

Personnel Rules, Regulations, and Policies



City of Grants Pass
101 NW "A" Street
Grants Pass, Oregon 97526



Adopted January 7, 1981

Revision Dates:

November 17, 1982	November 4, 1987	March 3, 2010
July 17, 1985	September 20, 1996	September 17, 2010
September 18, 1985	July 2, 2007	March 16, 2011
April 16, 1986	August 20, 2008	December 17, 2012
December 8, 1986	December 8, 2008	November 16, 2016

TABLE OF CONTENTS

Article	Page
Values Statement.....	1
Form of Government.....	2
City Departments.....	3
Public Relations and Personal Conduct.....	7
Government Ethics.....	7
Organizational Chart.....	8
I General Statement of Purpose	
1.1 Purpose.....	9
1.2 Variance.....	9
1.3 Application.....	9
1.4 Definitions.....	10
II Recognition	
2.1 Groups (Defined).....	13
III Appointments	
3.1 Equal Employment.....	15
3.2 Appointment to Vacancies.....	15
3.3 Application.....	15
3.4 Verification.....	16
3.5 Physical Examination.....	16
3.6 Notice of Appointment.....	16
3.7 Conditions of Employment.....	16
IV Workplace Behavior/Conduct	
4.1 Conduct.....	17
4.2 Political Activity.....	17
4.3 Harassment.....	18
4.4 Sexual Harassment.....	18
4.5 Retaliation.....	18
VI Position Classification Plan	
5.1 Maintenance of Plan.....	20
5.2 Contents of Plan.....	20
5.3 Copies of Plan.....	20
5.4 Specifications.....	20
5.5 Allocation of Positions.....	20

Article		Page
	5.6 Job Description.....	21
VI	Hours and Overtime	
	6.1 Workweek.....	21
	6.2 Work Day.....	21
	6.3 Work Schedules.....	21
	6.4 Rest Period.....	21
	6.5 Meal Periods.....	21
	6.6 Overtime.....	21
	6.7 Callback Time.....	23
	6.8 Emergency Response Time for Exempt Employees	23
	6.9 Public Safety Department Employees.....	23
	6.10 Working Out of Classification.....	23
VII	Holidays	
	7.1 Recognized Holidays.....	24
	7.2 Personal Holiday.....	24
	7.3 Coordination with Other Leaves.....	24
VIII	Vacations	
	8.1 Eligibility.....	25
	8.2 Continuous Service.....	25
	8.3 Accrual Limitations.....	26
	8.4 Scheduling.....	26
	8.5 Conversion to Cash by Supervisory Personnel.....	26
	8.6 Payment on Termination	26
	8.7 Regular Part-Time Employees.....	26
	8.8 Temporary Employees.....	26
	8.9 Vacation Donation to Injured or Ill Employees.....	26
IX	Sick Leave/Emergency Leave	
	9.1 Accrual.....	28
	9.2 Sick Leave Accumulation.....	28
	9.3 Emergency Leave.....	28
	9.4 Utilization.....	28
	9.5 Sick Leave Without Pay.....	30
	9.6 Parental Leave.....	30
	9.7 Family Medical Leave.....	31
	9.8 Service Member Leave.....	30

Article		Page
	9.9 Caregiver Leave for Injured Service Member.....	31
X	Other Leaves of Absence	
	10.1 Leave Without Pay.....	33
	10.2 Jury Duty.....	33
	10.3 Appearances.....	33
	10.4 Required Court Appearance.....	33
	10.5 Voluntary Educational Leave.....	33
	10.6 Directed Educational Leave.....	33
	10.7 Military Leave With Pay.....	34
	10.8 Military Leave Without Pay.....	34
	10.9 Peace Corps Leave Without Pay.....	34
	10.10 Disability Leave Without	34
	10.11 Return From Leave.....	35
	10.12 Administrative Leave.....	35
XI	Pay Plan and Compensation	
	11.1 Pay Plan.....	36
	11.2 Rate of Pay.....	36
	11.3 Analysis of Pay Plan.....	36
	11.4 Maintenance of Pay Plan.....	36
	11.5 Appointee Compensation.....	36
	11.6 Payment Upon Classification Change.....	36
	11.7 Pay Periods.....	36
	11.8 Hourly Rate.....	36
	11.9 Personnel Evaluation.....	36
	11.10 Administration of Pay Plan.....	37
XII	Health and Welfare Benefits	
	12.1 Types.....	39
	12.2 Continuation of Hospital and Life Insurance Coverage Benefits for Permanently Disabled Employees.....	39
	12.3 Public Employees Retirement System.....	40
	12.4 Integration with Worker's Compensation.....	40
	12.5 Sick Leave Conversion Program.....	40
	12.6 Retirement.....	40

Article		Page
XIII	Separation in Good Standing	
	13.1 Layoff.....	42
	13.2 Recall from Layoff.....	42
	13.3 Temporary Interruption of Employment.....	42
	13.4 Resignation	42
XIV	Discipline and Discharge	
	14.1 Discipline.....	43
	14.2 Just Cause.....	43
	14.3 Form of Discipline.....	43
	14.4 Immediate Imposition of Discipline.....	43
	14.5 Written Notice to Appear.....	44
	14.6 Manner of Discipline.....	44
	14.7 Probationary Employee.....	44
	14.8 Notice of Discipline or Discharge.....	44
	14.9 Grievances.....	44
XV	Grievance Procedure	
	15.1 Policy.....	45
	15.2 Procedure.....	45
	15.3 Time Limit.....	45
XVI	Employee Training	
	16.1 Orientation of New Employees.....	47
	16.2 General Training Activities.....	47
	16.3 Time of Training Periods.....	47
	16.4 Reimbursement of Tuition of Fees.....	47
	16.5 Education.....	47
XVII	Personnel File	
	17.1 Maintenance.....	48
	17.2 Notice of File Contents.....	48
	17.3 Response.....	48
	17.4 Copies.....	48
	17.5 Confidential File.....	48
XVIII	Mileage and Per Diem	
	18.1 Mileage.....	49
	18.2 Per Diem.....	49

Article		Page
	18.3 Other Transportation.....	49
	18.4 Use of City Vehicles.....	49
XIX	Miscellaneous	
	19.1 Uniform, Clothing and Equipment.....	50
	19.2 Outside Employment.....	50
	19.3 Safety.....	50
Attachment "A"	51

City of Grants Pass

Mission, Vision and Values

Our Mission

We are a results oriented organization, which values its employees, provides for growth potential, focusing on core values and excellence.

Our Vision

To make a better tomorrow by being a professional organization that provides a vibrant, caring, efficient and safe community.

Our Values

IVALUE

Integrity	We conduct ourselves, at all times, in a manner that is ethical, trustworthy and professional.
Vision	The organization focuses on actively discovering and creating new ways of doing things.
Accountability	We are stewards of the public trust, accountable to the needs of Council, citizens, and our colleagues.
Leadership	The opportunity to lead is available to all who desire it. Our leadership focuses on outstanding results for the betterment of the individual, the organization and the community.
United	We consistently seek opportunities for coordination and collaboration, working together as a team.
Excellence	Maintaining the highest level of performance.



FORM OF GOVERNMENT

In 1945, the voters of Grants Pass adopted a Home Rule Charter establishing the Council-Manager form of City government. The Council, acting as the elected representatives of the people, passes all ordinances and determines the general goals of the City. To carry out its decision, the Council appoints a City Manager.

As Chief Administrative Officer of the City, the City Manager is directly responsible to the Council for the activities of the City government. The City Manager is empowered to appoint and remove all City Directors and employees.

MAYOR

The Mayor is the recognized policy leader of the City, and is chief spokesperson and head of the City government for all public and ceremonial occasions. The Mayor chairs Council meetings and presides over its deliberations. The Mayor shall have a vote on all questions before the Council resulting in a tie vote. The Mayor is an ex-officio member of the Budget Committee. The Mayor is elected to serve a four (4) year term and serves as an unpaid volunteer.

COUNCILORS

Councilors have the responsibility of establishing policies to govern the affairs of the City; appoint the City Manager, and certain commission and committee members; act as the levying board in the adoption of the budget; and perform other actions necessary to govern the City including the passage of ordinances and resolutions.

The City is divided into four wards with two councilors elected to serve from each ward. Their term of office is four (4) years and elections are arranged so that four (4) are elected every two (2) years. City Councilors serve as unpaid volunteers.

CITY DEPARTMENTS

ADMINISTRATIVE SERVICES

Administration: Management Services through the City Manager provides management direction for the overall operation of the City through all departmental activities. In this capacity, the City Manager is the official purchasing agent, personnel officer, superintendent of the utility system and budget officer for the City. The City Manager is appointed for an indefinite term by the Grants Pass Council and may be removed at the pleasure of the majority of that body.

The Administration Division is responsible for oversight of Tourism and Downtown, Information Technology and Property Management services. Tourism and Downtown is responsible for developing strategies to promote community visitation as well as coordinating services to strengthen downtown as the core business center. The Information Technology Division manages computer hardware and software, the network and servers, connectivity between sites and data security. The Property Management Division is responsible for managing various properties the City owns as well as the municipal building and city service center buildings.

Finance: The Finance Department is responsible for fiscal management of the City. This includes utility billing and collections; accounting and record keeping; payroll, accounts payable and receivable; licensing, business and occupancy tax administration, cash and debt management; and planning, controlling and reporting City finances. Other fiscal responsibilities include coordination and compilation of the budget document and preparation of the annual financial report.

Human Resources: The Human Resources Department provides staff support to all operations in the recruitment, assessment and selection of employees, as well as Safety and Risk Management. Human Resources handle benefit, family medical leave, and workers compensation administration. The Human Resources Director serves as the Affirmative Action Officer for the City and acts as editor for the employee newsletter. The department also provides funds and participates in labor negotiations and Citywide training of employees.

Legal Services: The Legal Services Department advises the Council, City Manager and other City officials on the legal aspects of municipal operations; represents the City in civil actions; prepares ordinances, resolutions, contracts and other legal documents and participates in preventative law. Legal Services is responsible for the acquisition and sale of property for City park use to road right of way.

PARKS & COMMUNITY DEVELOPMENT

Building Division: The Building Division administers and enforces the Oregon State Building, Mechanical, Plumbing and Electrical codes as well as the Fire, Life and Safety codes within the City limits and Urban Growth Boundary area. In addition, the Building Division is responsible for enforcement of the Uniform Housing Code and Uniform Code for the Abatement of Dangerous Buildings. The staff in the Building

Division review all plans submitted for building permits, and performs all required inspections throughout construction.

Engineering Division: The Engineering Division assists with the orderly development of our community by ensuring compliance with adopted facility plans and development standards. Working with other divisions and agencies, Engineering participates in site plan review, design, plan check, and inspection of new public facilities. The mapping portion of the City's Geographical Information System (GIS) was developed and is maintained by the Engineering Division. Other services include creating and keeping current engineering standards to be used in design and construction of public facilities such as water, sewer, and street improvements. Also, the Engineering Division is involved in all aspects related to administering capital projects throughout the City.

Planning Division: The Planning Division provides a combination of current and long range planning services within the City limits and unincorporated areas within the Urban Growth Boundary area. Planning staff work closely with the general public and development community to provide information on the Comprehensive Plan, Development Code, Municipal Code, various Master Plans, land use policies and Statewide Planning Goals. These plans and policies are implemented through the review and processing of various land use applications and City wide plans. The Planning Division recommends revisions to existing plans and codes as needed to achieve City Council goals and to remain current with changing conditions and regulations. Other activities include preparing annexation proposals, conducting site inspections, reviewing sign permits, pursuing grants that help fund public projects and community plans, and working with Code Enforcement to ensure compliance with zoning regulations and correction of zoning violations.

Parks Management and Pool: This department manages 32 park sites and trails totaling 507 acres. Of the 507 acres, 195 are developed and 312 are in park reserves. There are 3 mini parks, 6 neighborhood parks, 1 community park, 1 regional park and 5 special use areas such as a skateboard park and outdoor pool.

Recreation Program: This department provides activity coordination, facility reservations and programs under a service contract

Community Development Management Services: This CD Management Division provides the overall management, coordination and fiscal accountability of the Building, Engineering and Planning functions from plan review through construction. It assists with private development such as homes and businesses as well as public development such as new streets and water lines. The CD Management Division assists customers at the public information counter and on the telephone with development processes and permit issuance. Additionally, it provides support services for activities of the Public Works Department.

PUBLIC WORKS DEPARTMENT

Street Maintenance: This department provides maintenance to the paved and unpaved public streets and alleys within the City with the exception of the few roads maintained by Josephine County or the Oregon Department of Transportation. This

division is responsible for the maintenance of the storm drainage system, including underground pipes, roadside ditches, and culverts. Vegetation management within the public right of way falls within the purview of this division. The maintenance of traffic control signage and roadway markings are also a responsibility of this division.

Water Treatment: This department is responsible for the operation and maintenance of the Water Filtration Plant supplying potable water to the community. The water meets or exceeds the regulations of the Oregon Department of Human Services and the US Environmental Protection Agency. This division is also responsible for the operation and maintenance of thirteen pump stations and eight reservoirs.

Wastewater Treatment: This department is responsible for the operation and maintenance of the Water Restoration Plant and JO-GRO™ Co-composting facility. All water discharged to the Rogue River and compost produced meets the requirements of the Oregon Department of Environmental Quality and the US Environmental Protection Agency. This division is responsible for the operation and maintenance of three City pump stations and two Redwood Sanitary Sewer Service District pump stations.

Distribution and Collection: This department is responsible for the maintenance of the City's water distribution system and sewer collection system. The water distribution system includes the water mains, water service lines from the main to the property line, water meters, control valves and fire hydrants. The sewer collection system includes the sewer mains, sewer manholes and cleanouts.

Fleet: This department maintains the City's equipment and vehicles as well as the collection of funds for future scheduled replacements.

PUBLIC SAFETY DEPARTMENT

The Public Safety Department has several key functions. In their most basic form, these are fire suppression, rescue, law enforcement, 911/dispatch services, enforcement of codes and ordinances and prevention.

The Fire Rescue Bureau provides these services from facilities located strategically throughout our community. Firefighters respond and suppress fires, rescue victims and investigate fire cause. They also respond to medical and rescue emergencies to extricate trapped victims and render medical assistance.

The Police Bureau provides protection of life and property to the citizens of Grants Pass. This department is charged with the responsibility of preventing crime, enforcing traffic laws, suppressing disturbances, arresting offenders, managing evidence collected, and giving aid to citizens. It also investigates crimes in progress, as well as follow-up investigation on incidents ranging from fraud to homicide.

Public safety prevention programs are targeted at preventing fires and reducing crime. This program includes the enforcement of fire and life safety codes, determination of cause, arson investigation and fire safety information to the public. Training is provided as necessary to improve the level of knowledge and service for regular and volunteer

personnel. Crime prevention programs are presented to community groups and citizens alike.

Non-sworn civilian personnel are responsible for providing 911 call-taking and dispatch for Grants Pass Police and Fire/Rescue, Ambulance services, and Fire/Rescue services throughout the County. Non-sworn personnel also provide call-taking for all non-emergent calls in the City and police records management functions.

(Updated 3/3/10, Res. 5650, 11/16/16, Res. 16-6478)

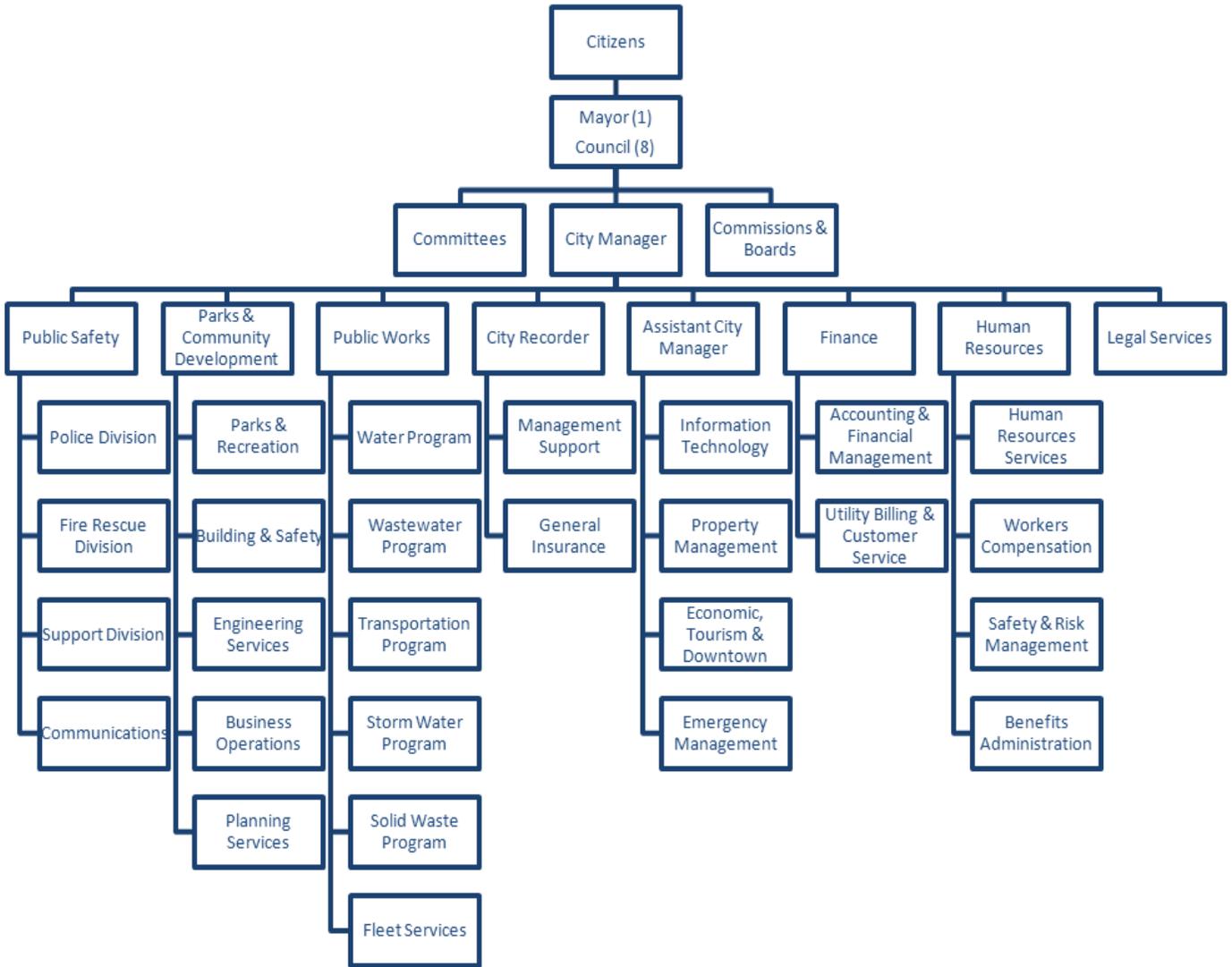
PUBLIC RELATIONS AND PERSONAL CONDUCT

Public relations is the responsibility of every employee of the municipality. Each phone call, each letter and each personal relationship, leaves an impression with the public. Courtesy does not cost anything – it is only lack of courtesy that really costs the City and you.

GOVERNMENT ETHICS

Each employee whether he be Department Director, supervisor or regular employee should be aware of and practice what we refer to as “government ethics”. This means total separation between his/her personal activities and any job activities, not using his/her position to obtain financial gain or benefit, nor using confidential information gained by reason of his/her position for private gain. If you have any questions about what action to take contact your supervisor or the Human Resources Department.

Organizational Chart



(Updated 11/16/16, Res. 16-6478)

ARTICLE I – GENERAL STATEMENT OF PURPOSE

- 1.1 Purpose. The purpose of these Rules, Regulations and Policies 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 Grants Pass. Said Rules, Regulations and Policies are provided to maintain uniformity and equity in personnel matters that will make City service attractive as a career and to encourage each employee to give his best service to the City.

In addition to these rules, regulations, and policies, employees are subject to the City's Administrative Directives which are located on the City network.
(Updated 3/3/10, Res. 5650)

- 1.2 Policy Revision or Variance. These Rules, Regulations and Policies may be revised, modified, amended or revoked at any time and from time to time and for any reason by resolution of the City Council. Nothing in these Rules, Regulations and Policies shall be construed to create contractual commitments by the City. No rule, regulation or policy is intended as a guaranty of any benefits or rights or as creating any permanent employment or employment for any term with the City. The City Manager shall have the power to vary or modify the strict application of the provisions of these Rules, Regulations and Policies in any case in which the strict application of said provisions would result in practical difficulties or unnecessary hardships. (Updated 3/3/10, Res. 5650)

- 1.3 Application. These Rules, Regulations and Policies shall apply to all groups except as noted below:

- (a) Group A (Non-Supervisory Classified). Exceptions: 6.6(D) Exemptions to Overtime, 6.8 Emergency Response Time for Exempt Employees 6.9 Public Safety Department Employees, 8.5 Conversion to Cash, and 10.12 Administrative Leave.
- (b) Group B (Confidential or Non-Management Exempt). Exceptions: 8.5 Conversion to Cash by Supervisory Personnel, .
- (c) Group C (Supervisory). Exceptions: 6.6 Overtime, and 6.7 Callback Time.
- (d) Group D (Management). Exceptions: 3.7(C) Probationary Period Required, Article VI Hours and Overtime (except as to Article 6.6(D) Exemptions to Overtime), Article XIV Discipline and Discharge, and Article XV Grievance Procedure.
- (e) Group E (Other). Exceptions: 3.7(C) Probationary Period Required, 6.7 Callback Time, 6.8 Emergency Response Time for Exempt Employees, 6.9 Public Safety Department Employees, 6.10 Working Out of Classification, VII Holidays, VIII Vacations, VIX Sick Leave/Emergency Leave (except any legally required leaves), X Other Leaves of Absence, 11.10 Administration of Pay Plan, XII Health and Welfare Benefits,

Article XIV Discipline and Discharge, and Article XV Grievance Procedure and 16.5 Education.

- (f) Employees covered by a collective bargaining agreement shall be bound by the terms of the agreement. However, where the agreement is silent, or not in conflict with the rules, regulations and policies, such rules, regulations or policies shall govern.
- (g) Group F personnel shall not be subject to the terms of these Rules, Regulations and Policies except for IV Workplace Behavior/Conduct and 19.3 Safety.

(Updated 12/8/08, Res. 5427, 3/16/10 Res 5782, 11/16/16, Res. 16-6478)

1.4 Definitions. 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. The date twelve months from placement in a position. A new anniversary date is established at the time of promotion.
- (d) Appeal. A request to a supervisor, Department Director, or City Manager for consideration of and a decision or ruling on a problem or situation.
- (e) Appointing Power. A person vested with authority to make appointments such as the City Manager or his designee; however, the City Manager reserves final approval to assure compliance with the Personnel Rules, Job Descriptions, Affirmative Action and other applicable laws.
- (f) Group. A group of positions in the City classified in accordance with Article II.
- (g) Class Specification. The written description of a class, containing a title, statements of duties, authority and responsibilities and the desired minimum qualifications for the class.
- (h) Compensatory Time. Time accumulated as overtime which is granted as time away from the job with pay.
- (i) Continuous Service. Uninterrupted employment with the City. Reasonable absences due to military service or extended leaves, approved by the City Manager do not constitute a break in continuous employment.
- (j) Council. The Council of the City of Grants Pass.
- (k) Demotion. A transfer of an employee from a position in one class to a position in another class which has a lower salary range.

- (l) Department Director. A person directly responsible to the City Manager for the administration of a department.
- (m) Disciplinary Action. Imposition of certain personnel actions, e.g. reprimand, warning, suspension, dismissal, demotion.
- (n) Full-Time Employee. An employee who works a regular schedule of 2080 hours per calendar year, or 2912 hours per calendar year if assigned to a 56-hour shift at Fire Rescue. (Except for Article XII Health and Welfare Benefits which shall be an employee who works a regular schedule of 1664 hours or more per calendar year.) (*Updated 3/3/10, Res. 5650*)
- (o) Gender. All references to employees in these Rules, Regulations and Policies designate both sexes, and whenever the male gender is used it shall be construed to include male and female employees. (*Added 3/3/10, Res. 5650*)
- (p) 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.
- (q) Layoff. A separation of employment because of organizational changes, lack of work, shortage of funds or materials, abolishment of position or for other reasons not reflecting discredit on an employee and for reasons outside of his control.
- (r) 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.
- (s) Occupational Disability. Disability from an accident or sickness suffered or contracted as a result of the performance of assigned duties.
- (t) Leave of Absence. Time off from work for reasons within the scope and purpose of these rules, regulations and policies upon prior approval of the employee's supervisor, Department Director or City Manager.
- (u) Military Leave. Leave of absence for an employee entering reserve military training duty.
- (v) Ordinance. The Personnel Ordinance.
- (w) Part-Time Employee. An employee who is employed for less than the normal number of working hours, but who normally follows a predetermined, fixed pattern of working hours on a twelve month per year basis.
- (x) Regular Employee. An employee who has been retained in his appointed position after the completion of his probationary period.
- (y) Personnel Action. Any action taken with reference to appointment, compensation, work schedule, promotion, transfer, layoff, dismissal, or other action affecting the status of employment. Personnel actions are

generally reduced to writing in a form commonly referred to as the "Personnel Action Form" or "PAF". *(Updated 3/3/10, Res. 5650)*

- (z) Personnel Officer. The City Manager or his designee. The Human Resources Director has been designated by the City Manager as the Personnel Officer.
- (aa) Probationary Period. A period of at least twelve months, during which an employee is required to demonstrate by actual performance of the duties his fitness for the position to which they have been appointed.
- (bb) Promotional Probationary Period. A period of at least six months, during which an employee is required to demonstrate by actual performance of the duties his fitness for the higher position for which they have been appointed.
- (cc) 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.
- (dd) Reclassification. A change in allocation of an individual position by raising it to a higher class, reducing it to a lower or moving it to another class at the same level on the basis of material changes in the kind, difficulty or responsibility of the work performed in such position.
- (ee) 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.
- (ff) Supervisor. Any person who is responsible to a higher divisional or departmental level of authority and who directs the work of others.
- (gg) Suspension. Temporary separation of an employee from City service without pay for disciplinary purposes.
- (hh) Temporary Employee. An employee who has been appointed for a limited period not to exceed six months for a full-time temporary employee, or 600 hours of employment in any given calendar year for a part-time temporary employee, or 1040 hours in any given calendar year for a PERS retiree. *(Updated 3/3/10, Res. 5650)*
- (ii) 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.
- (jj) Voluntary Demotion. A demotion requested by an employee in order to retain employment when layoff from his position is imminent or for other reasons where the action is still entirely voluntary on the part of the employee.

ARTICLE II – RECOGNITION

- 2.1 The following classifications are identified as non-bargaining positions under the City's classification plans.

Group A (Confidential/Non Exempt)

Personnel Assistant
Personnel Technician
Public Safety Executive Assistant

Any new position classified Confidential and not in a bargaining unit.
(Updated 3/3/10, Res. 5650, 3/16/11, Res. 5782, 12/17/12, Res. 6022, 11/16/16, Res. 16-6478)

Group B (Confidential or Non-Management Exempt)

Accountant
Analyst
Business Advocate
Senior Planner (Long Range Planning)

Any new position classified as Confidential or Non-Management Exempt and not in a bargaining unit. (Updated 3/16/11, Res. 5782, 11/16/16, Res. 16-6478)

Group C (Supervisory)

Accounting Services Supervisor
Administrative Coordinator
Assistant Finance Director
Battalion Chief
Business Operations Supervisor
City Recorder
Civilian Public Safety Supervisor
Customer Service Supervisor
Fire Marshal
Information Technology Manager
Engineering Projects Supervisor
Public Safety Lieutenant
Public Safety Sergeant
Superintendent

Any new position classified as Supervisory.
(Updated 3/3/10, Res. 5650, 3/16/11, Res. 5782, 12/17/12, Res. 6022, 11/16/16, Res. 16-6478)

Group D (Management)

*City Manager
*Assistant City Manager
*Department Director
*City Attorney
Building Official

City Engineer
Deputy Chief
Deputy City Attorney
Principal Planner

*Department Directors

Any new position classified as Management.
(Updated 3/16/11, Res. 5782)

Group E (Other)
Seasonal/temporary employees

Group F
Temporary personnel hired through an employment agency
Volunteer personnel and personnel appointed to serve without pay.
(Updated 12/8/08, Res. 5427)

ARTICLE III – APPOINTMENTS

- 3.1 Equal Employment. The City of Grants Pass is committed to provide equal opportunity to all persons in matters affecting, but not limited to, recruitment, employment, compensation, benefits, promotions, training, discipline, transfer and layoff practices without regard to a person's race, color, religion, national origin, sex, age (except where sex, age or non-disability are bona fide occupational qualifications), marital status, domestic partnership, veteran status, disability, familial status, sexual orientation, gender identity, source of income or any other legally protected status.

Furthermore, it is the policy of the City to take positive results-oriented affirmative action to increase the number of qualified racial and ethnic minorities and women employed at all levels within the City in accordance with the City's affirmative action plan, a copy of which is available from the Human Resources Department. This policy is intended to ensure equal employment opportunity for all persons; however, no City employee shall be demoted, suspended, transferred, laid off or terminated solely to facilitate the achievement of the affirmative action plan.

Furthermore, it is the City's policy that under most circumstances, family members may be hired and work for the City. However, approval to hire family members must be given by the City Manager. If a Department Director foresees any difficulty and justification is validated under ORS 659A.309, a family member may not be hired. (*Updated 3/3/10, Res. 5650*)

- 3.2 Appointment to Vacancies. All original appointments to vacancies shall be made solely based on merit, efficiency and fitness. These qualities shall be determined through careful and impartial evaluation of the following:
- (a) The applicant's level of training relative to the requirements of the position for which he has applied;
 - (b) The applicant's level of education relative to the requirements of the position for which he has applied;
 - (c) The applicant's physical fitness relative to the requirements of the position for which he has applied;
 - (d) The results of an oral interview; and
 - (e) Whenever practical, the results of a competitive written examination or demonstration test, which shall be a fair and valid test of the abilities and aptitudes of applicants for the duties to be performed.
- 3.3 Application. No question in any test or in any application form or by any appointing power shall be so framed as to attempt elicit information concerning race, religion, color, sex (including pregnancy, childbirth and related medical conditions), national origin, marital status, family relationship, age (18-69) or physical or mental handicap for the purpose of discriminating.

- 3.4 Verification. All statements submitted on the employment application or attached resume shall be subject to investigation and verification. False statements shall void the application and be grounds for termination.
- 3.5 Physical Examination. Any job applicant or employee may be required to take a physical examination. In cases where a physical examination is required, the City shall pay the cost of the examination.
- 3.6 Notice of Appointment. When a Department Director has selected a candidate to fill a position, notice of such selection shall be made immediately to the Personnel Officer in such a manner and on such form as may be prescribed and Personnel Officer will make appointment.
- 3.7 Conditions of Employment.
- A. Residency Requirements. It is preferred that employees reside within the corporate limits of Grants Pass. Existing employees residing outside the City shall not be required to move within the City, however, the City may require any new employee to live within the City or within a specified distance of the City as a condition of employment. (See Administrative Directive Policy 5-10 for details.)
 - B. Telephone Required. All employees of the City are required to have telephone service at their place of residence.
 - C. Probationary Period Required. Newly hired employees of the City are required to serve a probationary period of at least twelve (12) months during which time the employee is required to demonstrate their ability to perform the duties of the position for which they were hired.
 - (a) A Director may extend an employee's probationary period up to an additional six (6) months.
 - (b) An employee's probationary period shall be extended for any unpaid leave time taken during said period, when such unpaid time equals at least eight (8) hours.
- (Added 3/3/10, Res. 5650, 11/16/16, Res. 16-6478)*

ARTICLE IV - WORKPLACE BEHAVIOR/CONDUCT

- 4.1 Conduct. Your conduct during and outside working hours should be of a caliber that will not bring discredit to the City. As a City employee, you are in the public eye and more is expected of you than the average citizen. The following factors are worthy of your serious consideration.
- A. Favors. Regardless of their nature, favors have no place in a City employee's work. No one should get "special" treatment nor should an employee accept favors from anyone.
 - B. Alcohol and/or Controlled Substances. No employee will be allowed on City premises (on or off-duty) if they show signs of impairment, have an odor of alcohol and/or controlled substances upon their person, are known to have recently consumed alcohol, or are under the influence of alcohol and/or controlled substances.
 - C. Personal Appearance. Personal appearance at work should be neat and consistent with a professional atmosphere (1) to foster a professional or identifiable appearance for citizens, customers, and suppliers; (2) to create a positive working environment and limit distractions caused by outrageous, provocative or inappropriate dress or appearance; and (3) to ensure safety while working. Personal appearance would also include a requirement for good personal hygiene and the avoidance of heavily scented perfumes, colognes or lotions. Good individual judgment is the best guideline, and Department Directors retain the right to determine what appearance at work is appropriate. Standards may vary depending on the nature of the work environment, nature of work performed, involvement with the public, required uniforms or other circumstances as determined by the Department Director.
 - D. Telephone Use. The City's business phones are available for limited personal use. Lack of discretion in its use could result in denying the privilege to the violator.
 - E. City Tools and Equipment. Every tool has its proper use. In the case of City equipment, this use is limited to City purposes. You will be responsible for the proper care of all City equipment and supplies and must promptly report any breakage or loss to your supervisor.
- 4.2 Political Activity. Pursuant to Oregon law, no City employee may solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours. Oregon law does not restrict the right of a public employee to express personal political views.

- 4.3 Harassment. The City of Grants Pass prohibits harassment based on disability, race, color, national origin, religion, sex, sexual orientation, veterans status, military status, retaliation for opposing unlawful employment practices, association with members of a protected class, marital status, injured workers status, non-supervisory family relationships, or any other protected class, regardless of whether that harassment is targeted specifically at the employee. Behavior such as telling ethnic jokes, making religious slurs, using offensive “slang” or other derogatory terms denoting a person’s speech, accent or disability , are examples of prohibited conduct.
- 4.4 Sexual Harassment. Sexual harassment can include, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or non-verbal communication or physical conduct of a sexual nature where:
1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual’s employment;
 2. Submission or rejection of such conduct by an individual influences any employment related decisions affecting the individual; or
 3. The conduct has the purpose or effect of interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment.

The conduct prohibited may be verbal, visual or physical in nature. It may be directed by a manager to a subordinate, manager to manager, or co-worker to co-worker. It includes unwelcome sexual advances, requests for sexual favors, physical touching, or the granting or withholding of benefits (e.g., pay, promotions, time off) in response to sexual conduct. More subtle forms of prohibited behavior, such as offensive posters, cartoons, caricatures, comments and jokes, language or innuendoes, hugging, or kissing may also constitute sexual harassment when they create or contribute to a hostile or offensive work environment. (Refer to Administrative Directive Policy 5-5, included as Attachment “A”.)

- 4.5 Retaliation. The City of Grants Pass will not tolerate unlawful retaliation against employees for engaging in protected activity. Various federal laws such as Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and The Americans with Disabilities Act, all prohibit an employer from retaliating against an employee engaged in protected activity.

A “protected activity” is defined as: opposing an unlawful practice prohibited by employment discrimination laws, or participating in any way in an investigation, proceeding, or hearing. “Retaliation may include, but is not limited to: refusal to hire, promotion or denial of promotion, threats or reprimands, negative job performance evaluations, harassment, adverse treatment, limiting or suspending access to an internal complaint or grievance process, or giving a negative job reference. An act of retaliation may result in serious adverse disciplinary action up to and including termination.

You should file a complaint with the Human Resources Department if you feel that you have experienced retaliation in any form. (*Added Article 3/3/10, Res. 5650*)

ARTICLE V – POSITION CLASSIFICATION PLAN

- 5.1 Maintenance of Plan. A position classification plan as adopted and amended by the Council shall be a part of these rules. The Personnel Officer will be responsible for keeping the classification plan current by conducting periodic studies of positions and making appropriate recommendations to the Council.
- 5.2 Contents of Plan. The classification plan shall consist of positions in the City service defined by class specifications and identified by the class titles. The classification plan shall be so developed and maintained that all positions substantially similar with respect to duties, responsibilities, authority and character of work are included within the same class, and that the same schedules of compensation may be made to apply with equity under like working conditions to all positions in the same class.
- 5.3 Copies of Plan. Copies of this plan and of specifications for individual classes shall be available in the Administration Office.
- 5.4 Specifications. 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.
- 5.5 Allocation of Positions. Each position shall be allocated to an appropriate class based on the duties and responsibilities of the position.
- A. NEW POSITIONS
- (1) The Council may create new positions and allocate the positions to an appropriate class.
- (2) No position or class shall carry an official title, which has not been approved by the Council as being appropriate to the duties performed.
- B. RECLASSIFICATION
- (1) Positions may be reclassified whenever there is a material change in the kind, difficulty or responsibilities of the work performed, provided the reclassification can be accomplished within the limitations of the current budget of the City.
- (2) Reclassification of a position shall not be used to circumvent the effects of disciplinary action or to avoid restrictions concerning compensation.
- 5.6 Job Description. Each class shall have a specification that includes a concise, descriptive title, and a description of the duties and responsibilities of each position in the class. Position specifications take into consideration the requirements of the job and are merely descriptive and explanatory of the work to be performed. They may not include all of the duties and are not intended to replace detailed work assignments. The Personnel Officer shall update and alter job descriptions as necessary.

ARTICLE VI – HOURS AND OVERTIME

- 6.1 Workweek. In most cases, the workweek shall consist of either a schedule consisting of (a) five (5) consecutive eight (8) hour work days with two (2) consecutive days off within a seven (7) day period; or (b) four (4) consecutive work days with three (3) consecutive days off for a four (4) day forty (40) hour work as scheduled by Department Directors or other responsible authority. Variations to these schedules will require Department Director approval, be reflected on an employee's PAF, and not disrupt the Department's operational needs and requirements. *(Updated 3/3/10, Res. 5650)*
- 6.2 Work Day. The workday may consist of either an eight (8) hour or ten (10) hour day including rest periods but excluding the meal period.
- 6.3 Work Schedules. All employees, to the extent consistent with operating requirements, shall be scheduled to work a regular work shift, and each shift shall have regular starting and quitting times. Variations to these schedules may be permitted subject to the conditions listed in Section 6.1. *(Updated 3/3/10, Res. 5650)*
- 6.4 Rest Period. A rest period of fifteen (15) minutes is required and paid for all employees during each half-work day, which shall be scheduled by the City in accordance with the operational needs and requirements of each employee's duties, and shall be considered on-duty time, and on call. Rest periods may be taken away from the work site. City vehicles shall not be used to go for rest periods. *(Updated 3/3/10, Res. 5650)*
- 6.5 Meal Periods. All employees shall be granted a one-hour or thirty (30) minute unpaid meal period during each workday depending on the operational needs and requirements of the department. To the extent consistent with operating requirements of the department, each meal period shall be scheduled in the middle of each workday. Employees may take meal periods away from the work site. City vehicles shall not be used to go for meal periods. *(Updated 3/3/10, Res. 5650)*
- 6.6 Overtime. The City shall have the right to assign overtime work as required in the manner deemed to be the most advantageous and consistent with the requirements of municipal service and of public interest.
- A. Definition of Overtime. Overtime shall be considered as time worked in excess of eight (8) hours in a workday and in excess of forty (40) hours in a workweek.
- B. Compensation.
1. General Policy.
- a. Unless specifically exempt, employees will be paid one and one-half (1 ½) times the employee's regular rate of pay for each hour of overtime worked. Overtime shall be computed to the nearest quarter (15 minutes) hour. Cash compensation for overtime worked must be provided at the

end of the pay period during which the overtime was worked (Federal Fair Labor Standards Act).

- b. Compensatory time off, at the rate of time and one-half, is permitted. Approval from the employee's Department Director must be obtained in order to take compensatory time off. Compensatory time accumulation shall not exceed 80 hours. Once this maximum accumulation has been reached, all overtime compensation earned by the employee shall automatically be paid in cash. *(Updated 3/3/10, Res. 5650)*

- C. Holidays. Work performed on holidays which fall within the regular work schedule shall not be considered as overtime work except that employees who work on such holidays be granted time off or compensation equal to the time worked in addition to their regular holiday pay.
- D. Exemptions to Overtime. The above overtime regulations shall not apply to the following positions (ORS 243.650 and 653.269; BOLI Wage and Hour Rules):

City Manager
Assistant City Manager
City Attorney
Department Director
Accountant
Accounting Services Supervisor
Analyst
Assistant Finance Director
Building Official
Business Advocate
Business Operations Supervisor
City Recorder
City Engineer
City Surveyor
Civilian Public Safety Supervisor
Customer Service Supervisor
Deputy Chief
Deputy City Attorney
Information Technology Manager
Principal Planner
Engineering Projects Supervisor
Property Management Coordinator
Public Safety Lieutenant
Senior Planner
Superintendent
Utility Engineer
(Updated 12/8/08, Res. 5427, 3/16/11, Res.5782, 11/16/16, Res. 16-6478)

- 6.7 Callback Time. Employees called back to work shall receive overtime pay for the work for which they are called back, and if called back shall be credited with not less than 2 hours time compensated at time and one-half. This section applies only when callback results in hours worked which are not annexed consecutively to the beginning or end of the working day or working shift. This section does not apply to scheduled overtime, annexed at the beginning of the work shift, or holdover times annexed to the end of the work shift or work day. If at the end of his/her shift the employee had departed the City's premises before being called back, the same shall not be considered a holdover time, but shall be compensated as callback under this section.
- 6.8 Emergency Response Time for Exempt Employees. Certain exempt employees such as the Superintendents, Deputy Chiefs and the Information Technology Manager are required as part of their job duties to regularly respond immediately to emergency calls for service outside the regularly scheduled workday. This emergency work is of such a nature that it can't be delayed, and the employee has no control of the timing for a response. Exempt employees called back to work shall be paid and shall be credited with not less than 2 hours time compensated at a straight time rate. This section applies only when callback results in hours worked which are not annexed consecutively to the beginning or end of the working day or working shift. Department Directors shall determine which employees are eligible for emergency response time and whether or not a particular callback qualifies as an emergency within the meaning of this provision. *(Added 12/8/08, Res. 5427, Updated 3/3/10, Res. 5650)*
- 6.9 Public Safety Department Employees. With regard to Public Safety supervisory employees, whenever these rules conflict with the terms and conditions of the negotiated agreement then in force for public safety officers, the negotiated agreement for that group shall prevail.
- 6.10 Working Out of Classification. (Step Up Pay). When an employee is directed to work out of classification for 8 consecutive hours or more, that employee shall receive a 5% increase above their normal salary. (For information regarding a Manager working out of classification for a Director, see Administrative Directive Policy 5-8.) *(Updated 3/3/10, Res. 5650, 11/16/16, Res. 16-6478)*

ARTICLE VII – HOLIDAYS

- 7.1 Recognized Holidays. All employees of the City shall be entitled to the holidays listed below with pay. Full-time employees shall receive 8 hours pay per holiday; part-time employees shall be compensated in proportion to the number of hours they are normally scheduled to work.

New Year's Day (January 1)
Martin Luther King, Jr. Day (3rd Monday in January)
President's Day (3rd Monday in February)
Memorial Day (Last Monday in May)
Independence Day (July 4)
Labor Day (1st Monday in September)
Veteran's Day (November 11)
Thanksgiving Day (4th Thursday in November)
Day after Thanksgiving (Friday after 4th Thursday in November)
Christmas Day (December 25)

Whenever a holiday falls on a Saturday or Sunday, the City Manager shall designate the preceding Friday or following Monday as the day of observance.

- 7.2 Personal Holiday. All full-time employees shall be credited with 8 hours of holiday time at the beginning of each calendar year. A pro-rata amount will be credited to each full-time employee who worked less than a full year in the preceding calendar year or who is a part-time employee. Any personal holiday hours not utilized in the calendar year shall be forfeit as of December 31. *(Added 3/3/10, Res. 5650)*
- 7.3 Coordination with Other Leaves. If an employee is on authorized vacation, sick leave or other leave with pay when a holiday occurs, such holiday shall not be charged against such leave.

ARTICLE VIII – VACATIONS

8.1 Eligibility.

a. A full-time employee shall be eligible for annual vacation time with pay on his anniversary date; part-time employees shall accrue in proportion to the number of hours they are normally scheduled to work. Vacation will accrue in accordance with the following:

<u>Months of Service:</u>	<u>Annual Accumulation:</u>	<u>Bi-weekly Accrual:</u>
*0 - 36 months	80 hours	3.08 hours
37 - 60 months	100 hours	3.85 hours
61 - 84 months	120 hours	4.62 hours
85 - 120 months	140 hours	5.39 hours
121+ months	160 hours	6.16 hours

*Upon completion of six (6) months of employment forty (40) hours will be credited to the regular employee's vacation leave.

b. Department Director Eligibility. Designated Department Director employees shall accrue annual vacation time with pay in accordance with the following schedule:

<u>Months of Service:</u>	<u>Annual Accumulation:</u>	<u>Bi-weekly Accrual:</u>
0 - 35 months	120 hours (15 days)	4.62 hours
36+ months	160 hours (20 days)	6.16 hours

c. Supervisory, Management, and Other Exempt Eligibility. (Other than Department Directors). Employees shall accrue annual vacation time with pay in accordance with the following schedule:

<u>Months of Service:</u>	<u>Annual Accumulation:</u>	<u>Bi-weekly Accrual:</u>
0 - 60 months	120 hours (15 days)	4.62 hours
61+ months	160 hours (20 days)	6.16 hours

d. Longevity Bonus. After twenty (20) years of continuous service a one-time bonus of forty (40) hours vacation shall be granted.

(Updated 3/16/11, Res. 5782)

8.2 Continuous Service. Continuous service shall be service unbroken by separation from City service, except that time spent by an employee on military leave or Peace Corps leave shall be included as continuous service. Time spent on other types of authorized leave will not count as part of continuous service except employees returning from such leave, or employees who were laid off, and subsequently re-instated, shall be entitled to credit for service prior to the leave. *(Updated 3/3/10, Res. 5650)*

8.3 Accrual Limitations. Employees shall not accumulate vacation leave in excess of 200 hours. An employee who is about to lose vacation credit because of accrual limitations may, by notifying his supervisor in writing five (5) days in advance, absent himself from work to prevent loss of this vacation time. The

City shall notify an employee with each paycheck of the amount of vacation leave accumulated.

Such action taken by the employee shall not constitute a basis for disciplinary action or loss of pay. Vacation leave shall not accrue during a leave of absence without pay or an educational leave with pay in excess of fifteen (15) calendar days.

No payment shall be made for vacation time lost by an employee because of accrual limitations, unless the failure to take vacation is caused by the City's insistence that the employee be at work during a scheduled vacation period.

- 8.4 Scheduling. Employees shall be permitted to request vacation on either split or an entire basis. Vacation times shall be scheduled by the City based on the Department Director's judgment as to the needs of efficient operations and the availability of vacation relief. Subject to the foregoing, employees shall have the right to determine vacation time. Vacation times shall be selected on the basis of seniority, provided, however, such employee will be permitted to exercise this right of seniority only once annually.
- 8.5 Conversion to Cash by Supervisory Personnel. Supervisory personnel (Groups C & D) who have the maximum accumulation of vacation leave, as defined in section 8.3 may convert up to one-half of their vacation leave balance to cash when recommended by their Department Director and approved by the City Manager. Conversion may not occur more than once in any fiscal year for any one employee and is subject to budget limitation.
- 8.6 Payment on Termination. In the event of death or termination of an employee during the initial six (6) months of his employment, no payment in lieu of vacation shall be made. In the event of death or termination of employment after an employee has served for six (6) continuous months, and is otherwise eligible for vacation credits, the employee shall be entitled to payment for accrued vacation leave. In the event of death, earned but unused vacation leave shall be paid in the same manner as salary due the deceased employee is paid.
- 8.7 Regular Part-Time Employees. An employee appointed to a regular part-time position as defined in 1.4 (w) and 1.4(x) shall accrue vacation leave in an amount proportionate, based on his regularly scheduled hours, to that which would be accrued under regular full-time employment.
- 8.8 Temporary Employees. Temporary employees shall not earn vacation leave.
- 8.9 Vacation Donation to Injured or Ill Employees. When authorized by the City Manager, as provided in the provisions of Sick Leave, accrued vacation may be donated by an employee to another employee with an extended personal illness or injury. An exception to the provisions stated in Article 9.4 (f) would be that a vacation donation may also be authorized for an employee who has a spouse or child with a serious health condition. The donation for this exception, if approved by the City Manager as recommended by the Department Director, initially may be for a maximum of 80 hours and then re-evaluated as need dictates. The vacation time will be valued at the hourly rate at the time donated. The recipient will receive sick leave time based on the value of time donated,

and the hourly rate of the recipient. Any regular employee may donate vacation provided the balance of vacation time available shall not be drawn below 40 hours. (*Updated 9/17/10, Res. 5737.*)

ARTICLE IX – SICK LEAVE/EMERGENCY LEAVE

- 9.1 Accrual. Sick leave shall accrue at the rate of 8 hours per month for full-time employees beginning with the effective date of employment. Part-time employees shall accrue sick leave in an amount proportionate, based on his regularly scheduled hours, to that which would be accrued under full-time employment.
- 9.2 Sick Leave Accumulation. Unlimited accumulation for all employees covered by these personnel rules, regulations and policies.
- 9.3 Emergency Leave. Emergency leave is given to employees for the purpose of attending the funeral or visiting a member of the immediate family who is seriously injured or ill and such injury or illness may result in death. For the purpose of this subsection, the immediate family is defined as spouse, children, mother, father, mother-in-law, father-in-law, brothers, sisters, grandparents and stepchildren in the household. This utilization shall include travel time to and from the funeral or location of the family member and time for making necessary arrangements for care and/or the funeral. The employee may not take more than 3 days emergency leave in any one calendar year. In the event that more time is needed, the employee may utilize their allowance of sick leave and/or vacation.
- 9.4 Utilization.
- (a) Illness or Injury of the Employee. Employees may utilize their allowances of sick leave when unable to perform their work duties by reason of illness or injury, pregnancy and birth of children, necessity of medical or dental care or exposure to contagious disease under circumstances by which the health of the employee with whom associated or member of the public necessarily dealt with would be endangered by the attendance of the employee.
- Allowances of sick leave available for use shall mean that balance the employee is eligible to use at the close of the pay period preceding the pay period in which sick leave was utilized, in accord with payroll records. *(Added 5/23/07, Res. 5225)*
- (b) Illness in Family. Employees may utilize their allowance of sick leave when there is illness or injury as described in subsection (a) of Section 9.3. For the purpose of this section, immediate family will include spouse, children, mother, father, mother-in-law, father-in-law and stepchildren in the household.
- (c) Funeral and Serious Illness/Injury Leave. Employees may utilize their allowance of sick leave, when “Emergency Leave” is exhausted, for the purpose of attending the funeral of/ or visiting a member of the family as defined above in Section 9.2.
- (d) Notification. In the event that an employee utilizes his/her sick leave under this section the employee shall notify his/her immediate supervisor or the on-duty supervisor of the absence, the nature of the situation and the expected duration of the absence. Notification will be made as far in

advance of the employee's next regularly scheduled shift as possible unless unable to do so because of the serious nature of the illness, injury or other situation. Sick leave with pay shall not be allowed unless such report has been made.

- (e) Physician's Statement. When an employee is, by reason of his illness or injury, unable to perform his job with the regularity, efficiency or degree of safety necessary and/or when an employee's illness is at a stage where it may present an unreasonable risk of infection to others, the City may require that the employee absent himself and take sick leave, and, upon City request, provide a physician statement stating that the employee may return to his normal duties without risk of aggravating the illness or injury or that he does not pose a safety risk to the himself or others.

In the event that an employee is off more than three (3) work days under this section, due to his illness or an illness in the family, the City may request, and if so requested, the employee shall provide a physician's statement as to the nature of the illness, the need for the employee's absence, and the estimated duration of absence. *(Updated 3/3/10, Res. 5650)*

- (f) Donation of Sick Leave. Upon written request to the City Manager identifying an extraordinary hardship, an employee may be granted the ability to receive sick leave donations from other employees. No guarantee of such a privilege is granted or implied by this policy. Such donation will be authorized only for the sickness, injury or accident of the employee affected, and may not be solicited or utilized for any other authorized sick leave use purpose. Sick leave donations may not be requested until the employee has exhausted all available leave, including sick leave, vacation, compensatory time, holiday time, or any other paid time off benefit accrued to the employee. Donations may be made by any regular employee, so long as the donating employee does not decrease their accrued sick leave balance below 120 hours. Sick leave donated will be converted based on 1 hour of sick leave to the requesting employee for each 2 hours donated. The maximum amount of sick leave donated to the employee may not exceed the paid amount of time necessary for the employee to qualify for disability benefits, or 180 days as provided in this policy. Vacation benefits may be donated to any employee authorized to receive sick leave donations. Terms for vacation donations are provided in Section VIII of this manual.
- (g) Termination for Medical Reasons. Employee's absence based on time-loss for an injury or illness that has used a 180-calendar day limit will be terminated for medical reasons and re-employed only when an opening occurs for which the employee is qualified. Near the end of the 180-day time limit a temporarily disabled employee who has a doctor's verification that they will be able to return to work within a short period after the end of the time period may request an extension from the City Manager.

(h) Abuse. Abuse of the sick leave privilege shall be cause for dismissal. Abuse is defined as improper use.

9.5 Sick Leave Without Pay. Upon application by the employee for donation of sick leave that is not granted, or at the exhaustion of donated benefits, an employee may apply for sick leave without pay for the specified period while the employee is disabled due to illness or injury of the employee. When on sick leave without pay all benefit payments are the responsibility of the employee. The City may require a physician's statement on a periodic basis during the period of disability.

9.6 Parental Leave. Parental leave will be granted in accordance with Oregon Revised Statutes and the Family Medical Leave Act. This policy applies to employees who have been employed by the City for a minimum of 180 days immediately prior to the first day of the parental leave of absence

Upon written request, providing at least 30 days prior notice when possible, an employee will receive up to 12 weeks of parental leave with the addition of a child to the family through birth, adoption or placement by foster care. Employee is required to utilize his/her accruals, and may continue on unpaid leave once all accruals are exhausted. If leave without pay is granted all benefit payments are the responsibility of the employee. If an employee does not wish to continue benefit payments, employee will be dropped by the City and when employee returns to work will be treated as a new employee, i.e., benefit payments to be picked up the first of the month after employee is at work a full calendar month. Criteria, Procedure and Return from Leave as covered by Sections 10.1 and 10.11 shall apply to parental leave. While on leave without pay, employee accrues no vacation or sick leave and seniority is "frozen" (loses none, but gains no more).

Following the parental leave period, the employee will be restored to the former or equivalent job without loss of seniority, vacation, sick leave or other employee benefit, which had been earned at the time of the leave.

The City is not required to grant parental leave which would allow the employee and the other parent of the child, if also employed by the City, parental leave totaling more than a 12-week period. (*Updated 3/3/10, Res. 5650*)

9.7 Family Medical Leave. Family Medical Leave shall be granted in accordance with the Federal Family Medical Leave Act (FMLA) and the Oregon Family Medical Leave Act (OFLA). Employees who have been employed an average of 25 hours per week or more for at least 180 days preceding the leave qualify for OFLA protections. Employees are eligible for FMLA protections when they have worked for the City at least 12 months and 1250 hours prior to the leave.

Upon written request with at least 30 days advance notice when possible, excluding emergency situations, an employee will receive up to 12 weeks (480 hours) of medical leave when leave is requested due to the employee's own serious health condition or a qualifying dependent's serious health condition.

OFLA Sick-Child Leave is available when a non-serious health condition of a dependent child requires home care.

Reasonable leave is available when an employee, or employee's child, has been the victim of domestic violence, sexual assault or stalking. This leave includes time to seek legal or law enforcement assistance or remedies, which includes obtaining a protective order, making a report, and etcetera. The leave also covers recovery time, medical treatment, counseling for minor child or dependent, to obtain victim services assistance, to relocate, and to secure an existing home. Certification may be required by the City to invoke leave rights.

An employee requesting medical leave in any of the above circumstances is required to use accrued vacation, sick leave, or other compensatory leave during the leave period. Following the leave period, the employee will be restored to the former or equivalent job without loss of seniority, vacation, sick leave or other employee benefit, which had been earned at the time of the leave. (Note: FMLA reinstatement rights are forfeited if you exceed your family/medical leave entitlement.)

- 9.8 Service Member Leave. Federal Family Medical Leave Act (FMLA) provides employees up to 12 weeks of FMLA leave time when a family member (spouse, son, daughter or parent) has been notified of an impending call or order to active duty in the Armed Forces or when the service member is notified of an impending call to duty in support of a contingency operation.

Employees may utilize leave under the Service Member Leave on an incremental basis, with proper notice. Certification will be required in all circumstances of Service Member Leave to determine eligibility.

An employee requesting Service Member Leave is required to use accrued vacation, sick leave, or other compensatory leave during the leave period. Following the leave period, the employee will be restored to the former or equivalent job without loss of seniority, vacation, sick leave or other employee benefit, which had been earned at the time of the leave. (Note: FMLA reinstatement rights are forfeited if you exceed your family/medical leave entitlement.)

- 9.9 Caregiver Leave for Injured Service Member. Federal Family Medical Leave Act (FMLA) provides employees up to 26 weeks of FMLA leave time during a single 12-month period for a spouse, son, daughter, parent, or nearest blood relative caring for a recovering service member. A recovering service member is defined as a member of the Armed Forces, including a member of the National Guard or Reserves, who suffered an injury or illness while on active-duty that may render the service member unable to perform the duties of the member's office, grade, rank or rating while undergoing medical treatment, recuperation, or therapy, and etcetera.

Employees may utilize leave under the Caregiver Leave on an incremental basis, with proper notice. Certification will be required in all circumstances of Caregiver Leave to determine eligibility.

An employee requesting Caregiver Leave is required to use accrued vacation, sick leave, or other compensatory leave during the leave period. Following the leave period, the employee will be restored to the former or equivalent job without loss of seniority, vacation, sick leave or other employee benefit, which had been earned at the time of the leave. (Note: FMLA reinstatement rights are forfeited if you exceed your family/medical leave entitlement.)

Refer to Administrative Directive Policy 5-33 for additional information regarding Oregon and Federal Family Leave Laws. (*Added new leave laws 3/3/10, Res. 5650*)

ARTICLE X – OTHER LEAVES OF ABSENCE

- 10.1 Leave Without Pay. The City will consider a written application for leave of absence without pay not to exceed one (1) year if the City finds there is justification to grant such leave and that the work of the department will not be seriously handicapped by the temporary absence of the employee. The City may terminate or cancel such leave by thirty (30) days written notice mailed to the address given by the employee on his written application for such leave. Such leave shall not be approved for an employee for the purpose of accepting employment outside the service of the City; and notice that the employee has accepted permanent employment or entered into full-time business or occupation may be accepted by the City as a resignation. *(Updated 3/3/10, Res. 5650)*
- 10.2 Jury Duty. Employees shall be granted a leave with pay for service upon a jury; provided, however, that the employee is required to seek all fees due him for such jury duty and turn said fees over to the City, and upon being excused from jury duty for any day an employee shall immediately contact the Department Director or other supervisor for assignment for the remainder of his or her regular work day. Mileage and expenses paid for jury duty will be retained by the employee.
- 10.3 Appearances. Leave without pay shall be granted for an appearance before a court, legislative committee, judicial or quasi-judicial body as a witness in response to a subpoena or other direction by proper authority.
- 10.4 Required Court Appearances. Leave of absence with pay shall be granted for an appearance before a court, legislative committee, judicial or quasi-judicial body as a witness in response to a subpoena or other order by proper authority compelling his/her attendance under penalty described by law in connection with the employee's officially assigned duties, including the time required for travel to court and return to the employee's headquarters. However, employees shall be required to seek all fees due him/her for such duty and turn said fees over to the City.
- 10.5 Voluntary Educational Leave. After completing one (1) year of continuous service, an employee, upon written request, may be granted a leave of absence without pay by the City for the purpose of upgrading his/her professional ability through enrollment in educational courses directly related to employment at an accredited school or course of study. The period of such leave of absence shall not exceed one (1) year, but may be renewed or extended upon request of the employee and approval of the Department Director. One-year leaves of absence, with requested extensions, for educational purposes may not be provided more than once in any three (3) year period. His/her replacement shall be considered a temporary employee and not be bound by the normal six (6) month limitation.
- 10.6 Directed Educational Leave. Employees may also be granted time off with pay for educational purposes, for reasonable lengths of time, to attend conferences, seminars, briefing sessions, training programs, and other programs of a similar

nature that are intended to improve or upgrade the employee's skill and professional ability, when ordered by the employee's Department Director.

- 10.7 Military Leave With Pay. An employee who is a member of the National Guard or of any reserve component of the Armed Forces of the United States shall be granted a leave of absence with pay for a period not exceeding fifteen (15) days. Such leave shall be granted without loss of seniority, benefit accrual, pay or other benefits; nor shall any employee be discriminated against by the City for exercise of his rights under this section.

Military leave with pay will be granted upon presentation of military orders directing the employee to report to active duty or training. Leave with pay shall not be granted to employees entering military service for extended and indefinite periods of active duty (Ref: ORS 408.290).

The City shall be bound by Federal and State law if any portion of this section is in conflict with the law. (Refer to Administrative Directive Policy 5-17 for additional information.)

- 10.8 Military Leave Without Pay. An employee filling a regular position shall be entitled to a military leave of absence without pay during a period of service with the Armed Forces of the United States. He/she shall, upon honorable discharge from such service, be returned to a position in the same class as his/her last held position, at the salary rate prevailing for such class, without loss of seniority or employment rights. If it is established that he/she is not physically qualified to perform the duties of his/her former position by reason of such service, he/she shall be reinstated in other work that he/she is able to perform at the nearest appropriate level of the pay of his/her former class. Such employees shall make application for reinstatement within ninety (90) days and shall report for duty within six (6) months following separation from active duty. Failure to comply may terminate military leave. Where an employee voluntarily re-enlists, or extends his/her period of military service, his/her military leave shall be deemed cancelled. The City shall be bound by Federal and State law if any portion of this section is in conflict with the law. (Refer to Administrative Directive Policy 5-17 for additional information.)

- 10.9 Peace Corps Leave Without Pay. Any public officer or employee shall be granted a leave of absence without pay for at least two years while serving as a volunteer in the Peace Corps. Upon expiration of the leave the public officer or employee shall have the right to be reinstated to the position held before the leave was granted and at the salary rates prevailing for such positions on the date of resumption of duty, without loss of seniority or other employment rights, if any. Failure of the officer or employee to report within 90 days after termination of his/her service shall be cause for dismissal. (Ref: ORS 236.040)

- 10.10 Disability Leave Without Pay. Upon application by the employee leave without pay may be granted by the City for any remaining period of the disability after the employee's accrued extended illness leave has been exhausted. When on leave without pay all benefit payments are the responsibility of the employee. The City may require a physician's statement on a periodic basis during the period of disability.

10.11 Return From Leave. Any employee who is granted a leave of absence without pay under this article and who for any reason fails to return to work at the expiration or termination of said leave of absence shall be considered as having resigned his/her position with the City, and his/her position shall be declared vacant; unless the employee prior to expiration of his/her leave of absence or prior to the termination date has furnished evidence that he/she is unable to work by reason beyond his/her control, and seeks an extension of leave for such reason. Such a request for extension shall be in writing. An extension shall be granted only for a specified period of time, and only if the City determines that the request is reasonable and justified, and that the extension may be granted without unduly handicapping the operation of the department.

Requests for leaves of absence under this section shall be in writing on a form provided by the City. The form shall contain the name of the employee, the effective date of the absence, the number of days of absence, the purpose of the absence, and signature lines for City. The purpose of the request form will be to eliminate misunderstanding as to the purpose, dates and length of absence. (Refer to Administrative Directive Policy 5-17 for additional information.)

10.12 Administrative Leave. Exempt employees shall also be eligible for Administrative Leave at the rate of two (2) days per calendar quarter on a “use it or lose it” basis. (*Modified 12/8/08, Res. 5427*)

ARTICLE XI – PAY PLAN AND COMPENSATION

- 11.1. Pay Plan. The Personnel Officer shall prepare a compensation plan, which shall prescribe a minimum, a maximum and any intermediate rates of pay appropriate for each class.
- 11.2. Rate of Pay. 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.
- 11.3. Analysis of Pay Plan. The Personnel Officer shall compare City salary rates, compensation policies and personnel developments with those of other comparable public and private employers.
- 11.4. Maintenance of Pay Plan. The Personnel Officer shall examine the salary range for each classification to ascertain whether established ranges are appropriate and shall submit recommendation for amending the pay plan to the Council after conferring with affected employee groups.
- 11.5. Appointee Compensation. Upon initial appointment to a position, the employee shall receive the minimum salary for the class to which the position is allocated. However, in the cases when unusual difficulty in filling the vacancy is experienced, or when the appointee is exceptionally qualified, the Personnel Officer may cause the appointment to be made at a salary level above the minimum, but not more than the maximum for the class.
- 11.6. Payment Upon Classification Change. When an employee's salary is changed due to demotion or promotion, all accrued salary and overtime pay shall be converted to cash at the rate earned. In the case of accumulated compensatory time, the employee may elect to have a cash payment or have the hours at the rate earned.
- 11.7. Pay Periods. Pay periods shall be on a bi-weekly basis and pay checks shall be received every other Friday for the pay period ending on the preceding Saturday.
- 11.8. Hourly Rates. Hourly rates of pay may be used for those classes or positions where conditions of employment warrant. Hourly rates of pay shall be based on the established bi-weekly rates for the classes involved divided by 80 hours.
- 11.9. Personnel Evaluation.
 - A. General. All employees shall be evaluated, using prescribed personnel evaluation forms. All new employees shall be evaluated before they reach regular status, and regular employees shall be evaluated to provide a guideline for the Department Director relative to salary increases and job performance. Once an employee successfully completes his/her probation period, he/she should be evaluated at least once each year prior to his/her anniversary date.
 - B. Use of Evaluation. Personnel evaluations are to be used as a means of communicating to employees their strengths and weaknesses in the performance of their assigned duties. Supervisors are to review with their individual employees the performance factors rated and should

stress areas of commendation and areas needing improvement. Specific recommendations on ways of improving performance should be provided. Performance ratings become a part of the employee's work history and are kept in the employee's personnel file.

- C. Employee Dissatisfaction with Rating. If substantial disagreement exists between the employee and the supervisor's evaluation of the employee's work performance, the employee may submit a statement in writing to the Department Director stating the reasons for disagreement in as specific detail as possible. A copy of the statement to the Department Director by the employee may be filed with the Human Resources Department, and will be attached to the performance rating in question as a permanent part of the employee's file.

11.10 Administration of Pay Plan.

- A. Salary Increases. The following types of salary increases are available to all City employees except members of collective bargaining units. Increases are not automatic but shall be recommended by the Department Director to the City Manager.
 - 1. Probationary Increase for New Employees. A new employee shall be eligible for advancement to the next step of the salary range for their classification upon satisfactory completion of the probationary period.
 - 2. Promotional Increase. When a present employee is promoted, such employee's pay shall be increased a minimum of 5% above their previous pay rate. A new anniversary date is established at the time of promotion upward. (*Updated 11/16/16, Res. 16-6478*)
 - 3. Merit Increase. Upon completion of 12 months of satisfactory job performance following the most recently established anniversary date, an employee is eligible for a one-step salary increase. This raise is to recognize average and above-average performance.

Department Directors are eligible for a half-step salary increase to recognize average performance and a one-step salary increase for above-average performance. (*Updated 11/16/16, Res. 16-6478*)
 - 4. Exceptional Increases. The City Manager may approve an exception to the general rules regarding salary increases where circumstances warrant such action. (*Updated 11/16/16, Res. 16-6478*)
 - 5. Reclassification Increase. Whenever the duties of a position change materially and a position is reclassified, the employee in that position is reclassified, the employee in that position shall be reclassified at the same step employee is at presently or the step providing at least a 5% increase above his or her present salary. No change in anniversary date shall be made and no probationary period shall be served providing employee has

already served his/her probationary period and has been performing the duties satisfactorily.

6. Cost of Living Adjustments. The City Council may annually consider a Cost of Living Adjustment (COLA) for all employees not covered by collective bargaining units. Such adjustment is traditionally awarded effective January 1st. The calculation of such COLA is traditionally determined by using the CPI-Urban Wage Earners and Clerical Workers – U.S. City average, for the twelve (12) month period ending October of the preceding year. (For example the 12-month average of CPU-I for November 2005 through October 2006 was 3.43 and approved by Council to be effective January 1, 2007). (*Added 5/23/07, Res. 5225, Updated 3/3/10, Res. 5650*)
- B. Salary Decrease. The following types of salary decreases may occur:
1. Reclassification Decrease. If an employee is reclassified to a class with a lower salary range for reasons which do not reflect discredit on his employment record, his salary rate may remain the same unless such action would violate Section 11.2.
 2. Demotion Decrease. Demotion for cause will ordinarily result in a corresponding reduction in salary.
- C. Transfer. Normally, when an employee is transferred, the rate of pay remains the same.

ARTICLE XII – HEALTH AND WELFARE BENEFITS

12.1 Types. Each full-time employee¹ shall be covered with the following benefits subject to the terms and conditions of the benefit policy. The City may revise, modify, terminate or replace benefit programs so long as any such action is done in compliance with applicable state or federal laws.

(a) Medical, Dental and Vision. The City agrees to provide medical, dental and vision insurance benefits subject to the terms and conditions of this policy, council approval and employee cost sharing. In addition to cost sharing already in place, the City and the employee agree to split 50/50 any premium increase above 10%. Benefits are subject to change at any time and from time to time.

(b) Life and Accidental Death and Death Dismemberment Insurance. The City agrees to provide life and accidental death insurance benefits.

Sworn Police and Fire personnel receive an additional \$10,000 Statutory Life insurance benefit immediately effective the date of hire..

All regular, full-time employees may apply for additional voluntary life insurance for themselves, their spouse, and/or their dependents at the employee's own expense under this program. .

Police Reserves and Firefighter Interns receive \$10,000 Statutory Life insurance, which becomes effective immediately upon becoming a volunteer or reserve.

In the event of a member's death benefits will be paid in accordance with the carrier's contract to the beneficiary designated by the employee. The beneficiary may be changed whenever the employee wishes.

(c) Long Term Disability. The City agrees to provide long-term disability insurance to all eligible full-time employees

(Updated 3/3/10, Res. 5650, 12/17/12, Res. 6022)

12.2 Continuation of Hospital and Life Insurance Coverage Benefits for Permanently Disabled Employees.

(1) Any employee permanently disabled and retired from City employment before age 65 will continue to receive life insurance benefits provided by the City for those in the employee classification until the employee reaches age 65. Employee should apply for waiver of premium with current insurance carrier as soon as disability is determined. The same life insurance benefits are extended, at the option of and at the expense of the employee, to the dependents of the permanently disabled employee until the employee reaches age 65.

(2) The health insurance premium for any employee who has been continuously employed on a regular basis for six consecutive months or longer who becomes totally and permanently disabled shall, after the

¹ A full-time employee for the purpose of Health & Welfare Benefits is an employee whose regular schedule is at least 32-hours per work week.

determination of such disability, be waived for the period of total and permanent disability commencing after such determination, but not to exceed two years. During the period of waiver, the employee and covered eligible dependents shall be entitled to all benefits of this contract as if premium was being paid. Upon conclusion of such disability or the two-year period, whichever occurs first, the employee and/or covered dependents may convert, at their own expense, to the plan then being offered as a conversion policy by the City's insurance carrier.

12.3 Public Employees Retirement System. The City provides retirement benefits to all eligible employees, the systems is PERS of the State of Oregon. Employees are required to enroll in PERS in accord with requirements set by PERS.

(1) The employee's contribution to PERS of 6% of subject wages shall be paid by the City effective July 1, 2007. (*Amended 7/2/07, Res. 5225*)

12.4 Integration with Worker's Compensation. When an injury occurs in the course of employment, the City's obligation to pay under this sick leave article is limited to the difference between any payment received under Worker's Compensation laws and the Employee's regular pay minus state and federal deductions. In such instances, no charges will be made against accrued sick leave for 90 calendar days. After 90 days, prorated charges will be made against accrued sick leave. (*Updated 3/16/11, Res. 5782*)

12.5 Sick Leave Conversion Program. For each full year of regular full-time service as an employee of the City, each full-time regular employee upon death in service or who terminates employment in good standing after 10 or more years service shall receive, or his designated program beneficiary shall receive, cash compensation totaling 2.5% times each full year of service of that employee's accumulated sick leave hours upon termination or death at a rate equivalent to that employee's gross hourly salary upon termination or death as described above.

12.6 Retirement.

1. An employee who meets PERS requirements for retirement and elects to retire from City employment and immediately upon retirement commence receiving benefits from PERS may be eligible for continued family medical insurance coverage (Coverage) under the City's current group medical insurance program (Program).
2. To be eligible for coverage the employee must not be eligible for Medicare at the time of retirement.
3. The Coverage will continue for 48 calendar months from date of retirement until such time as the retiree dies, or reaches Medicare eligibility, or enters employment where insurance is provided, or within 18 months of retirement the retiree applies for and is paid unemployment compensation.
4. Persons who are eligible dependents of the employee (as defined by the insurance carrier) at the time of the employee's retirement may remain

on the policy during the Coverage until the period of 48 months has elapsed or until such time as they become eligible for Medicare, or until the dependent no longer meets the eligibility criteria of the insurance carrier, whichever occurs first.

5. The employee shall be responsible for the portion of the monthly premium, in accord with the manner in which the premium was shared between the City and the employee at their time of retirement. For example, if at time of retirement the insurance cost sharing in place was 92.5% employer and 7.5% employee, that same cost sharing would apply for the 48 month period, or a lesser period as noted herein during which coverage is provided. If at time of retirement the cost sharing was a cap of \$750 with a 50/50 split, that same cost sharing would be applied to the retiree's responsibility for premium costs.
6. Employees hired on or after January 1, 2007, are not eligible for the 48 months of Coverage at time of PERS retirement election, except as agreed to in signed labor union contracts between the City and labor unions.
7. Eligibility for retirees, or their dependents, or both to exercise their rights as to COBRA benefits is not affected or altered by these retirement provisions.
8. Retirees shall have the option to pay group dental premiums themselves if permitted by the insurance carrier and are concurrently enrolled in the Program.
9. An employee planning to retire should give notice thereof to the Human Resources Department at least 60 calendar days prior to the retirement date.

ARTICLE XIII – SEPARATION IN GOOD STANDING

13.1 Layoff. A Department Director may separate an employee without prejudice because of changes in duties in the organization, lack of funds, curtailment of work, or for any other legitimate reason as determine by the City. The conditions of reduction in forced layoff shall be as follows:

1. Job knowledge;
2. Attendance, safety and disciplinary records;
3. Licenses, registration and/or certifications;
4. Efficiency of City operation.

Evaluation of these facts is at the City's discretion. When all the factors are equal, the City will layoff or reduce the hours of the employee with the least length of service. *(Updated 3/3/10, Res. 5650)*

13.2 Recall from Layoff. There is no right to recall; however, this does not limit the City from recalling an employee. *(Updated 3/3/10, Res. 5650)*

13.3 Temporary Interruption of Employment. Any temporary interruption of employment because of adverse weather conditions, shortage of supplies, or for other unexpected or unusual reasons, which does not exceed 10 days, shall not be considered a layoff, and at the termination of such conditions, employees are to be returned to employment. Such interruptions of employment may be chargeable to accrued vacation leave or may be recorded as leave without pay.

13.4 Resignation. To resign in good standing, an employee shall give the appointing power not less than 10 working days prior notice of such resignation unless the appointing power agreed to permit a shorter period of notice because of extenuating circumstances. The notice of resignation shall be in writing and shall contain the reasons for leaving the City service.

Upon receiving an employee's resignation, an exit interview form shall be provided to the employee for completion and return to the Human Resources Department. The employee's comments will be discussed during the exit interview and will be included in the employee's personnel file. *(Updated 3/3/10, Res. 5650)*

ARTICLE XIV – DISCIPLINE AND DISCHARGE

14.1 Discipline. No regular employee as defined in Article 1.4(x) and listed in Article II, Recognition, Groups A, B and C, may be disciplined or discharged except for just cause. Except as outlined in Section 14.4 below, discipline shall be progressive in nature beginning with a written warning notice or written reprimand and thence to any of the other forms of discipline listed in 14.3. This section shall not be construed to prohibit or abridge the City's right to oral reprimand. Any such written warning notice or reprimand shall specify the misconduct for which the written warning or reprimand was given and if applicable shall also specify any departmental rules, regulation or policies violated. *(Updated 11/16/16, Res. 16-6478)*

14.2 Just Cause. Disciplinary action may be imposed upon any employee for just cause, which shall include but not be limited to:

- (1) Immoral, illegal or other conduct which is a direct hindrance to the employee's effective performance of such employee's City function; or
- (2) Serious infractions of safety rules as outlines in City Safety Policy; or
- (3) Failure of an employee to effectively fulfill his/her duties and responsibilities as an employee.

(Updated 3/16/11, Res. 5782)

14.3 Form of Discipline. Disciplinary action for just cause shall be limited to the following:

- (1) Written warning notice or reprimand.
- (2) Suspension.
- (3) Demotion and/or reduction in pay.
- (4) Discharge.

14.4 Immediate Imposition of Discipline. Disciplinary action may be imposed without a warning notice or written reprimand when the reason for disciplinary action is such that a failure to take immediate action would not be reasonable and prudent. Immediate action will be considered reasonable in matters exemplified by but not limited to possession or under the influence of intoxicants or drugs, fighting, or dishonesty.

In such cases where immediate disciplinary action is taken the employee may be suspended immediately while the charges are investigated and a decision is made as to the type of disciplinary action to be imposed. The City will not take an unreasonable length of time to investigate and make a determination in the matter pending before it. If the employee is cleared of the charges by the City, the affected employee will be reinstated immediately without loss of pay or other benefits. In the case where discharge or demotion, or reduction in pay is the disciplinary action imposed following the investigation of the City, the effective date will be the date of suspension.

- 14.5 Written Notice to Appear. Whenever any employee is required to appear before the City Manager, or his designee, concerning any matter which could adversely affect the continuation of the employee in his office, position or employment, or the wages or any increments pertaining thereto, then such employee shall be given prior notice of the reason for such a meeting or interview. Union members shall be entitled to have a representative present, and all employees shall be entitled to have their legal council present to advise him and represent him during such meeting or interview. *(Updated 3/3/10, Res. 5650)*
- 14.6 Manner of Discipline. The City, in disciplining an employee, shall make every reasonable effort to impose such discipline in a manner that will not embarrass or humiliate the employee before other employees or the public.
- 14.7 Probationary Employee. A probationary employee may be discharged with or without cause.
- 14.8 Notice of Discipline or Discharge. A written record shall be made of any disciplinary action taken against an employee and placed in the employee's personnel file which shall be maintained by the Human Resources Department. The employee must sign any such notice before it is placed in his/her file. The employee shall receive prompt written notice of any disciplinary action taken; such notice shall include the full written record of such action; the specific charges or offenses, including references to written rules and regulations, and type of penalty.
- 14.9 Grievances. Any disciplinary action imposed upon an employee, if protested, shall be protested only as a grievance through the Grievance Procedure, Article XV.

ARTICLE XV – GRIEVANCE PROCEDURE

- 15.1 Policy. It is the policy of the City to assure its employees, through the use of a formalized procedure, a method whereby they may have their grievance considered as fairly and as rapidly as possible without fear of reprisal.
- 15.2 Procedure. The following steps shall be followed in submitting and processing a grievance:
- (a) Step 1. The aggrieved employee or group of employees shall orally present the grievance to the immediate supervisor within ten (10) working days of its occurrence, not including the day of occurrence. The supervisor shall give his oral reply within ten (10) 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, it shall be prepared in detail, shall be reduced to writing, shall be dated, shall be signed by the aggrieved employee or group of employees and shall be presented to the Department Director within ten (10) working days after the supervisor's oral reply is given, not including the day the answer is given. The Department Director shall reply in writing to the grievance within five (5) working days of the date of the presentation of the written grievance, not including the day of presentation.
 - (c) Step 3. If the grievance is not settled in Step 2, the written grievance shall be presented along with all pertinent correspondence, records and information accumulated to date to the City Manager within seven (7) working days after the Department Director's response is given, not including the day the response is given. The City Manager will meet with the aggrieved employee or group of employees, the immediate supervisory personnel and the Department Director. The City Manager shall reply to the grievance in writing within five (5) working days of the date of presentation of the written grievance. The decision of the City Manager shall be final and binding on the employee or the group of employees. Nothing in this Article shall preclude an employee or group of employees from pursuing their Constitutional or Statutory rights in an appropriate Court of Law.

(Updated 3/16/11, Res. 5782)

- 15.3 Time Limits. If the grievance procedures are not initiated within the time limits established by this section (the time limits will be deemed to have been met if postmarked by the proper date), the grievance shall be considered not to have existed. 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.

If the City's management fails to meet or answer any grievance within the time limits prescribed for such action by this section, such grievance shall automatically advance to the next step. If the City's management fails to meet or answer any grievance on the last step of the grievance procedure within the time limits for such action by this section, it shall be deemed that the City's

management has considered the grievance to be in favor of the grievant and shall resolve the matter accordingly.

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

ARTICLE XVI – EMPLOYEE TRAINING

- 16.1 Orientation of New Employees. Department Directors are encouraged to familiarize new employees with their obligations and rights, and to inform them about the general function of City government.
- 16.2 General Training Activities. The City Manager and Department Directors shall encourage and promote training opportunities for employees and supervisors to the end and that services they render to the City may be made more effective. The Human Resources Department shall assist Department Directors in meeting training needs of their department; and in cooperation with Department Directors shall encourage the development of departmental training programs designed to meet personnel needs, and to prepare employees for promotion to positions of greater responsibility.
- 16.3 Time of Training Periods. Training programs may be conducted either during or after regular working hours or both.
- 16.4 Reimbursement of Tuition or Fees. If the City directs any employee to attend any formal training course, all tuition, books and incidental fees will be paid in full by the City within budgetary limitations.
- 16.5 Education. Up to fifty percent of the tuition and fees associated with educational courses, which are related to a regular employee's job may be available. This does not apply to classes required by and, therefore, paid for entirely by the City. (Refer to Administrative Directive Policy 5-22 for program rules and requirements.)

(Updated 3/16/11, Res. 5782)

ARTICLE XVII – PERSONNEL FILE

- 17.1 Maintenance. The Human Resources Department shall maintain the official personnel file.
- 17.2 Notice of File Contents. Each employee shall read and sign all written material that is placed in his/her personnel file following his/her date of hire. This will include disciplinary action, merit or job evaluations and letters of commendation. Signing will not necessarily indicate agreement with the content of the item signed.
- 17.3 Response. An employee may respond in writing to any item placed in the employee's personnel file and said response shall become part of said file after it has been initialed by the City Manager or his designee.
- 17.4 Copies. Employees shall have the right, upon request, to review and obtain, at their own expense, copies of the contents of their personnel file, exclusive of materials placed in the file or received by the City prior to the employee's date of hire. ORS 652-750 requires employers to provide personnel records within 45 days of the request for copies.
- 17.5 Confidential file. The official personnel file is confidential and shall be accessible only to: (1) the employee or others authorized in writing by the employee to have access to the file; (2) supervisors or Department Directors, the City Manager, the Human Resources Director or others with administrative responsibility; (3) persons responsible for the maintenance of the files; or (3) under the requirements of a Court order or in compliance with state or federal laws or regulations. *(Updated 3/3/10, Res. 5650)*

ARTICLE XVIII – MILEAGE AND PER DIEM

- 18.1 Mileage. Employees required by the City to report for special duty such as schools, conferences, training and legislative hearings, requiring the use of his personal automobile for transportation to such location shall be compensated for the mileage at not less than that rate set by the City Manager. In no event shall the rate of compensation be less than is being paid on the effective date of these rules. (Refer to Administrative Directive Policy 6-2 for additional information regarding mileage.)
- 18.2 Per Diem. When an employee's duties require him to travel outside the City, the City agrees to pay the employee reasonable costs for food and lodging in accordance with rules established by the City Manager. (Refer to Administrative Directive Policy 6-2 for additional information regarding per diem.)
- 18.3 Other Transportation. When an employee is required to use public transportation other than his private vehicle such as air, train, bus or taxi, the actual expenses including taxes and other charges shall be advanced the employee if possible and if not advanced, shall be reimbursed to the employee upon presentation of purchase order with receipts attached to the City.
- 18.4 Use of City Vehicles. No City vehicle shall be used for the transportation of employees to and from their residences or for other personal uses with the exception of instances where a Department Director has given an employee specific approval to use the vehicle to attend an after-hours scheduled City meeting or travel to and from a scheduled work task, or be on-call for emergency response. Vehicles that have been assigned to an employee by the City Manager or his Department Director may be used going back and forth to work but are not to be used for personal business nor by members of the employee's family.

ARTICLE XIX – MISCELLANEOUS PROVISIONS.

- 19.1 Uniform, Clothing and Equipment. Uniforms (as required), and other protective clothing or safety wear and equipment required for an employee by law or by the City shall be provided by the City. Employees thus provided shall wear such uniforms, other protective clothing and safety wear in the manner required by law or the City. No employee shall wear or use any such protective clothing, uniforms or safety wear provided by the City save and except on the job, however old clothing, not in City use could be worn by employees provided the labels be taken off. The City will consider working conditions when determining uniform requirements. Employee shall maintain uniforms and equipment supplied by City except police personnel who have a cleaning allowance and field service personnel for coveralls only.
- 19.2 Outside Employment. No full-time employee shall accept outside employment whether part-time, temporary or regular, without the prior written approval from his Department Director. Each change in outside employment shall require separate approval. To be approved, outside employment shall:
- (b) Be compatible with the employee's City work;
 - (c) In no way detract from the efficiency of the employee in his/her City work; and
 - (d) In no way conflict with the interest of the City or be a discredit to the City.

Employees shall not utilize City equipment, facilities, supplies and materials for the conduct of such outside employment. *(Updated 3/3/10, Res. 5650)*

- 19.3 Safety. All employees have the primary responsibility to abide by required safety and health procedures and practices, and to actively participate in maintaining a safe and healthy work environment. All employees will be expected to follow established rules and procedures, and report unsafe conditions and accidents to their Supervisor. Supervisors are expected to relay that information up the chain of command to the level necessary to assure that appropriate corrections are made.

For specific departmental policies and procedures, employees should refer to the Safety and Loss Control Manual. This Manual has been developed to provide standards and policies that will assist departments in the prevention of accidents and injuries, while maintaining compliance with federal, state, and local governing agencies. This program also details accident reporting requirements, employee expectations, and other specific safety issues.

The City has a Safety Committee and its purpose is to assist management in creating and maintaining a safe work environment for all employees. The Committee is composed of members that represent each major employee group within the City. *(Added 3/3/10, Res. 5650)*

ATTACHMENT "A"

EFFECTIVE
November 26, 1986

Chapter 5
Policy 5-5

SEXUAL HARASSMENT

The purposes of this directive are to stress the organization's position on sexual harassment and to identify the complaint procedures available to victims, as well as the disciplinary penalties that could be imposed for sexually harassing conduct or behavior.

Statement of Policy

Applicability

This directive applies to all employees (regular, temporary, seasonal or part-time) and volunteers of the City of Grants Pass.

In General

It is illegal and against the City of Grants Pass' policy for any worker, male or female, to harass another worker by; making unwelcome sexual advances, or requests for sexual favors, or other verbal or physical conduct of a sexual nature; making sexual favors a condition of any worker's employment; using a worker's submission to or rejection of such conduct as the basis for or as a factor in any unemployment decision affecting the individual; or otherwise creating an intimidating, hostile, or offensive working environment by such conduct.

The City of Grants Pass will not condone any sexual harassment of its employees. All workers, including supervisors and managers, will be subject to discipline, up to and including discharge, for any act of sexual harassment they commit. The City of Grants Pass will determine whether such conduct constitutes sexual harassment, based on a review of the facts and circumstances of each situation.

Employees who feel victimized by sexual harassment should report the harassment to their supervisor immediately. If the worker's immediate supervisor is the source of the alleged harassment, the employee should report the problem to the supervisor's superior or the personnel officer.

Supervisors and managers who receive a sexual harassment complaint should carefully investigate the matter, questioning all employees who may have knowledge of either the incident in question or similar problems. Both the complaint and the investigative steps and findings should be documented as thoroughly as possible.

Employees who are dissatisfied with the investigating manager's resolution of a sexual harassment complaint may file a complaint using the City of Grants Pass' grievance procedure. No employee will be subject to any form of retaliation or discipline for pursuing a sexual harassment complaint.

J. Michael Casey, City Manager

JMC/jc

CF#: 86-207