

RESOLUTION 215

A resolution adopting personnel rules, policies and procedures for the City of Stayton.

Whereas, the Common Council of the City of Stayton is authorized and directed ~~under the provisions of Ordinance Number _____~~ to adopt rules and regulations for the administration of the personnel system created in said ordinance; now, therefore, be it

Resolved, that the Common Council of the City of Stayton does hereby adopt the following personnel rules, policies and procedures:

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

SECTION 1.2 VARIANCES. The Mayor, with concurrence with the City Council shall have the power to vary or modify the strict application of the provis-

ions of this resolution in any case in which the strict application of said provisions would result in practical difficulties or unnecessary hardships.

SECTION 1.3 DEFINITIONS.

1.3.1 As used in this resolution the following terms shall have the meanings indicated:

- (a.) Advancement. A salary increase within the limits of a pay range established for a class.
- (b.) Allocation. The assignment of a single position to its proper class in accordance with the duties performed and the authority and responsibility exercised.
- (c.) Anniversary Date. One year from the date of employment.
- (d.) Appeal. A request through the supervisor to the department head, and if necessary, the City Administrator, for consideration of and a decision or ruling on a problem or situation.
- (e.) Appointing Power. The City Administrator or the department head to whom authority is delegated to make the appointment to fill a vacant position.
- (f.) Calendar Year. Twelve (12) month period beginning January 1, and ending December.

- (g.) Central Personnel File. A file maintained in the office of the appointing power which contains complete personnel records of all City Employees.
- (h.) City Recorder/ Treasurer. The chief executive officer and the head of the administrative branch of the City government who is directly responsible to the Mayor and the Common Council for the proper administration of all affairs of the City.
- (i.) Class. A group of positions sufficiently alike in responsibilities and authorities or require similar qualifications. (A no-racial reference term.)
- (j.) Class Specification. A written description of each class of position including a class title, a statement of objectives, the reporting relationships and the relationships other than reporting. Positions, not the individual, are classified.
- (1.) Continuous Service. Uninterrupted employment with the City. Reasonable absences due to military service, maternity, or extended leaves approved by the Department head, City Administrator, or the Mayor and Council if necessary,

do not constitute a break in continuous employment.

- (m.) Demotion. A transfer of an employee from a position in one class to a position in another class which has a lower salary range.
- (n.) Department.- A major function unit of the City government.
- (o.) Department Head. A person directly responsible to the City Administrator for the administration of their department.
- (p.) Disciplinary Action. Imposition of certain personnel actions, e.g. reprimand, warning, suspension, dismissal, demotion, as a result of conduct detrimental to the City.
- (q.) Dismissal. Termination of employment with the City for reasons directly attributable to the employee.
- (r.) Duty Day. A day or shift in which an employee is scheduled to be available for work.
- (s.) Employee. Anyone who is salaried for employment with the City.
- (t.) Examination. A test for the purpose of evaluating an application for an employment vacancy.

- (u.) Fiscal Year. Twelve (12) month period starting July 1 and ending June 30.
- (v.) Full-Time Employee. An employee who works the normal amount of working hours for the class assigned.
- (w.) Grievance. An employee's oral or written expression of dissatisfaction with some aspect of his employment, a management decision affecting him, or an alleged violation of his rights for the purpose of attempting to gain an adjustment of said cause of dissatisfaction.
- (x.) Hourly Rate. Rate of compensation for each hour of work performed. It is determined by dividing the annual regular salary by the regular number of hours worked each year.
- (y.) Immediate Family. The husband, wife, son, daughter, father, mother, brother, sister, father-in-law, mother-in-law, or other relative living in the employee's household.
- (z.) Layoff. A separation from employment because of organizational changes, lack of work, lack of funds, or other reasons not reflecting discredit upon an employee.
- (aa.) Maternity Leave. An unpaid leave of absence for child birth.

- (ab.) Month. One calendar month.
- (ac.) Non-occupational Disability. Disability from an accident or sickness suffered or contracted by the employee which cannot be attributed to the performance of assigned duties.
- (ad.) Occupational Disability. Disability from an accident or sickness suffered or contracted as a result of the performance of assigned duties.
- (ae.) Leave of Absence. Time off from work for reasons within the scope and purpose of these rules and regulations upon prior approval of the employee's supervisor, department head, or City Administrator.
- (af.) Mayor. The elected chief executive officer and head of the administrative branch of the City Government who is directly responsible for the proper administration of all affairs of the City.
- (ag.) Military Leave, Leave of absence for an employee entering reserve military training duty.
- (ah.) Overtime. Overtime shall be considered as time worked in excess of the regularly scheduled workday or workweek. Shift personnel shall be subject to the definition

of overtime as provided in their respective departmental rules and regulations.

- (ai.) Part-Time Employee. An employee who is employed regularly for less than the normal number of working hours, but who normally follows a pre-determined, fixed pattern of working hours.
- (aj.) Permanent Employee. An employee who has been retained in his appointed position after the completion of his probationary period.
- (ak.) Personnel Action. Any action taken with reference to appointment, compensation, promotion, transfer, layoff, dismissal, or other action affecting the status of employment.
- (al.) Probationary Period. A working test period during which an employee is required to demonstrate his fitness for the duties to which he is appointed by actual performance of the duties of the position.
- (am.) Promotion. The change of position for an employee from a position in one class designation to a position in a class assigned to a higher salary range.
- (an.) Reclassification. A change in classification of a position by raising it to a higher class, reducing it to a lower class

or changing it to another class at the same level.

- (ao.) Seniority. Priority of an employee based on the length of the employee's continuous service to the City since the employee's last date of hire.
- (ap.) Supervisor. Any person who is responsible to a higher divisional or departmental level of authority and who directs the work of others.
- (aq.) Shift Employee. An employee whose daily hours of work rotate from one shift to another periodically and whose duties are continuous from the start to the end of the shift.
- (ar.) Suspension. Temporary separation of an employee from City service without pay for disciplinary purposes.
- (as.) Temporary Employee. An employee who has been appointed for a limited period not to exceed six (6) months for designated temporary employee.
- (at.) Transfer. A change of an employee from one position to another in the same class or to a position in a comparable class within the City service.
- (au.) Workday. The regularly scheduled workday shall be not less than 8 hours for all City personnel.

ARTICLE 2

PERSONNEL POLICIES AND PROCEDURES

SECTION 2.1 APPOINTMENT

2.1.1 All original appointments to vacancies shall be made by the City Administrator solely on the basis of merit, efficiency, and fitness without regard to age, race, color, religion, sex or national origin. These qualities shall be determined through a careful and impartial evaluation following a completed application. Then the following shall be evaluated:

- (a.) The applicant's level of training relative to the requirements of the position for which they have applied;
- (b.) The applicant's level of education relative to the requirements of the position for which he has applied;
- (c.) The applicant's physical fitness relative to the requirements of the position for which he has applied;
- (d.) The results of an oral interview;
and
- (e.) When necessary, the results of a competitive written examination or demonstration test, which shall be fair and valid test of the abilities and

aptitudes of applicants for the duties
to be performed.

2.1.2 . No question in any test or in any application
form or by any appointing power shall be so
framed as to attempt to elicit information

concerning race, color, sex, ancestry, national origin, or political or religious affiliation for the purpose of discrimination.

- 2.1.3 All statements submitted on the employment application or attached resume shall be subject to investigation and verification prior to appointment.
- 2.1.4 If required by the department, applicants shall be fingerprinted prior to appointment.
- 2.1.5 After final selection, but before appointment, the applicant shall be required to submit to a complete physical examination by a doctor of the City's choice before confirmation. The cost shall be paid by the City.

SECTION 2.2 PROBATIONARY PERIOD

- 2.2.1 All original and promotional appointments shall be tentative and subject to a probationary period of not less than three (3) consecutive months' service. Except in a department where the law specifically requires an extended length of time. e.g. police and fire departments.
- 2.2.2 In cases where the responsibilities of a position are such that a longer period is necessary to demonstrate an employee's qualifications, the probationary period may be extended; however, no probationary period

may be extended beyond six (6) months. Except in a department where the law specifically requires an extended length of time e.g. police and fire departments.

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

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

2.2.5 During the original probationary period, a probationary employee may be terminated at any time, without the right to appeal.

2.2.6 In the case of promotional appointments, the promoted employee may be demoted at any time during the probationary period with the right to appeal provided that the probationary employee be reinstated in the class designated from which he was promoted, even though this necessitates the layoff of the employee occupying the position.

SECTION 2.3 HOURS OF WORK. The hours during which City offices and departments shall be determined by the Department Head conferring with the City Administrator and adopted by the Common Council.

SECTION 2.4 ATTENDANCE

- 2.4.1 Employees shall be in attendance at their work in accordance with the rules regarding hours of work, holidays and leaves of absence.
- 2.4.2 An employee shall not absent himself from work for any reason other than those specified in this resolution authorizing sick leave without making prior arrangements with his supervisor. Unless such prior arrangements are made, an employee, who for any reason fails to report to work, shall make a sincere effort to immediately notify his supervisor of his reason for being absent. If the absence continues beyond the first day, the employee shall notify the supervisor on a daily basis unless other arrangements have been made with the supervisor.
- 2.4.3 Departments shall maintain records of employees' attendance.
- 2.4.4 Any unauthorized absence of an employee from duty shall be deemed to be an absence without pay and may be cause for disciplinary action and as justifiable reason for dismissal .

SECTION 2.5 PERSONNEL RECORDS

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

- 2.5.2 The personnel record shall show the employee's name, title of position held, the department to which assigned, salary, change in employment status, training received, and such other information as may be considered pertinent.
- 2.5.3 A Personnel Action Form shall be used as the single document to initiate and update personnel records.
- 2.5.4 Employee personnel records shall be considered confidential and shall be accessible only to the following:
- (a.) The employee concerned.
 - (b.) City Administrator
 - (c.) Selected City officials authorized by the Mayor, and only on a need-to-know basis.

SECTION 2.6 TRANSFERS. Requests from employees for transfers from one department to another shall be made in writing and shall be directed to the employee's present department head and referred to the appropriate department head and the appointing power. Such requests shall be given consideration when a suitable vacancy occurs; however, no employee shall be transferred to a position for which he does not possess the minimum qualifications. All transfers shall be acted on in not more than 30 days.

SECTION 2.7 PROMOTIONS

- 2.7.1 All job vacancies shall, whenever possible, be filled by promoting qualified employees within the City service.
- 2.7.2 However, when necessary, the appointing power may recruit applicants from outside the City service whenever he has reason to believe that better qualified applicants are available outside the City service.
- 2.7.3 The appointment to fill the vacancy shall be made on a competitive basis utilizing the criteria for appointments established in Section 2.1 of this resolution. Where qualifications and ability are relatively equal, seniority within the City service shall be the determining factor.

SECTION 2.8 LAYOFF. If there are changes of duties in the organization, lack of work or lack of funds, the appointing power may lay off employees; however, the appointing power shall first make every reasonable effort to integrate those employees into another department by transfer. As long as they do not affect that department manpower to where it needs lay offs also. When layoffs are required, the appointing power shall base the decision on relative merit, and shall give due consideration to seniority in the City service only where the employee's qualifications and ability

are relatively equal.

SECTION 2.9 LEAVE OF ABSENCE WITH OUT PAY. A permanent employee may be granted leave of absence without pay for a period not to exceed three (3) months, provided such leave can be scheduled without adversely affecting the operations of the City. Requestes for leave of absence without pay shall be in writing, shall be directed to the department; City Administrator, then on to the Mayor and Council if necessary, and shall contain reasonable justification for approval. e.g. Educational leave, pregnancy, extended period of illness, emergency leave, etc.

SECTION 2.10.1 MILITARY LEAVE OF ABSENCE WITHOUT PAY.

2.10.1 Military leave of absence without pay shall be granted to a permanent employee during a period of active duty with the Armed Forces of the United States.

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

former class.

- 2.10.3 Such employees shall make application for reinstatement within ninety (90) days and shall report for duty within six months following separation from active military duty. Failure to comply shall terminate military leave. If an employee voluntarily re-enlists, his military leave shall be deemed cancelled.

REFERENCE: ORS 408.240 or ORS 408.290

SECTION 2.11 OUTSIDE EMPLOYMENT

- 2.11.1 No full-time employee shall accept outside employment, whether part-time, temporary or permanent, without prior written approval from the Department Head, subject to Council approval. Each change in outside employment shall require separate approval.
- 2.11.2 To be approved, outside employment shall:
- (a.) Be compatible with the employee's City work.
 - (b.) In no way detract from the efficiency of the employee in his City work;
 - (c.) In no way conflict with the interests of the City or be a discredit to the City; and
 - (d.) In no way shall it present a public relations problem for the City.

SECTION 2.12 RESIDENCE REQUIREMENTS. Residency shall not be a condition of initial appointment or cont-

inued employment. Employees are encouraged, however, to live within the City and to participate in civic affairs. However, no residency requirements will be stipulated.

SECTION 2.13 DEPARTMENTAL RULES AND REGULATIONS. Each department of the City shall establish departmental rules and regulations and procedures. Such rules, regulations, and procedures shall be in harmony with the provisions of this resolution and shall be the responsibility of the department head.

SECTION 2.14 TRAVEL EXPENSE.

- 2.14.1 When an employee is required to travel outside the City on City business, reimbursement for expenses incurred shall be determined as follows:
- (a.) Prior to traveling outside the City, the employee shall obtain approval for the trip and the mode of travel from the Department Head.
 - (b.) Travel on official business outside the City by a single individual should be via public carrier or City-owned vehicle. If the employee is authorized to use a private vehicle, mileage shall be paid at the rate of 15¢ per mile. This rate does not include travel, insurance and storage expenses of the vehicle. All expenses for an official trip will be rendered to the Department Head for full reimbursement.

c.) When travel by City-owned vehicle or public carrier is practical but the employee elects to use his own vehicle for personal reasons, the employee shall be reimbursed an amount equal to the fare of the public carrier that would have been deemed most practical to provide the services.

(d.) Reimbursement for subsistence on official trips shall only be the amount of actual and reasonable expense incurred during the performance of official duty as a City employee for the City's benefit.

2.14.2 City vehicles shall not be used for private purposes.

SECTION 2.15 IN-SERVICE TRAINING

2,15.1 The Department head shall encourage training opportunities for employees and supervisors in order that services rendered to the City will be more effective. He shall assist employees in meeting training needs in their department and in developing training programs designed to meet immediate City-wide personnel needs and to prepare employees for promotion to positions of greater responsibility.

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

SECTION 2.16 EMPLOYEE ORGANIZATIONS AND REPRESENTATION.

Employees of the City shall have the

right to form, join and participate in the activities of labor organizations of their own choosing for the purpose of representing and collective bargaining on matters relating to wages, hours and working conditions.

SECTION 2.17 SELLING AND PEDDLING AMONG EMPLOYEES. No peddling, soliciting, or sale for charitable or other purposes shall be allowed among or by employees during working hours without the approval of the City Council.

SECTION 2.18 POLITICAL ACTIVITY

- 2.18.1 No City employee shall be an officer of a political party or hold political office during his employment.
- 2.18.2 No City employee, official or private person shall solicit any assessments, contributions or services for any political party from any employee in the City service.
- 2.18.3 Nothing contained within this section shall affect the right of the employee to hold membership in and support a political party, to vote as he chooses, to privately express his opinions on all political neutrality, and to attend political meetings. However, affiliation with any group or party which advocates the overthrow of the democratic system of government of the UNITED STATES of AMERICA will not be tolerated by any employee.

SECTION 2.19 RELATIVES IN THE CITY SERVICE.

- 2.19.1 Two members of an immediate family shall not be employed under the same supervisor. Neither shall two members of an immediate family be employed at the same time, regardless of the administrative department, if such employment will result in an employee supervising a member of his immediate family.
- 2.19.2 The provisions of this section shall apply to promotion, demotions, transfers, reinstatements, and new appointments. The provisions of this section shall not be retroactive.

ARTICLE 3

GENERAL CONDUCT, DISCIPLINE, TERMINATION AND APPEAL

SECTION 3.1 PERSONAL APPEARANCE AND CONDUCT

- 3.1.1 Public relations shall be an integral part of each employee's job.
- 3.1.2 All employees shall be neat and clean in appearance and shall conduct themselves in a manner which is appropriate for an employee in the public service.
- 3.1.3 Employees shall be courteous, efficient and helpful to everyone in their work and shall do the best job possible on every assignment.

SECTION 3.2 CAUSES FOR WARNING, SUSPENSION OR DISMISSAL

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

3.2.2 General reasons for which an employee may be disciplined include, but not be limited to:

- (a.) Drinking intoxicating beverages or use of non-prescription drugs on the job or arriving on the job under the influence of intoxicating beverages or drugs/
- (b.) Violation of lawful duty;
- (c.) Insubordination;
- (d.) Breach of discipline;
- (e.) Being absent from work without first notifying and securing permission from the employees supervisors;
- (f.) Being habitually absent or tardy for any reason;
- (g.) Misconduct;
- (h.) Conviction of any felony or of a misdemeanor involving moral turpitude;
- (i.) Using religious, political or fraternal influence;
- (j.) Accepting fees, gifts, or other valuable things in the performance of the employees official duties for the City.
- (k.) Inability to perform the assigned job.
- (l.) Failure to perform assigned duties.

SECTION 3.3 FORM OF DISCIPLINARY ACTION

3.1.1 Disciplinary action ranges from oral or written reprimands to suspension, demotion and finally

dismissal from the City service, and depends on the severity of the offense as well as the number and frequency of previous acts of misconduct.

- 3.2.2 IT shall be the duty of all City employees to comply with the and assist in carrying into effect the provisions of the City's personnel rules and regulations. No permanent employee shall be disciplined except for violation of established rules and regulations, and such discipline shall be in accordance with procedures established by the personnel rules and regulations.
- 3.3.3 Every supervisor shall discuss improper or inadequate performance with the employee in order to correct the deficiencies and to avoid the need to exercise disciplinary action. Discipline shall be of increasingly progressive severity whenever possible.
- 3.3.4 A written notice shall be given each employee for each disciplinary action stating the reasons for the disciplinary action and the date it shall take effect. The notice shall be given to the employee at the time such action is taken. The employee will be given the opportunity to enter in writing on the notice his answers or responses to the charges and signed and dated. The signing and dating does

not mean acceptance or admission of guilt by the employee, but merely proof that the response was his. A copy of the notice signed by the employee shall be placed in the employee's personnel file and shall serve as prima facie evidence of delivery.

- 3.3.5 All permanent employees shall have the right to appeal disciplinary action taken against them within seven (7) days after the effective date of disciplinary action. Appeals shall be made as grievances in accordance with the provisions of Section 3.4 of this resolution.

SECTION 3.4 GRIEVANCE PROCEEDURE

- 3.4.1 The City shall promptly consider and equitably adjust employee grievances relating to employment conditions and relationships. Furthermore, the City desires to adjust the causes of grievances informally--both supervisors, and employees and expected to resolve problems as they arise.
- 3.4.2 The following steps shall be followed in submitting and processing a grievance:
- (a.) Step 1. The aggrieved employee or group of employees shall present in writing the grievance to the immediate supervisors within seven (7) working days of it's occurrence, not including the day of occurrence. The supervisor shall give his written reply with-

in seven (7) working days of the date of presentation of the grievance, not including the date of presentation.

(b.) Step 2. If the grievance is not settled in Step 1, the written grievance shall be presented along with all pertinent correspondence, records and information accumulated to date to the City Administrator in concurrence with the Council within three (3) working days after the department head's response is given. The City Administrator shall after meeting with the Council meet with the aggrieved employee or group of employees, the immediate supervisory personnel, and the department head. The City Administrator with Council concurrence shall reply to the grievance in writing within seven(7) working days of the date of presentation of the written grievance. The written decision of the City Administrator shall be final and binding on the employee or group of employees and supervisory personnel as well.

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

3.4.4 Any grievance not taken to the next step of the grievance procedure shall be considered

settled on the basis of the last reply made and received in accordance with the provisions of this section.

- 3.4.5 Finally, the grievance procedure is designed to assure the aggrieved employee that he is protected from any form of reprisal by his supervisors or any other city official after his grievance has been considered and a decision on his case has been rendered. Supervisors may not resent an employee who utilizes the grievance procedure, because the procedure is one of the best methods of identifying and removing irritations and misunderstandings. If grievances are handled with concern and understanding at the early stages, they will not reach the higher for decision.

SECTION 3.5 RESIGNATION.

- 3.5.1 If circumstances make it necessary for an employee to resign, a written resignation should be submitted to the employee's supervisor or department head, stating the reasons for resigning and giving as much notice as possible, not less than ten (10) working days. Such action will be a credit to the employee's record, and will facilitate the hiring and training of a person to fill the vacancy.
- 3.5.2 Failure to comply with this section shall be entered in the employee's service record and

may be cause for denying future employment by the City.

SECTION 3.6 RE-EMPLOYMENT. Permanent (and probationary) employees with a satisfactory record of service who resign their positions (in accordance with the provisions of this resolution for resignation, from the City service) will be allowed to apply for vacancies under the same conditions as set forth in section 2.1.

SECTION 3.7 COST CONSCIOUSNESS

3.7.1 City employees shall practice every economy possible in the discharge of their duties.

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

SECTION 3.8 ENERGY CONSCIOUSNESS. All city employees shall practice all methods practical to conserve our national resources. e.g. Stop excessive motor vehicle usage, leaving motors and lights running for excessive lengths of time when not in use.

SECTION 3.9 SAFETY

3.9.1 The Department Head shall be responsible for the development and maintenance of a safety program, Such program shall include safety regulations and discipline controls.

3.9.2 In developing safety regulations, department

heads should:

- (1) Write short, practical, and up-to-date rules which cover all work activity.
If possible, develop rules during safety meetings and allow the employees to participate.
- (2) Not overload employees with unnecessary rules. Each employee, including office workers and others with a low hazard potential, should have a printed set of general rules and one set of rules which are specific to the job.
- (3) Develop as many sets of rules as necessary
Thus, a city might have the following printed rules:
 - (a) General Rules
 - (b) Rules for Firemen
 - (c) Rules for Policemen
 - (d) Rules for Public Works Employees
 - (e) Rules for Park Employees
 - (f) Rules for Custodians
 - (g) Rules for Maintenance Employees
 - (h) Rules for Electricians
 - (i) Others.
- (4) Review the personnel policies and procedures which direct management in the application of discipline.
Under the Occupational Safety and Health Act (OSHA) it becomes extremely important that employees follow management safety regulations.
- (5) Distribute rules during safety meetings,

and require supervisors to explain the enforcement policy.

(6) Request employees to sign a receipt form which should be placed in the employees' personnel files.

(7) Enforce the rules fairly and consistently.

SECTION 3.10 LEGAL LIABILITY

3.10.1 Employees shall abide by all laws and regulations which govern the performance of their duties, and shall perform their duties as reasonable, prudent persons. Employees who are reasonably cautious and prudent in the performance of their duties are not negligent and, therefore, neither legally nor morally liable for accidents or injuries which may occur.

ARTICLE 4 CLASSIFICATION PLAN

SECTION 4.1 POSITION CLASSIFICATION PLAN

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

4.1.2 The classification plan shall consist of positions in the City service defined by class specifications and identified by the titles. The classification plan shall be so developed and maintained that all positions substantially similar with respect to duties, responsibilities, authority, and character of work are included within the

class, and that the same schedules of compensation may be made to apply with equity under like working conditions to all positions in the same class.

- 4.1.3 Copies of this plan and of specifications for individual class shall be available in the office of the City Administrator

SECTION 4.2 TITLES AND SPECIFICATIONS

- 4.2.1 The position classification plan shall include titles and written specifications for the various classes of positions as a guide toward equal pay for equal work. Job titles shall refer to a particular position, not to the individual filling a particular position, and shall be used in all personnel, budget and financial records.
- 4.2.2 Each position shall be allocated to an appropriate class on the basis of the duties and responsibilitys of the position.
- 4.2.3 Each class shall have a specification that includes a consise, descriptive title, and a description of the duties and responsibilities of each position in the class. Position specifications take into consideration the requirements of the job and are merely descriptive and explanatory of the work to be performed. They may not include all of the duties and are not intended to replace detailed work assignments.

SECTION 4.3 RECLASSIFICATION

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

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

SECTION 4.4 NEW POSITIONS

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

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

4.4.3 The Common Council may create new positions and allocate the positions to an appropriate class.

ARTICLE 5

PAY PLAN AND COMPENSATION

SECTION 5.1 PAY PLAN

5.1.1 The City Administrator, in consultation with the Council Budget Committee, shall prepare a compensation plan which shall prescribe a minimum, a maximum, and any intermediate rates

of pay appropriate for each class.

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

SECTION 5.2 ANALYSIS OF PAY PLAN

- 5.2.1 At least once each fiscal year, the City Administrator and the Council shall jointly compare the current City salary rates, compensation policies and personnel developments with those of other public and private employers within the same job market. Cost of living adjustments will be determined at this time.
- 5.2.2 City Council shall then examine the salary range for each class of position to ascertain whether current minimum and maximum salaries should be maintained, increased or decreased during the succeeding fiscal year; and, upon the basis of this analysis, shall submit recommendations for amending the pay plan to the common Council.

SECTION 5.3 APPOINTEE COMPENSATION

- 5.3.1 Upon initial appointment to a position, the employee shall receive the minimum salary for the class to which the position is allocated
- 5.3.2 However, in the cases when unusual difficulty

n filling the vacancies is experienced, or when the appointee is exceptionally qualified, the Council may cause the appointment to be made at a salary level above the minimum, but not more than the maximum, for the class.

SECTION 5.4 PAY DAY

5.4.1 Employees will be paid on the first of the month with a draw day on the fifteenth not to exceed 50% of the take home pay of the employee. If the first or the fifteenth of the month falls on a Saturday, Sunday, or a holiday, employees shall be paid on the last working day preceeding the first or the fifteenth. of the month.

SECTION 5.5 OVERTIME

5.5.1 Department heads and supervisors shall assign to each employee regular work duties and responsibilities which can normally be accomplished within the established workday and workweek.

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

of the employee, to budgetary controls and to the provisions of Section 5.5.3 of this resolution.

5.5.3 Compensatory time shall not be accumulated except within the same work week. If time off is granted for overtime worked it must be taken off within the same work week the overtime accrued.

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

(a.) City Administrator

(b.) City Engineer

(c.) Department Heads

SECTION 5.6 PAYMENT UPON CLASSIFICATION CHANGE.

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

ARTICLE 6; FRINGE BENEFITS

SECTION 6.1 HOLIDAYS

6.1.1 All regular employees of the City shall be entitled to the holidays listed below with

pay. Full-time employees shall receive regular compensation; part-time employees shall be compensated in proportion to the number of hours they are normally scheduled to work.

- (a.) New Years Day
- (b.) Memorial Day
- (c.) Independence Day
- (d.) Labor Day
- (e.) Veterans Day
- (f.) Thanksgiving Day
- (g.) Christmas Day.

- 6.1.2 If any such holiday falls on a Sunday, the following Monday shall be given as a holiday. If any such holiday falls on a Saturday, the preceding Friday shall be given as a holiday.
- 6.1.3 Any additional days appointed by the Congress of the United States or by the Legislature of the State of Oregon as a legal holiday shall be observed by the City as a holiday.
- 6.1.4 An employee who works on a recognized holiday as part of his regular workweek shall be allowed equal time off according to the provisions of his job classification or two-times the rate of his pay.
- 6.1.5 Holidays which occur during vacation or sick leave shall not be charged against such leave.
- 6.1.6 Employees assigned to shift duty shall receive

normal holiday pay when the shift being worked falls on a recognized holiday; however, if the holiday falls on the shift employee's normal day off, no additional compensation shall be granted.

SECTION 6.2 VACATION

- 6.2.1 New employees shall not be eligible for vacation leave during their first six months of employment, although vacation leave shall accrue from the beginning of employment, except police and fire employees whose probationary period shall be 12 months.
- 6.2.2 Annual vacation leave shall accrue on a calendar year basis. To initiate such procedure, a prorated calendar year vacation shall be determined by the length of time from the date of employment to the end of the calendar year in which employment began. Said prorated vacation leave to be taken by the employee between the time at which the employee first becomes eligible to take vacation leave and the end of the employee's first complete new calendar year of employment.
- 6.2.3 Vacation leave shall be taken in the calendar year immediately following the year in which it is earned and shall not be carried over into the next following year without the approval of the City Administrator and City Council.
- 6.2.4 Department Heads shall schedule vacations

for their respective employees with due consideration for the desires of the employees, and the work requirements facing the department. Vacation schedules may be amended to allow the department to meet emergency situations.

6.2.5 Vacation leave shall not be used in blocks of less than 5 work days.

6.2.6 Vacations shall be as follows:

1-5 years continuous services shall be 10 working days.

6-15 years shall be 15 working days.

15 or more years shall be 20 working days.

SECTION 6.3 SICK LEAVE

6.3.1 All full-time City employees shall earn sick leave with full pay at the rate of one work-day for each calendar month of service. Sick leave shall accrue from the date of employment, but shall not be taken until the successful completion of the probationary period. Sick leave shall not be accumulated in excess of 60 days.

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

(a) Non-occupational personal illness of physical disability.

(b.) Quarantine of an employee by a physician for non-occupationally related disability.

(c) Illness in the immediate family requiring

he employee to remain at home.

6.3.3 Sick leave shall be charged as follows;

(a.) Employees working a fifty-six (56) hour workweek shall be charged sick leave on the basis of two (2) days sick leave for each twenty-four (24) hour shift absent.

(b.) Employees working a forty (40) hour workweek shall be charged sick leave on the basis of one (1) day sick leave for each duty day absent.

6.3.4 Abuse of the sick leave privilege shall be cause for dismissal. An employee who is unable to report to work because of any reasons set forth in Section 6/3/2 above shall report the reason for his absence to his supervisor within 2 hours from the time his expected to report for work. Sick leave with pay shall not be allowed unless such report has been made. Sick leave with pay in excess of 3 working days shall be allowed only after presenting a written statement from a physician certifying that the employees condition prevented him from appearing for work.

6.3.5 Any employee ending the fiscal year with 10 or more unused sick days shall be entitled to one additional days leave the following year.

6.3.6 Unused sick leave shall not be compensated for in any way at the time of resignation or

DISMISSAL of an employee

SECTION 6.4 LEAVE OF ABSENCE WITH PAY

- 6.4.1 Employees may request leave of absence with pay for the purposes specified in this section. Each request shall be judged by an appointing power on its merits and on the basis of the guidelines provided in this section.
- 6.4.2 Compassionate leave. In the event of death in the employee's immediate family, an employee may be granted leave of absence with pay not to exceed 5 working days. Certain circumstances may require additional leave time. In these cases the department head with concurrences with the council may grant the additional leave.
- 6.4.3 Funeral Participation. When an employee serves as a pallbearer, or in some other way participates in a funeral ceremony, he may be granted a reasonable time off to perform such duty. Time not worked because of such absences shall not affect vacation or sick leave accrued.
- 6.4.4 Witness or Jury Duty. When a City employee is called for jury duty or is subpoenaed as a witness, he shall not suffer any loss of his regular City Compensation during such absence; however, he shall be required to transfer any compensation he receives for

the performance of such duty to the City.

Time not worked because of such duty shall not affect vacation or sick leave accrued.

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

6.4.6 Military Leave. An employee who has successfully completed the probationary period and who is a member of the National Guard or a reserve component of the Armed Forces of the United States or of the United States Public Health Service shall be entitled, upon application, to a leave of absence from City service for a period not exceeding fifteen (15) calendar days in any one (1) calendar year. Such leave shall be granted without impairment of merit ratings or other rights or benefits to which he is entitled. Military leave with pay shall be granted only when an employee receives bona fide orders to temporary active or training duty, and shall not be paid if the employee does not return to his position immediately following the expiration of the period for which he was ordered to duty. (also see Section 2.10)

6.4.7 Conferences and Conventions. Decisions con-

cerning attendance at conferences, conventions, or other meetings at City expense shall be made by the department head with the approval of the City Administrator with concurrence with the Council if necessary. Permission shall be granted on the basis of an employee's participation in or the direct relation of his work to the subject matter of the meeting. Members of professional societies may be permitted to attend meetings of their society when such attendance is considered to be in the best interest of the City.

SECTION 6.5 EDUCATIONAL OPPORTUNITIES

- 6.5.1 The City shall reimburse an employee for all the amount of tuition and books for courses directly related to the employee's work offered at any accredited institution for higher education e.g- Chemeketa Community College, Willamette University, Oregon Collège of Education, Portland State University, and conducted outside the employee's regular working hours, provided that
- (a.) Funds for such expenditures are available in the current budget;
 - (b.) The employee has made application for approval of the course and tuition reimbursement to his department head at least 10 days prior to the registration of such course.
 - (c.) The employee submits evidence of satisfactory completion of the course, and

(d.) The employee is not receiveing reimbursement for tuition from other source.

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

6.5.3 The City shall allow time off with pay and shall reimburse an employee for the expense of attending classes, lectures, conferences or conventions when attendance is on an assignment basis with prior approval of the employee's department head.

6.5.4 Normally, the cost of textbooks and technical publications required for such courses shall be the responsibility of the employee. If the City purchases any of the textbooks and publications for such courses, said textbooks and publications shall become the property of the City.

SECTION 6.6 RETIREMENT. After six (6) months fulltime employment, employees are required to participate in adopted city retirement program.

SECTION 6.7 RETIREMENT AGE

6.7.1 The retirement age for City employees is as follows:

(a.) Sixty (60) years for fire and police employees; and early retirement age fifty-five. (55)

(b) Sixty-five (65) years for all other employees, and early retirement sixty (60).

6.7.2 At the end of the month in which an employee reached retirement age, the employee shall automatically terminate his service with the City. However, the appointing power may grant an extension of the retirement age on a year-to-year basis when it is in the interest of the City to do so.

SECTION 6.8 SOCIAL SECURITY. The City shall match the employees contribution in the Social Security Plan.

SECTION 6.9 INDUSTRIAL ACCIDENT. All employees shall be covered under the State Accident Insurance Fund (SAIF) or the equivalent to, for industrial accidents and disease. Benefits include medical treatment and care as well as disability compensation during periods of time lost from the job.

SECTION 6.10 MEDICAL AND HOSPITAL INSURANCE

6.10.1 (describe coverage)

SECTION 6.11 LIFE INSURANCE

6.11.1 (describe coverage)

SECTION 6.12 ADDITIONAL GROUP COVERAGE

6.12.1 (describe coverage)

SECTION 6.13 DISABILITY INSURANCE

6.13.1 (describe coverage)

SECTION 6.14 DENTAL INSURANCE

6.14.1 (describe coverage)

Adopted 4th day of August, 1975.

Signed this _____ day of May, 1976



Mayor

Attest:

City Recorder