confirm the correct amount of the first payment.

Payment will be required for continuation coverage for each subsequent month of coverage. Under the Plan, these payments for continuation coverage are due prior to the first day of each month. The Plan will not send periodic notices of payments due.

Under the Plan, when group health coverage ends, employees and beneficiaries have the right to enroll in an individual health insurance policy, without providing proof of insurability. The benefits provided under such an individual conversion policy may not be identical to those provided under the Plan. This right may be exercised in lieu of electing continuation coverage, or this right may be exercised after you have received the maximum continuation coverage available. If you enroll in an individual conversion policy you lose your right under federal law to purchase individual health insurance that does not impose any pre-existing condition limitations when your conversion policy coverage ends.

This section may not fully describe continuation coverage or other rights under the Plan. More information about continuation coverage and rights under the Plan is available in the summary plan description or from the Plan Administrator. A copy of the summary plan description is available from the Human Resources Office.

For more information about rights under ERISA, including COBRA, the Health Insurance Portability and Accountability Act (HIPAA), and other laws affecting group health plans, contact the U.S. Department of Labor's Employee Benefits Security Administration (EBSA) in your area or visit the EBSA website at www.dol.gov/ebsa.

In order to protect your family's rights, you should keep the Plan Administrator informed of any changes in the addresses of family members. You should also keep a copy, for your records, of any notices you send to the Plan Administrator.

8.3 Retiree Coverage

Currently, under State of Oregon legislative action, City employees who retire and their eligible dependents, are entitled to continuation coverage at the retiree's expense under the City's medical coverage until they are eligible for Medicare. Continuation of dental and vision coverage is not subject to the Medicare limitation. Coverage will be the same policy as afforded active employees. The retirees and dependents are responsible for the payment of the monthly medical premium to the City's

Payroll/Benefits Technician before the first of every month. Retirees must declare their intention to remain on the City's health plan at the time of retirement.

8.4 Worker's Compensation

The City of Roseburg is currently self-insured for the cost of on-the-job injuries and illnesses. These costs are paid from a dedicated fund with an excess insurance policy in addition. Claims are handled by a third-party administrator. This firm is authorized to receive, investigate and adjudicate claims submitted by city employees. Volunteers are not covered by this program except for Police Reserve Officers.

The City has an active mandated Safety Committee and a safety and health program coordinated by the Committee. When necessary and advisable, the City contracts with a safety professional to manage the written safety program and to provide expert assistance in preventing and minimizing workers compensation claims and their severity. Forms and requirements for reporting claims and injuries are contained in the Safety Policy. All employees are required to follow safety guidelines and claims reporting policies. Any questions on this program shall be handled by the Human Resources_Director.

In the event an employee suffers a work related illness or injury and such illness or injury is found to be compensable, the City obligation to pay under this provision is the difference between compensation received through the workers' compensation carrier and the employee's net salary. Sick leave accrual will not be deducted as a result of this provision. Neither will sick leave accrue during this time. Such compensation shall continue until the employee is able to return to work, is declared permanently disabled and unable to return to work or is off the job for 15 months, whichever comes first. Employees unable to return to work by the end of 15 months shall be considered terminated. Employees shall be required to report their workers' compensation earnings to the City when they receive them, to allow the City to properly compensate the employee to their net pay, minus legal deductions.

In any event, employees covered by workers' compensation shall be entitled to continuation of their insurance benefits, under COBRA provisions at City expense, for 15 months from the date of illness or injury or return to their position. Thereafter, employees shall be terminated until they can return to their position with the City in accordance with statutory requirements.

A. Light Duty Provisions

This policy applies to illness or injury which has taken place on or off the job. In the event all light duty assignments cannot be accommodated, those who have sustained an on-the-job injury shall take precedence in light duty tasks over those incurred off the job.

The intent of this policy is to facilitate the healing process for employees' injuries

to decrease time loss and to take advantage of the skills and abilities of the employees who are unable to do all of the tasks of their regularly assigned position.

When an employee is unable to perform the regular duties of his/her position, due to an injury or illness, he/she shall be assigned to a light duty position.

The employee shall provide a doctor's statement that he/she is unable to perform his/her regular duties. A job description with essential functions will be provided to the employee's physician. A release for physicians information on physical capacities, duration of treatment expected and prognosis as pertains to that particular illness or injury is to be provided to the City and will be signed by the employee.

Job descriptions and required activities will be provided to the attending physician to assure proper assignments for light duty.

Light duty assignment will be determined by the Department Head and Human Resources Director and will be assigned as appropriate within any department of the City. If, in the opinion of the doctor, the employee is not capable of the assigned work, the employee may be assigned to another available light duty assignment. This may be in any suitable task beneficial to the City of Roseburg that can be safely performed by the employee.

When on light duty, the work week schedule shall be 40 hours. When an employee is unable to work the full schedule, by virtue of the extent of the illness or injury, a part time schedule can be arranged to meet the employees physical capacities as determined by the attending physician.

There will be no charge of sick leave for attendance at a doctor's office, or for therapy due to the injury or illness which is job related and the subject of an accepted workers compensation claim. Sick leave provisions will apply in the event the illness or injury is not an on the job injury. However, light duty participants are encouraged to schedule physical therapy or medical appointments around the modified work schedule as much as practical, preferably at the beginning or end of assigned work hours. Verification of appointments with medical providers may be requested.

Time worked under light duty assignments will be considered as any other time worked in determining seniority.

Employees on light duty will only be eligible for overtime at the specific instruction of their supervisor.

In the event any shift employee remains on light duty beyond 30 days from the first day of light duty assignment, the accrual rate for benefits shall be amended

to the 40-hour rate. Upon return to regular shift-duty assignment for fire protection personnel, accrued benefits shall be recomputed at an equivalent rate.

In any event, light duty assignments are not expected to extend beyond 90 days unless full recovery is expected. In that event, a full medical report and prognosis for full recovery shall be provided by employees attending physician. The decision to continue light duty shall be made by the Department Head based on this medical opinion. If a full recovery is likely or expected by the attending physician, the light duty may extend to a maximum of 15 months. If eligible for temporary PERS/OPSRP disability at the 90 days, employee may opt to use that benefit.

In every instance, this policy shall be coordinated and supervised by the Department Head with cooperation from the Human Resources Office and Finance Department. All supervisors and employees shall assist in the full recovery and re-integration of co-workers into light duty and regular assignments as much as possible.

Light duty is intended as a temporary assignment only. No regular position will automatically be created to accommodate light duty restrictions on employees' activities.

A doctor's release will be required stating the employee is capable of returning to regular duty.

Bargaining unit members shall also refer to any Light Duty provision in their current collective bargaining agreement.

8.5 Credit Union

City employees are eligible to join the Cascade Community Federal Credit Union.

8.6 Employee Assistance Program

The Employee Assistance Program (EAP) is designed to help employees and their household's members with free, confidential, short term counseling services for personal problems. If a client's problems require specialized or long-term services, the counselor will refer to appropriate community resources. EAP is offered in an effort to maintain employee productivity, retain valued employees and assist in restoring their general well being. The program accomplishes its goals through early identification and intervention with troubled staff. Typical problems EAP provides assistance with are: marital, parenting, alcohol/drug/substance abuse, financial, stress, depression and grief.

The EAP also offers assistance in identifying and accessing local resources for various employee needs. These include elder and childcare and other self-help organizations available for non-crisis related issues.

8.7 Deferred Compensation

A deferred compensation program is available through payroll deduction at the employee's expense.

8.8 Regular Part-Time Employee Benefits

Where applicable, regular part-time employees, working more than twenty hours per week, shall accrue benefits in an amount proportionate to that which would be accrued under full-time employment. Such employees averaging 20 to 29 hours per week shall receive 50% of the applicable benefits. Those employees averaging 30 to 39 hours per week shall receive 75% of the applicable benefits. Maximum accruals are also prorated based upon the number of hours normally worked. If the employee wishes to receive insurance benefits, City participation in the payment of premiums for such coverage shall be prorated on the same basis. The balance of the premium is the employee's responsibility. These employees shall have a pay rate established for their classification and shall be eligible for annual cost of living increases only.

(Bargaining Unit members shall refer to the appropriate provisions in their current collective bargaining contract for their policy on this topic.)

8.9 Additional Coverages

Employees may be eligible, upon application to the company, to purchase life insurance coverage at higher limits than the basic City paid policy. The decision whether or not to offer coverage rests solely with the participating insurance company. If coverage is offered employees must pay the applicable additional premium in the preceding month.

Certain City employees are also eligible to purchase additional amounts of Accidental Death and Dismemberment coverage solely at the company's discretion. The premiums must be paid to the City in advance of each month of coverage.

SECTION 9. LEAVES OF ABSENCE

9.1 *Oregon Victims of Domestic Violence, Sexual Assault and Stalking*

Employees eligible for this leave must have been employed by the City on the date the leave begins and worked on average of more than 25 hours per week for the 180 days immediately preceding the commencement of such leave. Such leave may run concurrently with leave eligible under the OFLA. This leave is unpaid. Certification of eligibility and need for this leave may be requested by the City and responses will remain confidential.

Employees may take a reasonable leave from employment for themselves or minor children and dependents for any of the following purposes:

- A. To seek legal or law enforcement assistance, including participating in protective order proceedings related to domestic violence, sexual assault or stalking.
- B. To seek medical treatment, to recover from injuries or to obtain counseling.
- C. To obtain services from a victim services provider.
- D. To relocate for safety purposes, including transition periods and transportation.

Reasonable leave is defined as any amount of leave that does not cause an undue hardship on the covered employer's business. The leave may be taken in blocks or intermittently. The City may transfer an employee to another position temporarily with the consent of the employee.

9.2 Military Leave

Military leaves shall be granted in accordance with Federal regulations and Oregon Revised Statutes. The following is our understanding of the statutory requirements:

- A. Military Leave With Pay: An employee who has been employed by the City for six months or more immediately preceding an application for military leave, and who is a member of the National Guard or of any reserve components of the armed forces of the United States, is entitled to a military leave of absence for a period not to exceed fifteen calendar days in any one training year for annual active duty. (One training year is the period of time during which the particular unit of the National Guard or a reserve component holds 48 consecutive assemblies for drill and instruction.). Such military leave will be granted without loss of pay or other leave and without impairment of merit ratings or other rights or benefits to which entitled. Military leave with pay will be granted only when an employee receives bonafide orders to active or training duty for a temporary period. Military leave will not be paid if the employee does not return to work

immediately following the expiration of the period for which ordered to duty. Military leave with pay shall not be granted to employees entering the military service for extended and indefinite periods of active duty. Employees are required to keep the Department Head advised concerning a probable call to active military training duty.

- B. Military Leave Without Pay: An employee is entitled to a military leave of absence without pay during a period of service with the armed forces of the United States. Upon honorable discharge, the employee will be returned to a position in the same class as the last held position, at the prevailing salary rate for such class, without loss of seniority or employment rights. If the City has abandoned the position which was occupied prior to the date of the leave or if it is established that the employee is not physically qualified to perform the duties of the former position by reason of such service with the armed forces, the employee will be reinstated to a suitable position at the nearest appropriate level of pay to the former class. Employees must make application for reinstatement within 90 calendar days and must report for work within six months following separation from active duty. The City may require proof of performance of military service, of honorable discharge or such other proof deemed necessary. Where an employee voluntarily re-enlists, or extends the period of military service, the military leave will be cancelled.
- C. Medical, dental and vision insurance coverage shall be made available to the dependents of City employees who may be deployed, as a result of the employee's participation in bona fide reserve units, at no premium cost to the dependents or employee, for the period of deployment, up to six months maximum.

9.3 Family Medical Leave

The City of Roseburg recognizes that employees need support in balancing their work with personal and family responsibilities. The following outlines the City's policies in compliance with the Federal and State of Oregon leave laws. Not every detail of those laws can be included, and the City will administer this policy in accordance with all legal requirements. Requests for benefits under these laws will be reviewed on a case-by-case basis in accordance with enacted laws and any valid published City policies. HIPAA privacy regulations will be followed where applicable.

In any event, employees must use the appropriate forms to apply for coverage under the following provisions. (Samples are attached at the end of this Section.) In addition, the Medical Leave Report must be completed for all leaves for recordkeeping purposes. Actual leave usage should be shown on this form. Employees shall note all applied for and any granted leave shall be charged to the statutory maximums as described in this Section. These forms should be submitted to the employee's supervisor and forwarded to the Human Resources Office.

Failure to provide the required forms and documentation may cause the City to deny the leave.

9.4 Overview

The City's family medical leave policy combines benefits required by the Federal Family and Medical Leave Act ("FMLA") and State law (OFLA).

A. Reasons for Leave. Family medical leave may be taken for any of the following four purposes:

1. For the birth of a child or for placement of a child under 18 years of age for adoption or foster care (this type of family medical leave may also be referred to as "parental leave");
2. To care for a family member with a serious health condition (family member is defined to include: spouse, parent, parent-in-law and/or child) (leave to care for a parent-in-law is only required by State law);
3. To recover from or seek treatment for a serious health condition of the employee; and/or
4. To care for a child who suffers from an illness or injury that does not qualify as a serious health condition but that requires home care (this type of family medical leave may also be referred to as "sick child leave" and is only required by State law).

B. Length of Leave. In any one-year calculation period, eligible employees are entitled to the following amounts of family medical leave:

1. 12 weeks of family medical leave;
2. 12 weeks of leave for an illness, injury or condition related to pregnancy or childbirth that disables the employee; and
3. Employees who take the full 12 weeks of parental leave are entitled to an additional 12 weeks of leave to care for a sick child.

Sometimes more than one type of leave may apply to a situation. Where allowed by the Federal or State law, leaves will run concurrently. This means that workers' compensation leave (only under Federal law), leave for a nonindustrial injury or illness, leave as a reasonable accommodation for a qualified individual with a disability, Federal family medical leave and State family medical leave may all run concurrently and be counted against the employee's family medical leave entitlement for a one-year calculation period.

9.5 Basic Provisions Related to Family Medical Leave

- A. Certification. You must provide certification from your health care provider to support a family medical leave. If this leave involves more than 3 consecutive calendar days of incapacity plus 2 visits to a health care provider, the first visit to the provider must occur within 7 days of the first day of incapacity and the 2 visits must occur within 30 days of the beginning of the incapacity. Where the need for the leave is anticipated, you must provide the certification in advance of the leave, when possible (except certification is not required for parental leave although you may be required to provide documents evidencing birth, adoption or foster placement). If your family medical leave is for your own serious health condition, you will also be required to furnish a "medical release certification" from your health care provider at least three working days before returning to work.

If the certification is not sufficient to verify the need for leave and additional information is needed, the employee will be notified in writing and will have seven calendar days to provide the necessary proof of eligibility. Should further medical information be necessary, the physician may be contacted directly, without the employee's prior permission, by a health care provider, Human Resources Director or a Manager who does not directly supervise the requesting employee.

An employee notification of the cause for leave must be sufficient to allow the City to determine if an unforeseen absence is FMLA eligible. Merely a statement that the employee or family member is/was "sick" is not sufficient for an eligibility determination.

- B. Benefits Continuation. While you are on family medical leave required under Federal law (FMLA qualified leave), and if you are otherwise qualified, the City will continue your employee benefits, including group medical insurance, for up to 12 weeks provided you pay your portion of the premiums. You will be asked to authorize payroll deductions for any employee contributions for your benefits while you are on leave. In certain situations, the City reserves the right to recover any premiums paid on your behalf for group medical insurance during your leave. For example, if after a leave you decide not to return to work for reasons other than a serious medical condition of yourself or a family member or other circumstances beyond your control, the City reserves the right to recover those premiums paid on your behalf for medical insurance during your unpaid leave.

If the law gives you a right to take leave intermittently, i.e., if you qualify for leave for your own or a family member's serious health condition, you may take intermittent leave or work a reduced schedule. City approval is required to take intermittent leave or work a reduced schedule in the case of leave for the birth of a child or placement for adoption or foster care of a child under the age of 18.

- C. Benefit Status and Accrual. Generally, family medical leave will be unpaid. However, you may use accrued sick leave for your own serious health condition (including illness or injury related to pregnancy or childbirth) or parental care. You may use any accrued vacation leave for all other types of leave. Where accrued paid leave is available, it must be used for family medical leaves before any unpaid leave is taken.

You will retain credit for seniority, pension plan, sick leave and vacation earned prior to your leave, except for the amount of sick leave and vacation time you use during the leave. You will not be eligible for holiday pay during your leave, unless the day before or the day after the holiday is covered by paid vacation. You will not accrue vacation pay during any part of your leave in which you are absent without pay.

- D. Absenteeism. Absences due to family medical leave which are within the maximum required by law are not a basis for corrective action for absenteeism.
- E. Reinstatement. When you return to work, you will be reinstated to your former job. If your former job has been eliminated, you will be reinstated to an available equivalent position. You cannot be guaranteed a job, however, if your former position has been eliminated under circumstances where the law does not require reinstatement.
- F. One-Year Calculation Period. The 12-month period during which leave is available (one-year leave calculation period) will be measured forward from the day of the first FMLA leave taken by the employee. A second 12-month period will commence with the first day of the first leave taken by the employee following the initial 12-month period.

When State OFLA leave is available before the employee is eligible for FMLA leave or the reason for the first leave qualifies for State leave but does not also qualify for FMLA, the one-year leave calculation period will begin with the first State leave taken by the employee. Thereafter, a new leave calculation period will begin with the first day of FMLA qualified leave for FMLA calculations.

9.6 Parental Leave of Absence

A. Eligibility Requirements.

Oregon: To qualify for State OFLA family medical leave of absence, you must have been employed by the City for at least 180 days.

Federal: To qualify for Federal family medical leave, you must have been employed by the City for at least 12 months and worked at least 1,250 hours in the previous 12 months.

As you can see, there is a period of time where you may be eligible for State but not Federal family medical leave. During this period, you will not be eligible for benefit continuation, which is only required by Federal law.

- B. Length of Leave. Parental leave is designed to give you an opportunity to care for your child (birth, placement for adoption or foster care).

Leave for birth or placement of a child must be taken within 12 months of the event. Each parent is entitled to 12 weeks of leave. Keep in mind that employees are generally only entitled to a total of 12 weeks of family medical leave in a one-year period, of which parental leave is one type.

If both parents work for the City, they are not entitled to take concurrent leave except in limited situations. Employees will only be allowed to take leave in two or more nonconsecutive periods with the City's prior approval.

- C. Leave Request. You must provide 30 calendar days advance notice if the leave is foreseeable. To apply for a parental leave of absence, notify your supervisor and obtain a "Request for Family Medical Leave" form. If you have used three days of leave (concurrently or separately) within a one-year period to care for a sick child, you may be required to obtain a "Certification of Physician or Practitioner" form to support a request for any additional leave to care for a sick child. In this case, the City will pay the cost of obtaining the medical certification if it is not covered by your health insurance plan. These forms can be obtained from the Human Resources Office. Return the completed forms to the Human Resources Office or your supervisor.

- D. Intermittent Work. With City approval, you may be allowed to work intermittently during your parental leave. Requests for this option would be reviewed on a case-by-case basis for approval by the City. Intermittent leave will be permitted only in extraordinary circumstances, and employees should not feel obligated to work intermittently during a parental leave.

- E. Benefit Status. Parental leave is unpaid. However, you do have the right to use (and you will be required to use) your accrued sick time and vacation days during your parental leave.

- F. Relationship to Leave to Care for a Sick Child. Employees who have taken the full 12 weeks of parental leave are entitled to an additional 12 weeks to care for a sick child. Keep in mind, however, that this does not entitle you to additional leave to care for a sick child with a serious health condition. The definition of sick child is something less than a child suffering for a serious health condition.

For example, if the employee takes seven weeks of parental leave and five weeks of family leave to care for a family member who suffers from a serious health condition, the employee has exhausted his/her leave entitlement and will

not be granted an additional 12 weeks to care for a sick child. In contrast, if the same employee had taken the entire 12 weeks of leave as parental leave, the employee would be entitled to an additional 12 weeks to care for a sick child.

9.7 **Family Medical Leave of Absence**

A. **Eligibility Requirements.**

Oregon: To qualify for State family medical leave of absence, you must have been employed by the City for at least 180 days and have worked an average of 25 or more hours per week.

Federal: To qualify for Federal family medical leave, you must have been employed by the City for at least 12 months (need not be consecutive) and have worked a minimum of 1,250 hours in the preceding 12 months.

There may be a period of time when you are eligible for leave under State but not Federal law. In situations where either set of rules may be applied, we will always apply the rules that grant the employee the most favorable benefits.

B. **Length of Leave.** Federal and/or State leave laws entitle an eligible employee, in any given year, to 12 weeks of leave for any of the following four purposes:

1. Parental leave (see Section III above);
2. To care for a family member with a serious health condition - eligible family members include your minor children, spouse, parents or parents-in-law (leave to care for a parent-in-law is required under State law only);
3. To care for the employee's own serious health condition; and/or
4. To care for a child who suffers from an illness or injury that does not qualify as a serious health condition but that requires home care (this type of leave is called "sick child" leave and is required under State law only).

C. **Serious Health Condition.** A serious health condition is defined as an illness, injury, impairment or physical or mental condition that involves:

1. Inpatient care in a hospital, hospice or residential medical facility, including a period of incapacity connected with inpatient care; or
2. Continuing treatment by a health care provider for a serious health condition for:
 - a. Incapacity of more than three days;

- b. Any period of incapacity for pregnancy or prenatal care;
 - c. Any period of incapacity or treatment for a chronic serious health condition (i.e., asthma, diabetes, epilepsy, etc.);
 - d. Permanent or long-term incapacity for which treatment may not be effective (i.e. Alzheimer's, a severe stroke, terminal stages of a disease, etc.)
 - e. Multiple treatments for restorative surgery or a condition that, if not treated, would likely result in incapacity of more than three calendar days (i.e., chemotherapy for cancer, physical therapy for arthritis, dialysis for kidney disease, etc.).
 - f. A chronic serious health condition is one that requires at least two visits to a health care provider per year.
- D. Leave Request. Whenever possible, your request for a family leave must be submitted in writing to your supervisor at least 30 days prior to the leave. The City will review any instances where notice is less than the required 30 days. You must provide medical verification of the serious health condition from your health care provider and obtain "Request for Family Medical Leave" and "Certification of Physician or Practitioner" forms from the Human Resources Office or your supervisor. These leave provisions may apply to absences for work related injuries and illnesses.
- E. Benefit Status. Family leave is unpaid; however, you may use accrued sick leave for your own serious health condition (including illness or injury related to childbirth or pregnancy) or parental care. You are entitled to use your accrued vacation days for all other types of leave.
- F. Leave to Care for a Sick Child. The City may not approve the employee's request for leave where another family member is available to care for the child. The City reserves the right to request information from the employee on availability of other family members to provide care and to determine employee's eligibility for the leave.

9.8 Pregnancy Leave

Oregon law provides female employees with an additional 12 weeks of leave for an employee's illness, injury or condition related to pregnancy or childbirth that disables the eligible employee from performing her job.

The right of a pregnant employee to take a medically necessary leave of absence under State law is in addition to any right the employee may have to take a leave for her own serious health condition under Federal and State law. So, a pregnant employee could

be on pregnancy leave prior to the delivery date and then on 12 weeks of parental leave after the baby is born.

You must provide 30 days advance notice when the leave is foreseeable. To apply for pregnancy leave, notify your supervisor and obtain "Request for Family Medical Leave" and "Certification of Physician or Practitioner" forms. You may use accrued sick leave or vacation days during the otherwise unpaid portion of the pregnancy disability leave and must use accrued paid leave before going on unpaid leave.

9.9 Leave For Military Families

- A. An employee who is a caregiver for an injured service member shall be entitled to 26 work weeks of leave during a 12 month period (as defined under FMLA) to care for a covered service member.
 - B. An employee may use leave for a qualifying exigency, as defined by the Secretary of Labor, arising from the fact that a spouse, son, daughter or parent, who is on active military deployment or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation.
-

EMPLOYEE REQUEST FOR FAMILY AND MEDICAL LEAVE

DATE OF REQUEST: _____

EMPLOYEE'S NAME: _____

EMPLOYEE'S DEPARTMENT: _____

Type of Leave: _____

Relevant Physical Condition: _____

If Other Than For Employee's Own Condition, Relationship to Employee:

Expected Start Date for Leave: _____

Expected Return Date To Work: _____

Physician Providing Care: _____

If Intermittent Leave Requested, Give Reason:

If Notice Is Less Than Thirty Days From Beginning of Leave, Give Reason:

Paid Leave: Yes _____ No _____

Type of Paid Benefit Requested:
Vacation _____ Sick _____ Compensatory Time _____

After Eligible Accruals Are Used I Request Unpaid Leave:
Yes _____ No _____

Employee Signature

FAMILY AND MEDICAL LEAVE ACT
Employer Response to Employee Request for Family and Medical Leave

DATE: _____

TO: _____
Employee's Name

FROM: _____
Name of Employer Representative

SUBJECT: Request for Family/Medical Leave

On _____, you notified us of your need to take family/medical leave due to:

___ the birth of your child or the placement of a child with you for adoption or foster care; or

___ a serious health condition that makes you unable to perform the essential functions of your job; or

___ a serious health condition affecting your ___ spouse, ___ child, ___ parent, for which you are needed to provide care.

You notified us that you need this leave beginning on _____ and that you expect to continue until on or about _____.

Employer response normally is given within five days of notice with sufficient information to make a determination.

Except as explained below, you have a right under the FMLA for up to 12 weeks of unpaid leave in a 12-month period for the reasons listed above. Also, your health benefits must be maintained during any period of unpaid leave under the same conditions as if you continued to work, and you must be reinstated to the same or an equivalent job with the same pay, benefits and terms and conditions of employment on your return from leave. If you do not return to work following FMLA leave for a reason other than (1) the continuation, recurrence or onset of a serious health condition which would entitle you to FMLA leave; or (2) other circumstances beyond your control, you may be required to reimburse us for our share of health insurance premiums paid on your behalf during your FMLA leave. The 12-month period is measured forward from the date your first FMLA leave begins.

This is to inform you that (check appropriate boxes, explain where indicated):

1. You are ___ eligible ___ not eligible for leave under the FMLA.
2. The requested leave ___ will ___ will not be counted against your annual FMLA leave entitlement.
3. You ___ will ___ will not be required to furnish medical certification of a serious health condition. If required, you must furnish certification by _____ (at least 15 days after you are notified of this requirement) or we may delay commencement of your leave until certification is submitted.

4. You may elect to substitute accrued paid leave for unpaid FMLA leave. We ___ will ___ will not require that you substitute accrued paid leave for unpaid FMLA leave. If paid leave will be used the following condition will apply: Explain
- 5a. If you normally pay a portion of the premiums for your health insurance, these payments will continue during the period of FMLA leave. Arrangements for payment have been discussed with you and it is agreed that you will make payments to the Payroll Technician by the first of each month.
- 5b. There is no grace period in which to make premium payments. If payment is not made timely, your group health insurance may be canceled, provided we notify you in writing at least 15 days before the date your health coverage will lapse, or, at our option, we may pay your share of the premiums during FMLA leave and recover these payments from you upon your return to work. We expect to be reimbursed for payments made on your behalf.
6. You ___ will ___ will not be required to present a fitness-for-duty certificate prior to being restored to employment. If such certification is required but not received, your return to work may be delayed until the certification is provided.
- 7a. You ___ are ___ are not a "key employee" as described in Subsection 8.25.218 of the FMLA regulations. If you are a key employee, restoration to employment may be denied following FMLA leave on the grounds that such restoration will cause substantial and grievous economic injury to us.
- 7b. We ___ have ___ have not determined that restoring you to employment at the conclusion of leave will cause substantial and grievous economic harm to us (Explain a and/or be below)
8. While on leave you ___ will ___ will not be required to furnish us with the periodic reports every _____ indicate interval of periodic reports, as appropriate for the particular leave situation) of your status and intent to return to work. If the circumstances of your leave change and you are able to return to work earlier than the date indicated on the reverse side of this form, you ___ will ___ will not be required to notify us at least two work days prior to the date you intend to report for work.
9. You ___ will ___ will not be required to furnish recertification relating to a serious health condition. (Explain below, if necessary, including the interval between certifications as prescribed in Subsection 825.308 of the FMLA regulations).

Employee Representative

**CERTIFICATION OF HEALTH CARE PROVIDER
(Family and Medical Leave Act of 1993)**

1. Employee's Name: _____
2. Patient's Name (if different from employee): _____
3. The attached sheet describes what is meant by a "serious health condition" under the Family and Medical Leave Act. Does the patient's condition¹ qualify under any of the categories described? If so, please check the applicable category.

1___ 2___ 3___ 4___ 5___ 6___ or None of the above ___
4. Describe the medical facts which support your certification, including a brief statement as to how the medical facts meet the criteria of one of these categories:
5. a. State the approximate date the condition commenced, and the probable duration of the condition (and also the probable duration of the patient's incapacity² if different): _____
b. Will it be necessary for the employee to take work only intermittently or to work on a less than full schedule as a result of the condition (including for treatment described in Item 6 below)? Yes _____ No _____
If yes, give the probable duration: _____
c. If the condition is a chronic condition (condition #4) or pregnancy, state whether the patient is presently incapacitated²: _____
6. a. If additional treatments will be required for the condition, provide an estimate of the probable number of such treatments: _____
If the patient will be absent from work or other daily activities because of treatment on an intermittent or part-time basis, also provide an estimate of the probable number and interval between such treatments, actual or estimated dates of treatment if known, and period required for recovery if any: _____

b. If any of these treatments will be provided by another provider of health services (e.g., physical therapist), please state the nature of the treatments: _____

¹ Here and elsewhere on this form, the information sought relates only to the condition for which the employee is taking FMLA leave.

² "Incapacity" for purposes of FMLA, is defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefor, or recovery therefrom.

- c. If a regimen of continuing treatment by the patient is required under your supervision, provide a general description of such regimen (e.g., prescription drugs, physical therapy required special equipment): _____
7. a. If medical leave is required for the employee's absence from work because of the employee's own condition (including absences due to pregnancy or a chronic condition), is the employee unable to perform work of any kind? _____
- b. If able to perform some work, is the employee unable to perform any one or more of the essential functions of the employee's job (the employer should supply you with information about the essential job functions)? _____ If yes, please list the essential functions the employee is unable to perform: _____
- c. If neither a. nor b. applies, is it necessary for the employee to be absent from work for treatment? _____
8. a. If leave is required to care for a family member of the employee with a serious health condition, does the patient require assistance for basic medical or personal needs or safety or for transportation? _____
- b. If no, would the employee's presence to provide psychological comfort be beneficial to the patient or assist in the patient's recovery? _____
- c. If the patient will need care only intermittently or on a part-time basis, please indicate the probable duration of this need: _____

Signature of Health Care Provider

Type of Practice

Address

Telephone Number

To be completed by the employee needing family leave to care for a family member:

State the care you will provide and an estimate of the period during which care will be provided, including a schedule if leave is to be taken intermittently or if it will be necessary for you to work less than a full schedule:

Employee Signature

Date

FAMILY AND MEDICAL LEAVE ACT

Certification Attachment

A "Serious Health Condition" means an illness, injury, impairment or physical or mental condition that involves one of the following:

1. Hospital Care

Inpatient care (i.e., an overnight stay) in a hospital, hospice or residential medical care facility, including any period of incapacity² or subsequent treatment in connection with or consequent to such inpatient care.

2. Absence Plus Treatment

a. A period of incapacity² of more than three consecutive calendar days (including any subsequent treatment or period of incapacity² relating to the same condition), that also involves:

1. Treatment³ two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (i.e., physical therapist) under orders of, or on referral by, a health care provider; or
2. Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment⁴ under the supervision of the health care provider.

3. Pregnancy

Any period of incapacity due to pregnancy, or for parental care.

³ Treatment includes examination to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examinations or dental examinations.

⁴ A regimen of continuing treatment includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition. A regimen of treatment does not include the taking of over-the-counter medications such as aspirin, antihistamines or salves; or bed-rest, drinking fluids, exercise and other similar activities that can be initiated without a visit to a health care provider.

4. Chronic Conditions Requiring Treatments

A chronic condition which:

- a. Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
- b. Continues over an extended period of time (including recurring episodes of a single underlying condition); and
- c. May cause episodic rather than a continuing period of incapacity² (e.g., asthma, diabetes, epilepsy, etc.).

5. Permanent/Long-Term Conditions Requiring Supervision

A period of incapacity³ which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke or the terminal stages of a disease.

6. Multiple Treatments (Non-Chronic Conditions)

Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity² of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

SECTION 10. TRAINING

10.1 Philosophy

The City encourages and promotes training opportunities so that employees may be more effective and efficient at their jobs. The Human Resources Director will assist the Department Heads in establishing and meeting the training needs of their departments. Evidence of participation in such training programs will be included in the employee's personnel file if forwarded to the Personnel Director.

10.2 Attendance

Employees required to attend training outside of their normal work schedule will be reimbursed for training hours in accordance with state and federal regulations.

Decisions concerning attendance at seminars, conferences, conventions or other meetings at City expense will be made by the Department Head within budget limits. Any questions Department Heads may have should be referred to the City Manager.

10.3 Expenses

Cost for approved employee development activities including fees, lodging, meals and travel will be paid by the City. Whenever possible, a City vehicle should be used while traveling on City business. If a City vehicle is not available, mileage will be reimbursed at the current IRS rate. If, however, a City vehicle is available and the employee elects to use his/her own vehicle, reimbursement shall be 30 cents per mile. Employees should contact the Public Works Department to secure a City vehicle.

Meals shall be reimbursed at the per diem rate as established by the City Manager. If travel does not involve the entire day, meal reimbursement shall be at the per meal rate established by the City Manager.

Proper expense forms, provided by the Finance Department, must be completed and approved by the Department Head in order to receive reimbursement.

Currently, the per diem rate is \$39.00. Individual meal rates are: Breakfast - \$9.00; Lunch - \$11.00; and Dinner - \$19.00.

SECTION 11. PERFORMANCE APPRAISAL

11.1 Purpose

The overall purpose of performance appraisal is to provide an accurate representation of an employee's work performance. The performance appraisal will be utilized to provide feedback to the employee on past performance, to establish goals for future performance and to assist in making personnel decisions.

11.2 Procedure

Performance appraisals will be completed annually on a regularly scheduled basis, and prior to completion of the probationary period and prior to the month the employee is eligible to receive a merit increase so that employees are annually appraised at a minimum, and more often, when appropriate. Either the employee or supervisor may initiate a performance appraisal. The original performance appraisal will be placed in the employee's personnel file. The Department Head or the immediate supervisor will review the performance appraisal with each employee.

If an employee has been on approved leave for a period in excess of thirty calendar days, the employee's performance appraisal will 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.

Performance appraisals will be signed by the Department Head and the employee. The employee's signature does not necessarily indicate that the employee agrees with the evaluation, but that the evaluation has been reviewed with the employee. Any disagreement with the review should be addressed in writing by the employee indicating the specific areas of disagreement. These comments will be placed in the employee's personnel file along with the performance appraisal.

SECTION 12. SAFETY

12.1 Policy

The management of the City of Roseburg has a sincere concern for the welfare and safety of its employees and the public it serves. It is the City's policy to work to prevent accidents and to ensure that employees are provided safe and healthful working conditions, free from recognized hazards.

Department Heads, supervisors and employees are responsible for guarding the safety of themselves, other employees and the public. Employees are encouraged to offer safety suggestions and contribute to a safer working environment. Employees are encouraged to be representatives to the City Safety Committee or to communicate regularly with their department representative. Employees are to observe all safety practices governing their work. It is the employee's responsibility to learn applicable safety regulations and to use safety equipment and/or personal protective equipment as set forth by regulations. Failure to comply with the responsibilities set forth above will be grounds for disciplinary action up to and including termination.

City policy is clearly outlined in the City's Safety & Health Manual and Training Program Policy which is available to all employees in their workplace.

SECTION 13. VEHICLE USAGE

13.1 Vehicle Use

City owned vehicles are provided for business purposes of the City. Assignment of vehicles shall be at the discretion of the City Manager in accordance with the operational needs of the City and for specific, justified needs arising because of work conditions. All operators shall follow all these guidelines when operating City vehicles.

Operators of City vehicles shall be only City officials and employees at least 18 years of age. Other persons, such as contract employees, volunteers or others may receive permission to drive City vehicles. This requires Department Head approval after consultation with the City Manager.

City vehicles and equipment shall be operated only by persons who possess a valid Oregon driver's license with an acceptable driving record. Permission to drive City vehicles may be withdrawn from:

- A. Persons with unacceptable driving histories;
- B. Those deemed physically incapable of driving; and/or
- C. Persons using City vehicles for non-approved purposes or whose conduct in connection with the use of City vehicle is not in the best interest of the City or brings discredit to the City.

The primary responsibility of every driver is to drive defensively, no matter what the environment. Employees shall manage their environment so as to minimize distractions. Use of some of the tools that help us accomplish our jobs, such as maps, two-way radios, cell phones and mobile data terminals, have contributed to auto collisions throughout the country. In accordance with State law, effective January 1, 2010, the use of mobile communication devices (text messaging or wireless two-way communication device) is prohibited while driving. Specific exemptions include

- A. Police officers
- B. Those 18 years old or older may use a cell phone with a hands-free device.
- C. Use of a device to summon emergency help if no other person in the vehicle is capable of doing so.
- D. Those who must use the devices in the course of performing their employment duties.

While operating City vehicles, operators shall not pick up hitchhikers. City Manager and Department Head approval will be necessary for transportation of non-employees. Police employees should follow their department guidelines for transportation of detainees, arrestees or other appropriate categories. Operators of pool vehicles shall complete the vehicle trip record at the completion of each trip. It is the responsibility of the user of each pool vehicle to be sure the gas tank is filled and the vehicle returned to the storage lot clean for the next user. Employee users shall clean windshield and rear

window glass and empty any debris inside the car. Public Works shall arrange for regular car washing service. Pool vehicles shall be reserved through the Public Works Department. The City assumes no responsibility for payment of any parking or traffic fines that may be issued to drivers of City vehicles.

13.2 Vehicle Assignment Criteria

A city-owned vehicle may be assigned to or used by an individual on a continuous basis only when such assignment is authorized within the provisions of the following rules.

- A. Ready Standby Status. An employee may be assigned regular use of a city vehicle while working under this status during those periods of time when, by virtue of said employee's job responsibilities, the employee is directed by a Department Head to be immediately and continuously available for off-duty call out, and due to the tasks which must be performed following call out, must proceed directly from home to a remote job location to perform such duties which require the use of a city-owned vehicle.
- B. Continual and Intermittent Odd Hour Duty. A city-owned vehicle may be authorized for assignment or use on a regular odd hour basis under this category during those periods of time when job related tasks are such that no straight eight hour day work schedule is practical and such off hour duties cannot be satisfactorily performed without the assigned use of a city-owned vehicle.
- C. The continual use of a city-owned vehicle as a conveyance to and from work is not sanctioned without prior approval from the City Manager.
 1. The Internal Revenue Service considers such use as taxable income. Therefore, all non-business use shall be charged to the user at the current rate as may be determined by the IRS.

13.3 Seat Belts

When operating a City vehicle or while driving a personal vehicle on City business, an employee must use the seatbelt/safety restraint device and require any passengers to do the same. Any employee who does not use safety restraints/seatbelts will be subject to disciplinary action.

13.4 Drivers' Licenses

Any employee whose work requires driving City vehicles must possess a valid Oregon driver's license, with an acceptable driving record. Any employee who does not hold a valid Oregon driver's license will not be allowed to operate a City vehicle until such time as a valid license is obtained. Employees must immediately report any suspension, revocation or restriction of driving privileges to their immediate supervisor. Inability to

drive a City vehicle may subject the employee to reassignment, discipline up to and including termination, or amended duties as the case may require.

13.5 Fuel

City of Roseburg vehicles shall be fueled at the Public Works facility on Diamond Lake Boulevard. In the event fuel must be purchased out of town, such purchase must be made with cash. A receipt must be obtained for out of town fuel purchases and forwarded to the Finance Department for reimbursement to the employee.

13.6 Employees' and Volunteers' Operation of Personal Vehicles on City Business

With Department Head and City Manager approval, employees may need to use their personal vehicles on City business. This should likely occur when a City vehicle is not assigned to the operator, nor is a pool vehicle available (See Expenses 9.3) or when use of a personal vehicle is more convenient or cost effective. Employees are required to follow Oregon law regarding financial responsibility and vehicle liability insurance. In the event you use your own vehicle for City business, liability coverage is not provided for the employee under the City automobile insurance policy. Coverage for property damage to your vehicle, personal injury protection coverage and uninsured or underinsured motorist coverage are not available under the City policy for your personal vehicle use. Employee's own automobile policy will apply.

13.7 Ride Along Policy

Ride alongs are brief, infrequent opportunities for members of the public to experience the work of various City departments. In every instance, a ride along release form will be completed in advance. Safety, appropriateness and continuity of service delivery shall be the overriding concerns for these occurrences. Ride alongs are available to employee family members, but only subject to the provisions of this policy and when not disruptive to department operations.

13.8 Accident Reporting Policy

If involved in an accident while operating a City vehicle, or the operator's own vehicle on City business, operators shall take the following steps:

- A. Stop.
- B. If anyone is injured, arrange for emergency response.
- C. If within City limits request that City of Roseburg Police respond to the scene and file a report. Call the proper police jurisdiction if in another area and ask that a report be filed.

- D. Obtain complete information (with assistance of the police) from the other parties including insurance information on other vehicles.
- E. Notify immediate supervisor as soon as possible.
- F. Cooperate with investigating authorities. Furnish information required, but do not attempt to elaborate on the circumstances concerning the accident or explain conduct relating to the accident.
- G. Arrange for removal of the vehicle if it cannot be operated. If vehicle cannot be operated, it may be taken to the Public Works facility on Diamond Lake Boulevard until estimates are secured.
- H. Upon returning to work, fill out all reports required by the City's insurer. If the operator was injured and cannot file the report, then the operator's immediate supervisor shall file the report.
- I. Upon completion of the accident report forms, they shall be forwarded to the Human Resources Office.
- J. If you are driving your own vehicle on City business and a claim is filed directly against the individual employee, you must request in writing that the City offer a defense for the claim. Do not ignore any notice of claims or assume the City has been notified separately.

ALPHABETICAL INDEX

	<u>Page No.</u>
Accident Reporting Policy-----	13-3
ADA Grievance Procedure-----	3-8
Additional Coverages -----	8-8
Administration - City Manager -----	i
Announcement of Vacancies-----	5-1
Application of Personnel Policies and Procedures -----	2-1
Applications-----	5-1
Appointments-----	5-3
Attendance-----	10-1
 Benefits -----	 8-1
 Cellular Telephones -----	 3-1
Certification Attachment (FMLA)-----	9-15
Certification of Health Care Provider Form (FMLA)-----	9-13
Citizen Involvement-----	i
Class Specifications -----	4-1
Classification -----	4-1
Classification Plan (Maintenance of)-----	4-2
Classifications Purpose-----	4-1
Commercial Driver -----	3-2
Compensation-----	6-1
Conflict of Interest-----	3-2
Credit Union -----	8-7
 Deferred Compensation -----	 8-8
Definition of Terms-----	1-1
Demotion -----	5-4
Dress Code -----	2-2
Drivers' Licenses -----	13-2
Drug Free Work Place -----	3-3
 Electronic Equipment-----	 3-4
Emergency Appointment-----	5-3
Emergency Closure-----	2-3
Emergency Preparedness Plan -----	2-3
Employee Assistance Program-----	8-10
Employee Pictures -----	2-4
Employee Recognition-----	3-5
Employer Response to Leave Request Form (FMLA)-----	9-11
Employment of Relatives/Associates -----	5-1

Employment References -----	2-2
Equal Access to Services (ADA)-----	3-8
Equal Employment Opportunity -----	3-10
Ethics Code-----	3-10
Executive Branch – Mayor-----	i
Expenses -----	10-1
Extended Health Benefits-----	8-1
Family Medical Leave-----	9-2
Family Medical Leave (Basic Provisions)-----	9-4
Family Medical Leave of Absence -----	9-7
Family Medical Leave Overview -----	9-3
Family & Medical Leave Request Form-----	9-10
Fuel -----	13-3
General Provisions-----	2-1
Harassment and Discrimination -----	3-12
Hours of Work-----	7-1
Identity Theft-----	3-13
Infectious Disease-----	3-13
Introductory Information -----	i
Judicial Branch - Municipal Court-----	i
Leave of Military Families -----	9-9
Leaves of Absence -----	9-1
Legislative Branch - City Council-----	i
Light Duty Provisions-----	8-5
Meals and Rest Breaks-----	7-1
Military Leave-----	9-1
New Positions -----	4-1
Notary Public Services-----	2-4
Oregon Medical Marijuana Act-----	3-14
Oregon Victims of Domestic Violence, Sexual Assault & Stalking -----	9-1
Overtime (Authorization for)-----	6-2
Outside Employment -----	2-4
Parental Leave of Absence-----	9-5
Parking-----	2-5
Pay Period -----	6-1
Payroll Changes -----	6-2

Payroll Distribution -----	6-2
Performance Appraisal -----	11-1
Personal Vehicles for City Business -----	13-3
Personnel Records -----	2-2
Political Activities -----	2-5
Pregnancy Leave -----	9-8
Probationary Period -----	5-3
Performance Appraisal Procedure -----	11-1
Promotions -----	5-4
Provisional Appointment -----	5-3
Performance Appraisal Purpose -----	11-1
Personnel Policies Purpose -----	2-1
Reasonable Accommodations -----	5-2
Reclassifications -----	4-2
Regular Part-Time Employee Benefits -----	8-8
Religious Freedom Act -----	3-14
Rest Breaks for Nursing Mothers -----	7-1
Retiree Coverage -----	8-4
Retirement -----	8-1
Ride Along Policy -----	13-3
Right to Search -----	3-14
Safety -----	12-1
Safety Philosophy -----	10-1
Safety Policy -----	12-1
Seat Belts -----	13-2
Serve the Council -----	ii
Service Credit -----	5-3
Sexual Harassment -----	3-15
Step Increases -----	6-1
Strive for Excellence as an Organization -----	iii
Strive for Excellence as Individuals -----	iv
Strive for Excellence as Public Employees -----	ii
Temporary Assignment -----	5-4
Tobacco -----	3-16
Training -----	10-1
Transfer (Compensation) -----	6-1
Transfers -----	5-4
Vehicle Assignment Criteria -----	13-2
Vehicle Use -----	13-1
Voice Mail -----	3-5
Whistleblower -----	3-16
Workers Compensation -----	8-5
Workplace Violence Prevention -----	3-17