CITY OF ROSEBURG

NONREPRESENTED EMPLOYEE HANDBOOK

2009 Update

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NON-REPRESENTED EMPLOYEE HANDBOOK

SECTION 1. GENERAL PROVISIONS

1.1 *Application of Policies*

This handbook presents policies, rules and expectations and any benefits that apply to you as a non-represented City of Roseburg employee. If you have any questions, please contact the Human Resources Office. The "Personnel Policies", a copy of which has also been provided, contain additional information which applies to all City of Roseburg employees. (Definitions of terms used in this handbook are in the Personnel Policies.)

1.2 *Disclaimer*

The City Manager specifically reserves the right to repeal, modify or amend these policies at any time with or without notice. Except for the instances specifically stating otherwise, none of these provisions will be deemed to create a vested contractual right in any employee or to limit the power of the City Manager to repeal or modify these rules.

1.3 *Employee Status*

All employees covered by this manual shall serve at the pleasure of the City Manager. Although such employment relationship does not provide any property right to employees, it is the policy of the City that all employees shall be afforded due process prior to any discipline greater than a written warning or reprimand being imposed.

Employees referred to in this Handbook as “mid-managers” are comprised of non-represented employees with technical and/or supervisory skills who are not Department Heads.

Employees referred to in this Handbook as the “Management Team” are comprised of Department Heads, the Airport Manager and the Management Technician. The City Manager may specifically assign other employees to this team as may be needed.

Department Heads are comprised of the City Recorder, Community Development Director, Finance Director, Fire Chief, Human Resources Director, Police Chief and Public Works Director.

SECTION 2. PROBATIONARY PERIOD

All new employees and re-employments are in a probationary status for one year from the date of appointment.

The Department Head, with the approval of the City Manager, may extend any probationary period up to an additional 90 days with proper written documentation. If the employee successfully completes their probationary period, seniority will date back to the day the employee began or began again to work for the City. However, sick leave, leave without pay or military leave in excess of fifteen calendar days shall not be included in computing the probationary period.

All employees in the probationary period will be evaluated on their conduct, performance, integrity and suitability for the position. This will be determined by the supervisor or Department Head. The Department Head, with the approval of the City Manager, will determine if the employee is suitable for appointment to a regular 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.

Following a promotion, a regular employee will be in a probationary period for one year. During that probationary period, such employee's vacation and sick leave and all other benefits will continue to accrue the same as prior to the promotion.

Failure to complete the probationary period upon promotion may result in demotion, return to the former position or termination as dictated by the needs of the City as determined by the Department Head with the concurrence of the City Manager.

SECTION 3. COMPENSATION

3.1 ***Policy***

The policy of the City of Roseburg is to recruit and retain the most suitable employees available, to compensate the employees based upon their duties and responsibilities and to acknowledge those employees who have performed successfully.

3.2 ***Preparation and Adoption of the Pay Plan***

The City Manager will ensure that the pay plan is subject to a survey at least every five years and it covers all classes of positions, including the minimum and maximum rates of pay and such intermediate rates as are appropriate (salary ranges).

The salary range assigned to each classification will be established to reflect the differences in the duties and responsibilities between it and other classifications.

The City Manager or designee is responsible for maintaining a compensation plan based on the following:

A. Strict adherence to the City budget.

B. Consideration of the performance and job responsibilities of the incumbents in the City job classifications.

C. An unbiased salary survey, conducted at least every five years, which takes into account cities in Oregon of a similar size, service population, actual population and financial condition. Staff may assist in the salary survey project as assigned by the City Manager, but final approval and authority for the compensation plan will be made by the City Manager.

D. Places the City of Roseburg at the median quadrant range of the markets surveyed.

E. Provides for rare and verifiable difficulties in filling positions that have demonstrated a difficulty in finding appropriately qualified employees.

F. Provides for fluctuations in the cost of living based on the Salem-Portland CPI-U index.

G. Limits increases for employees at the top step of their classification range to 5 percent per budget year.

H. Seeks Council approval on a salary increase to any one individual employee when due to reclassification of their position, step increase, cost of living adjustment, extraordinary job performance or a combination thereof, the increase would exceed 15% during one budget year.

I. Is applied to all subject employees and departments and cannot be altered by individual managers.

3.3 ***Rates of Pay***

Each employee will be paid at one of the steps of the range prescribed for the classification.

Hourly rates of pay may be used for those positions where conditions of employment warrant. Hourly rates will be computed by dividing monthly rates by 173.33 hours.

3.4 ***Entrance Salary***

Normally an employee will be appointed or reinstated at the first step of the range established for the classification. The City Manager, at the City Manager's sole discretion, is authorized to approve employment at the second or third step of the salary range.

3.5 ***Merit Pay***

Department Heads shall receive performance appraisals each January. Receipt of a merit increase at this time is at the discretion of the City Manager. The City Manager will decide not to offer an increase, to offer one step or more if the Manager believes the work, responsibility and performance so warrant it. There are no guarantees as to the employee's receipt of an increase.

All mid-management employees shall receive performance appraisals pursuant to the schedule outlined in Section 6.2 of the Personnel Policies. In the event a Department Head believes a mid-management employee deserves recognition and reward for an extraordinary effort or contribution, this must be supported by the evaluation with specific examples to be shared with the City Manager. In those instances, with City Manager approval, the Department Head may grant a one time 2.5% of monthly salary cash bonus to the employee so recognized. Budgeted funds must be available, and the bonus will not become a continuing portion of the employee's alary.

3.6 ***Classification***

The Human Resources Director may review pay classifications as needed. When so warranted, Department Heads may request the Human Resources Director to review employee wage classifications for suitability. Any changes must be approved by the City Manager.

3.7 ***Promotion***

When an employee is promoted or reclassified to a higher classification, (s)he will be paid the minimum rate of the appropriate pay range or at a step which provides for an increase in salary of at least 5%.

3.8 *Demotion*

If an employee is demoted or reclassified to a class with a lower salary range for reasons which do not reflect discredit on the employment record, the salary rate will not be changed unless it is over the maximum rate of the appropriate pay range. In this instance, the employee will be paid at the maximum of the new pay range.

Demotion for cause will result in a corresponding step-for-step reduction in salary.

3.9 *Responsibility Pay*

When an employee is required to assume the responsibilities of a position in a class higher than his/her own classification which involves tasks beyond his/her current job description, he/she may be eligible to receive a temporary increase in pay which would be the same as though being promoted. In order to be eligible for this increase in pay, the following must be met:

A. The employee must be sufficiently qualified to perform the essential functions of the higher classification.

B. If the employee is required to assume the responsibilities of a higher position on a consistent basis, the time spent at the higher responsibility will be reimbursed at the higher rate, if approved. Consistent basis is defined as performing the responsibilities of the higher classification for a minimum of 10 consecutive workdays. Actual days worked at the higher rate of pay will be paid after the 10-day minimum is fulfilled.

C. Compliance with these requirements must be documented by the Department Head with a copy to the City Manager or designee for approval. A copy must also be sent to the Finance Director.

3.10 *Callback for Police Sergeants*

Sergeants called back to work on their regularly scheduled work day shall receive a minimum of two hours overtime compensation unless the time is annexed to either end of the regularly scheduled hours of work. In that event, overtime shall be paid for actual time worked. Sergeants called back on their scheduled day off shall receive a minimum of three hours compensation at the overtime rate.

3.11 *Court Standby for Police Sergeants*

In the event that a Sergeant is required to remain on telephone standby, they shall receive pay at straight time during the standby period. In this case, no minimum shall apply.

3.12 ***Uniform/Cleaning Allowance***

Police Sergeants in Patrol or DINT shall be paid the agreed upon rate of officers and detectives for uniform or cleaning allowance. Police Captain and Administrative Community Resource Sergeant may use any City provided cleaning service for their issued uniforms only.

3.13 Reimbursed Costs

When an employee performs work outside their normal schedule and the City is reimbursed (including roll up costs) for those costs by an outside agency, the employee will be compensated at the appropriate overtime rate. If roll up costs are not covered, employees will receive their straight time pay. In the case of reimbursement, this Article will supersede Article 4.

SECTION 4 - OVERTIME

4.1 ***Policy***

Employees will be paid for their hours worked in accordance with all legal requirements including the Fair Labor Standards Act (FLSA) and applicable Oregon state laws. Overtime shall be kept to a minimum and shall be authorized in advance, when possible, by the employee's supervisor.

4.2 ***Exemptions***

All employees of the City in positions which fall under the definition of an administrative, executive or professional employee are exempt from overtime provisions. All such employees are required, for the salaries, compensation, fees or pay fixed for their respective positions, to render such service as may be necessary to complete assigned duties and responsibilities in a proper and efficient manner. Definitions of these terms are covered under FLSA 29 C.F.R. Section 541.1,2,3.

As of the date of the publication of these rules, the following classifications have been determined to be exempt:

Accountant
City Engineer
City Recorder
Civil Engineer I, II and III
Community Development Director
Finance Director
Fire Battalion Chief
Fire Chief
Fire Division Chief
Fire Marshal
Information Systems Administrator
Information Systems Technician
Management Technician
Managing Engineer
Parks and Recreation Program Manager
Human Resources Director
Police Captain
Police Chief
Police Lieutenant
Police Sergeant
Public Works Director
Senior Planner

The City reserves the right to amend this list as deemed necessary.

4.3 ***Compensation for Overtime - Exempt Employees***

Exempt employees are not subject to overtime pay provisions. In lieu of overtime pay or compensatory time and in recognition of their responsibilities, Department Heads, Battalion Chiefs, Fire Division Chief, Police Captain and Police Lieutenant shall be granted administrative leave to compensate for additional hours worked. Administrative leave shall not exceed 40 hours annually. Battalion Chief administrative leave shall not exceed 56 hours annually. This amount does not accrue nor is any payment made at termination of employment.

The rate of compensation for overtime worked for all other exempt employees will be pay at straight time or compensatory time off at straight time. The employees shall choose and declare to their supervisor whether they wish overtime pay or compensatory time for overtime worked. Time sheets submitted shall reflect this choice.

4.4 ***Compensation for Overtime - Non-Exempt Employees***

The rate of compensation for overtime worked by non-exempt employees will be 1.5 times the regular rate of pay OR compensatory time off at 1.5 hours for each hour of overtime worked. The employees shall choose and declare to their supervisor whether they wish overtime pay or compensatory time for overtime worked. Time sheets submitted shall reflect this choice. Police Sergeants shall be covered by this provision.

4.5 ***Compensatory Time***

Maximum accrual of compensatory time is 40 hours and shall be used with approval of the Department Head. Maximum accrual for Police Sergeants is 60 hours.

Employees are encouraged to take accumulated compensatory time on a timely basis (within 90 calendar days of being accrued). An employee who requests to use accumulated compensatory time shall be permitted to use such time within a reasonable period after making the request unless it will unduly disrupt the operations of the department or City.

Upon termination of employment, an employee will be paid for any unused compensatory time at the rate of the final regular rate of pay received by the employee. Such payment shall not exceed the maximum accrual.

4.6 ***Disaster Operations***

If exempt employees are required to report to an activated Emergency Operations Center or to perform necessary duties for a declared City disaster for more than their regular weekly work schedule they shall be compensated at straight time for the hours worked in excess of their regular schedule.

SECTION 5. ATTENDANCE

5.1 ***Hours of Work***

For purposes of FLSA, the workweek is defined as 12:01 a.m. Monday through 12:00 midnight on Sunday. Normal work hours will be Monday through Friday, 8:00 a.m. to 5:00 p.m., 8 hours per day, 40 hours per week, except on legal holidays. Exceptions to this general policy may occur where department operations necessitate variances in hours and work schedules, as judged to be necessary and beneficial for the City. Certain Fire Department personnel will be in attendance an average of 56 hours per week based on a schedule prepared by the Fire Chief and approved by the City Manager or designee. Certain Police Department employees will be on a 10-hour per day, 40-hour per week schedule as prepared by the Police Chief and approved by the City Manager or designee.

5.2 ***Attendance***

Employees are expected to be at work on their normally scheduled workdays 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 should not begin work early or leave late without prior approval of their supervisors.

Employees for whom necessity requires a different schedule or a temporary change in a regular schedule than that generally applied will work according to regulations prepared by the respective Department Head and approved by the City Manager or designee.

5.3 ***Break and Lunch Periods***

Each employee shall be entitled to a break of 15 minutes in the first four hours of work and a break of 15 minutes in the second four hours of work. The Department Head shall establish the timing of these breaks. Lunch break shall be one hour and shall be scheduled at Department Head discretion between five and six hours of reporting to work. To avoid the appearance of abuse:

A. For those working in the field, breaks are to be taken as close to that day's work site as possible. Employees are not to travel across town in a City vehicle to take a break at a particular location.

B. Whenever possible, the time City vehicles are parked at restaurants will be limited.

C. City vehicles are not to be used for lunch breaks.

SECTION 6. BENEFITS

6.1 ***Holidays***

The following days will be recognized and observed as paid holidays:

New Year's Day (January 1)
Martin Luther King, Jr.'s Birthday (third Monday in January)
President's Day (third Monday in February)
Memorial Day (last Monday in May)
Independence Day (July 4)
Labor Day (first Monday in September)
Veterans Day (November 11)
Thanksgiving Day (fourth Thursday in November)
Friday After Thanksgiving (fourth Friday in November)
Christmas Day (December 25)
One Additional Day or Two Half Days to be Established Annually

Any days so designated by the President of the United States, by the Governor of the State of Oregon or by the City Manager may be observed as a "Special Day", but without remuneration unless the same is worked and then paid at the normal hourly rate.

Whenever a recognized holiday falls on a Sunday, the following Monday will be considered a holiday. Whenever a recognized holiday falls on a Saturday, the preceding Friday will be considered a holiday.

6.2 ***Holiday Pay***

Excepting for shift personnel, when employees are required to work on a holiday, they shall receive the overtime rate of pay in addition to the regular holiday pay. Holiday pay shall be a regular day's pay. (Example: Eight hours at normal pay rate - straight time.) Police Sergeants who are on a shift schedule assigned to patrol shall receive pay at time and one half for each and every designated holiday whether they work that holiday or not. Sergeants not assigned to shift schedule or patrol will receive the designated holidays as paid days off. Fire Battalion Chiefs shall accrue 14 hours per month holiday time off. Holiday time off shall be taken before vacation time off is used.

6.3 ***Special Holiday Provisions***

Holidays which occur during vacation shall not be charged against such leave. Employees must be employed on the days before and after a recognized holiday to be eligible for holiday pay.

6.4 ***Personal Leave Day***

One personal leave day shall be granted to all non-represented employees on a calendar year basis, except Department Heads, Fire Division Chiefs, Fire Battalion

Chiefs, Police Captain and Police Lieutenant. This leave must be used during the calendar year in which it is earned and may not be used in less than a regular work shift. If, at the end of the calendar year, such leave has not been taken, it shall be lost.

6.5 ***Vacation Leave***

The purpose of vacation leave is to enable each regular employee to return to work mentally refreshed; therefore, employees are encouraged to take their full vacation each year to rest and relax from official duties.

6.6 ***Vacation Scheduling***

Vacation schedules must be approved by Department Heads. Desires of individual employees will be considered wherever possible. At times vacation requests may have to be denied or amended to meet department needs or work emergencies.

6.7 ***Vacation Accrual***

Employees are eligible to take their accrued vacation leave as it is earned after six months of service credit. Temporary employees do not earn vacation time. Vacation is to be taken in one-half hour minimum blocks.

When an employee is transferred or appointed to another department, vacation leave will be transferred to the new department.

Vacation leave accrues on a monthly basis as follows:

40-Hour Work Week:

1 through 4 years of service	80 hours per year
5 through 10 years of service	120 hours per year
11 through 15 years of service	160 hours per year
16 plus years of service	200 hours per year

Vacation for nonrepresented employees working 56-hour shifts shall accrue as follows:

1 through 4 years of service	5 shifts (10 hrs/mo accumulation rate)
5 through 10 years of service	7-1/2 shifts (15 hrs/mo accumulation rate)
11 through 15 years of service	10 shifts (20 hrs/mo accumulation rate)
16 or more years of service	12-1/2 shifts (25 hrs/mo accumulation rate)

In order for vacation to accrue, an employee must work at least one-half of the total work hours available for that month. Vacation leave does not accrue during a leave of absence without pay, which exceeds 30 calendar days. Except for those serving a

military deployment, any employee who is granted a leave of absence without pay for a period in excess of 30 calendar days must take any accumulated vacation prior to being placed on leave.

6.8 ***Maximum Accruals***

The maximum vacation which may be carried over from one calendar year to the next is 30 working days (240 hours), unless authorization to exceed the limit is granted in writing by the Department Head or unless the employee meets the retirement criteria as outlined in paragraph B of this section.

A. Any employee subject to loss of vacation by over-accrual must be granted sufficient time off to prevent loss of vacation time or else be granted authorization to exceed the limit.

B. Employees who will become eligible for retirement, without penalty, under the PERS Rules within three calendar years and all members of the management team will be permitted to increase their vacation accrual from 240 hours to 480 hours. Battalion Chiefs shall be permitted to increase their vacation accrual from 336 hours to 672 hours. Should a Battalion Chief be promoted into a non-shift management position, accruals will be subject to the same maximum as non-shift employees. The maximum vacation accrual to be paid at retirement will be 480 hours.

Upon termination, other than retirement, a regular employee will be paid for any accrued vacation up to 240 hours.

6.9 ***Sick Leave***

Sick leave is intended to protect an employee against undue financial loss in the event of a serious illness. Any misuse or abuse of sick leave will be grounds for disciplinary action up to and including termination.

Regular employees shall accrue sick leave with pay after the first month of employment. There shall be no limit on the number of days that can be accrued. Transfer of accrued sick leave from one employee to another will not be permitted.

Under no circumstances shall the City grant employees sick leave with pay for injuries resulting from compensated employment elsewhere.

6.10 ***Sick Leave Accrual***

Sick leave will be accrued as follows:

A. Regular employees accrue sick leave at the rate of one-day (8 hours) per each full calendar month of service. Probationary employees accrue sick leave at the rate of one day per each full calendar month of service.

B. Temporary employees do not earn sick leave.

Sick leave does not accrue during a leave of absence without pay, which exceeds 30 calendar days.

6.11 ***Sick Leave Use***

Sick leave will be taken on an hour-for-hour basis. The minimum deduction from sick leave accumulation will be one-half hour.

Employees may use their sick leave when unable to perform their work duties due to personal illness or injury, necessity for medical or dental care, exposure to contagious disease under circumstances by which the health of the public or fellow employees would be endangered or death of an immediate family member. In the event sick leave is used as a result of the death of an immediate family member, the maximum sick leave that may be used is 40 hours or the equivalent of one workweek.

An employee will notify the immediate supervisor of intent to use accrued sick leave prior to his/her starting time whenever possible. The supervisor may require certification from the attending physician or practitioner to substantiate that an illness or injury prevents the employee from working. If the employee does not provide appropriate certification, such sick leave will be cancelled and the employee would be subject to disciplinary action.

For a temporary disability which is predictable, the employee will give the immediate supervisor sufficient notice to plan for staffing during the employee's absence.

6.12 ***Sick Leave Verification***

To maintain employment status while on sick leave in excess of fourteen calendar days, an employee must maintain a current physician's statement on file with their immediate supervisor and must call in to their immediate supervisor at a minimum of every fourteen calendar days. The immediate supervisor will contact the Human Resources Office. In the event the employee cannot reach their immediate supervisor, the employee can call the Human Resources Office. The employee must notify their immediate supervisor as soon as the attending physician releases the employee to return to work and a signed work release must be provided to their immediate supervisor on or before the start of the first day back to work.

6.13 ***Family Illness***

Employees may also use up to three days of accrued sick leave in conjunction with an immediate family illness. The use of sick leave to care for an ill immediate family member is limited to the time the employee's presence is actually required. Department Heads may extend this period upon a showing of good cause. Employees may use sick leave for necessary medical or dental care for their children or spouse. (Please see Personnel Policies, Section 8, for additional leave provisions.)

6.14 ***Sick Leave Without Pay***

Upon application of a regular employee, leave without pay may be granted by the City Manager for the remaining period of disability after accumulated sick leave has been exhausted (See 7.4 Other Leaves of Absence Without Pay). (Please see Personnel Policies, Section 8, for additional leave provisions.)

6.15 ***Sick Leave at Separation***

Accumulated sick leave normally has no cash value upon separation from the City. No payment for unused sick leave will be made upon separation. Upon retirement, based on the schedules of the State Retirement System, one-half of all unused sick leave will be applied toward retirement benefits.

6.16 ***Dental Insurance***

The City of Roseburg currently provides its employees dental insurance. All regular and probationary employees are eligible for coverage on the first day of the month following their employment date. Coverage is also available for legal dependents of the employee.

6.17 ***Health Insurance***

The City of Roseburg currently provides its employees and their dependents health and accident insurance to cover non-occupational injuries and illness. All qualifying regular and probationary employees are eligible for coverage on the first day of the month following their employment date.

The City currently provides and will maintain, within financial feasibility, a medical insurance plan to the employees covered by this Handbook. Each employee must be covered under the City's medical plan. Employees must insure all qualified dependents under the medical plan. After the 30-day window period for subscribing to the plan, those spouses and/or dependents not covered under the medical plan may have exclusions or restrictions in their coverage.

The City reserves the right to make necessary changes in this policy and to negotiate with carriers to keep cost at a reasonable, sustainable level for the employees and the City. The City also reserves the right to require contributions by employees to the premium cost for the insurance coverage.

6.18 ***Disability Insurance***

The City currently provides long term disability insurance for employees who work a minimum of 1040 hours in a calendar year. This insurance provides for payment of a maximum of 60% of the employee’s wages after 90 consecutive days of disability and an accepted disability claim. Such payment is accordingly reduced by any other applicable benefits. Any questions regarding disability coverage should be directed to the Human Resources Office.

6.19 ***Life Insurance***

The City currently provides a group life, accidental death and dismemberment insurance for all regular and probationary employees. Life insurance coverage is governed by the group policy provisions of the insurance carrier selected by the City. Current life insurance benefits are $25,000 per employee, $2,000 Accidental Death and Dismemberment and $1,000 life for each dependent. Employees may apply to purchase supplemental insurance at their own cost. The carrier may refuse to offer this coverage. If coverage is offered to employees by the carrier, premiums must be paid by employee in advance each month.

6.20 ***Accidental Death and Dismemberment***

The City currently provides an additional $25,000 accidental death and dismemberment benefit.

6.21 ***Educational Aid***

In order to encourage self-improvement, the City will pay 100% of an employee's tuition costs, as available by budget, upon successful completion of job related courses taken on employee's own time. Approval must be granted by the employee's Department Head and the City Manager prior to enrollment. Reimbursement shall be made upon proof of successful course completion. Successful completion is defined as "passing" in a "pass/fail" class or a minimum of a "C" in a graded glass. Educational reimbursement shall not exceed $750.00 per year per employee. Reimbursement shall not be made for books or other materials required for the course. This provision shall define “per year” as the City fiscal year.

6.22 ***Retirement***

This is a specific contractual guarantee. The City currently participates in the Oregon Public Employees Retirement System (PERS). PERS requires two contributions for each eligible employee; a mandatory employer's contribution, paid by the City, and an employee contribution of 6% of employee's salary. The City will pay to PERS (commonly known as "pick up") an eligible employee's contribution equal to 6% of the employee's salary.

6.23 ***Regular Part-Time Employee Benefits***

Where applicable, regular part-time employees, working more than twenty hours per week, shall accrue benefits in an amount proportional to that which would be accrued under full-time employment. 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.

SECTION 7. LEAVES OF ABSENCE

7.1 ***General***

A leave of absence is time off from work (other than sick leave, vacation or holidays) for reasons within the scope and purpose of these policies and procedures upon prior approval of the employee's Department Head. Requests for a leave of absence for 30 calendar days or more must be approved in advance by the City Manager or designee. Under normal circumstances, leave of absence requests are to be in writing and should include the nature of the leave, the inclusive dates and all other essential details. No payment for any leave of absence will be made until the leave has been properly approved.

A leave of absence granted to an employee does not create an immediate vacancy in the position. Use of a leave of absence for a purpose other than that requested may be cause for forfeiture of reinstatement rights. Failure on the part of an employee on leave to promptly report back to work at its expiration or authorized extension will be regarded as an automatic resignation. A position may be filled after being vacant for six months, or earlier if it is determined that the employee will not return prior to six months. Legal reinstatement rights will be maintained where applicable.

7.2 ***Jury Duty and Witness Leaves***

Employees will be granted a leave of absence with pay when required to report for jury service or to appear before a court, legislative committee or judicial or quasi-judicial body as a witness in response to a subpoena or other direction by proper authority, unless said service falls on employee's own time. Any pay received for jury service shall be turned over to the Finance Director. Court time for personal business will not be compensated for under this section.

7.3 ***Funeral Leave***

Paid funeral leave shall consist of four hours in the Roseburg area for non-family and up to one day when attendance at the funeral requires travel beyond the Roseburg area, but within the State of Oregon. The Roseburg area is defined as that area lying within 50 miles of the City limits.

A maximum of five days shall be allowed for members of the immediate family in the State of Oregon. A maximum of seven days shall be allowed for members of the immediate family outside the State of Oregon. Additional time off may be granted upon recommendation of the Department Head and approval of the City Manager (such time shall be deducted from vacation leave, compensatory time or leave without pay). Please refer to sick leave (Article 6.11) for further information.

Immediate Family is defined as those 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.

7.4 ***Other Leaves of Absence Without Pay***

In instances where the work of the department and the requirements of the City will not be handicapped seriously by the temporary absence of an employee, a leave of absence without pay for a period not exceeding one year may be approved. A request for a leave of absence under this section must include reasonable justification for approval of the request. Such leave must be approved by the City Manager or designee.

Any employee who is granted a leave of absence without pay for a period in excess of 30 calendar days must take any accumulated vacation prior to being placed on leave without pay. In addition, for this employee to keep their health, life and dental insurance in effect, he/she must pay the premium amount to the City in advance. During leaves of absence without pay, there is no accumulation of any fringe benefits or service credit.

For Military Leave, please refer to the Personnel Policies.

SECTION 8. SEPARATIONS AND DISCIPLINE

8.1 ***Employee Status***

All employees covered by this manual shall serve at the pleasure of the City Manager. Although such employment relationship does not provide any property right to employees, it is the policy of the City that all employees shall be afforded due process prior to discipline greater than a written warning or reprimand being imposed.

8.2 ***Due Process***

In the event a disciplinary action is being considered for any employee described in 8.1 above and that action may be greater than a written warning or reprimand, the following due process shall be followed:

A. The employee shall be notified of the charges, allegations or reasons that disciplinary action is being considered;

B. The employee shall be notified of the disciplinary sanctions being considered; and

C. The employee will be given an opportunity to respond to the above either in writing or orally in an informal hearing.

8.3 ***Causes for Disciplinary Actions***

The sole right to discipline and discharge employees for cause is retained by the City. It is recommended that supervisors consult with the Human Resources Director in advance of any discipline greater than an oral or written reprimand.

8.4 ***Suspension***

The Department Head, with approval of the City Manager, may suspend an employee for disciplinary reasons, with or without pay. The employee shall receive written notice of suspension which states the reasons for the suspension and the length of the suspension. Employee shall be notified in writing of pending suspension before the suspension is enforced. Such suspension may be subject to the grievance procedures.

8.5 ***Termination***

Department Heads may start the termination action for cause as stated in Section 8.3. All termination recommendations must be approved by the City Manager.

8.6 ***Resignation***

Employees absent from work for more than two working days and who have not been granted a leave of absence or use of other eligible benefit during that period, or who do

not present satisfactory evidence showing they were unable to report, shall be deemed to have resigned.

Employees desiring to resign are expected to give their Department Head two weeks written notice of their intention. The notice should state the reason for leaving. The Department Head with the approval of the City Manager may grant shorter notice time.

Employees shall be required to work their last day of work. Any remaining leave balances (vacation/compensation time) shall be paid to the employee at the end of business on their last working day. Employees shall not be allowed to terminate their employment at the end of a month and take leave for a period of time during the ensuing month in order to receive an additional month of paid benefits.

8.7 ***Layoff***

The Department Head with the City Manager's approval may layoff an employee due to organizational changes, lack of funds or curtailment of work. Layoff decisions shall be based on the administrative needs of the City. Performance will be the primary factor considered to determine who will be affected by such layoff. The City will give employees two weeks written notice of intent to layoff, if possible.

SECTION 9. GRIEVANCE PROCEDURE

The grievance procedure was adopted to insure employees and the City a systematic and orderly method of adjusting complaints and differences of opinion regarding the interpretation of these rules.

Grievance is defined as any dispute concerning the interpretation or application of the rules or regulations, practice or working conditions arising from the conduct of the employment relationship. The terms and conditions of employment negotiated prior to commencing employment are excluded from the definition of grievance. All grievances shall be handled in accordance with the procedures outlined herein.

A. The first step is to discuss the matter openly and frankly with the supervisor within five working days of the grievance's occurrence. The supervisor will have three working days to resolve the problem satisfactorily from the date the grievance was stated.

B. If the grievance cannot be solved by oral consultation between the employee and supervisor, it should be clarified in writing for presentation to the Department Head within five working days after completion of paragraph A above. Upon receipt of the written grievance the Department Head will give a written reply within five working days.

C. If the grievance still cannot be solved, the written grievance, all pertinent correspondence, records and information will be presented to the City Manager within five working days after the Department Head's written reply. The City Manager will hold a hearing with the aggrieved employee(s), the immediate supervisory personnel, and the Department Head within ten working days of receipt of the request. At the hearing the City, if the City so chooses, and employee both shall have the opportunity to present evidence and confront witnesses. The City Manager will give a written reply within ten working days and that decision will be final and binding on the employee(s).

If the grievance procedures are not initiated within the time limits established, the grievance shall be considered not to have existed; or

If any grievance is not taken to the next step of the grievance procedure, it shall be considered settled; or

If the City fails to meet or answer any grievance within the time limits, such grievance shall automatically advance to the next step.

If the City does not respond as stated in Paragraph C above, it shall be deemed that the City has considered the grievance to be in favor of the grievant and shall resolve the matter accordingly.

The time limits for the initiation and completion of the steps of the grievance procedure may be extended by mutual consent of the parties so involved. Any step may be

eliminated by mutual consent. Mutual consent must be indicated in writing and signed by all parties involved.

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

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