

City of Grants Pass Non-Bargaining Employee Handbook



**City of Grants Pass
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Purpose

This handbook is to provide guidance and direction to non-bargaining employees who are exempt from representation by labor organizations and subject to the authority of the City Manager. These policies are not to be construed as a contract of employment. The City expressly reserves the right to change, add to, modify or delete policies at any time. Changes will be effective on dates determined by the City, and you may not rely on policies that have been superseded.

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Section I Classifications

1.1 Position Classification

Executive Personnel include the following classifications:

City Manager
Assistant City Manager
City Attorney
Department Director

Supervisory/Managerial Personnel include the following classifications:

9-1-1 Manager	
Assistant Finance Director	Deputy Chief - Fire Rescue
Accounting Supervisor	Facilities Maintenance Supervisor
Assistant Community Development Director	Fire Marshal
Assistant Public Works Director	Information Technology Manager
Battalion Chief	Parks Supervisor
Building Official	Police Captain
Business Operations Supervisor	Police Lieutenant
Civilian Police Supervisor	Principal Planner
City Engineer	Sergeant
City Recorder	Superintendent
Customer Service Supervisor	

Confidential-Professional Personnel include the following classifications:

Accountant	Personnel Analyst
Business Advocate	Personnel Assistant
Deputy City Attorney	Personnel Technician
Executive Assistant	Utility Engineer
Office Assistant - Administration	

1.2 Irregular Classifications

The City Manager may enter into temporary employment agreements for fewer than 600 hours or 1,040 hours (PERS Tier 1 or 2 retiree) per calendar year. Working conditions and terms of employment are defined based on the department needs.

Temporary, seasonal and on-call employees will be guided by the terms and conditions under which they are hired, Personnel and Administrative Policies and State and Federal laws. Incumbents will be paid a wage consistent with others in the City who perform the same or similar functions.

1.3 Employment Status Classification

Full-time: Employment in an established position requiring forty (40) hours or more of work per week. Full-time positions are included in the City's budget and employees are typically eligible to participate in the City's benefit programs.

Part-time: Employment requiring less than thirty (30) hours of work per week. Normally a part-time schedule, such as portions of days or weeks, will be established. Occasional workweeks of forty (40) or more hours will not constitute a change in status from part-time to full-time. Part-time positions are included in the City's budget and employees are not typically eligible for health and welfare benefits except those mandated by law.

Seasonal: Employment for a limited duration with varied hours, from two weeks during the school holiday to twelve weeks during the summer season. Seasonal employees may not work more than 599 hours in a calendar year.

Temporary: Employment in a job established for a specific purpose, for a specific period of time, or for the duration of a specific project or group of assignments. Temporary employment can either be full-time or part-time. Temporary employees are not eligible for benefits other than those mandated by law.

On-call: Employment with a varied schedule throughout the calendar year. On-call employees may not work more than 1,040 hours in a calendar year.

Staffing Agency: Employees hired through a temporary employment staffing agency to fill short-term vacancies or for project work.

Section II Appointments

The City Manager is responsible for the appointment of positions.

2.1 At-Will Positions

The City reserves the right to employ at will. This means that employment can be terminated, with or without cause, and with or without notice, at any time, at the option of the City or at the option of the employee.

2.2 Trial Service Period

Confidential-professional and supervisory employees, and current employees who are promoted or transferred within the City into a position within these classifications, will serve a trial service period.

The trial service period is an extension of the employee selection process. During this period, employees are considered to be in training and under observation and evaluation by their manager. Evaluation of work performance, employee conduct and adherence to work rules, to include attendance and job responsibilities will be considered during the trial service period. This period provides the employee an opportunity to demonstrate satisfactory performance and the supervisor an opportunity to determine if the employee's knowledge, skills and abilities meet the position requirements. This period is also an opportunity for the employee to evaluate if the position is a good fit for them and if the City of Grants Pass meets their expectations as an employer.

At or before the end of the trial service period, a decision about the employee's employment status will be made. The City will decide whether to: 1) extend the trial service period; 2) move the employee to regular, full-time or regular, part-time status; or 3) terminate employment.

Employees are not guaranteed any length of employment upon hire or transfer/promotion; both the employee and City may terminate the employment relationship during the trial service period for any lawful reason. Further, completion of the trial service period or continuation of employment

after the trial service period does not entitle an employee to remain employed by the City for any definite period of time. Both the employee and the City are free to terminate the employment relationship, at any time, with or without notice and for any reason not prohibited by law.

New Hire Trial Service: Newly hired employees will be required to serve a minimum of a 12-month trial service period. The employee's anniversary date will be established at the end of the trial service period.

The new hire trial service period will be extended for any unpaid leave time taken during the initial trial service, and when all performance expectations have not been met and it is believed that additional time will prove successful. Trial service extensions will be recommended by the Supervisor and approved by the Department Director and Human Resources.

Promotional Trial Service: Current employees of the City may be selected to advance to a higher position or to laterally move to another department or division. Current employees will be required to serve a 6-month trial service period in the new position/classification.

The promotional trial service period may be extended at the recommendation of the Department Director when the employee has not met all performance expectations by the end of the initial 6-month period.

2.3 Background Process

All employees of the City must undergo some level of background and/or reference checking. Refer to City policies for details regarding the recruitment and background processes.

Employees who promote or transfer to a position with a higher background requirement than their current position will be required to complete an updated background or other testing components prior to approval for appointment.

Section III Hours

3.1 Workweek

The workweek is a seven (7) day period beginning Sunday at 12:00 a.m. and ending the following Saturday at 11:59 p.m.

Hourly employees assigned to a 9/80 work schedule, as defined in Section 3.3, work a seven (7) day period beginning Friday at 12:01 p.m. and ending the following Friday at 12:00 p.m.

3.2 Work Day

Personnel assigned to an 80-hour pay period may be scheduled as an eight (8), nine (9), ten (10) or twelve (12) hour work day depending upon the work schedule approved by the Department Director.

Personnel assigned to a 112-hour average pay period, specifically Fire shift personnel, will be scheduled a twenty-four (24) hour work day. Except for emergencies and requirements following an emergency to maintain operational readiness, employees will not normally be required to work in excess of nine (9) hours, inclusive of meal periods, during any 24-hour work shift.

3.3 Work Schedule

Hourly employees covered by these Rules are expected to work or be on approved leave of absence from work for a combined total of no less than 2,080 hours per year for forty (40) hour work week personnel and 2,912 hours per year for fifty-six (56) hour work week personnel, the schedule of which will be assigned by the City Manager or designee. Unless otherwise approved by the City Manager, the typical hours of work for a workday will be from 8:00 a.m. until 5:00 p.m., excluding Police and Fire's 24/7 scheduling requirements.

Exempt employees have no minimum or maximum hours of work. The quality and quantity of their work product is expected to pass a continuous close scrutiny of the City Manager. It is understood that the average work week must be 40 hours with a significant majority of the time worked being done during the Monday through Friday period from 8:00 a.m. to 5:00 p.m. The City Manager or designee has the option to require set schedules and approve all leaves of absence.

The work schedule shall typically consist of any of the following approved schedules depending upon assignment. Supervisors assigned to Dispatch may work a combination of schedules with rotating days off.

- a) 5/8: Five (5) consecutive eight (8) hour work days with two (2) consecutive days off
- b) 4/10: Four (4) consecutive work days with three (3) consecutive days off
- c) 9/80: Five (5) consecutive nine (9) hour work days with two (2) consecutive days off followed or preceded by three (3) nine (9) hour work days and one (1) eight (8) hour work day with three (3) consecutive days off within the same pay period.
- d) 12s: In a pay period, a standard rotation would be two (2) consecutive twelve (12) hour work days with two (2) consecutive days off followed or preceded by three (3) consecutive twelve (12) hour work days with two (2) consecutive days off followed or preceded by two (2) consecutive days with three (3) days off. A second shift would work the opposite rotation. (This work schedule will result in 84 hours being scheduled during a pay period, four (4) of which will be "flexed" out when staffing permits.) This schedule is designed for those assigned to "shift work" in the Police Department.
- e) 24s: Two (2) consecutive twenty-four (24) hour work days with four (4) consecutive days off. This schedule is designed for those assigned to "shift work" in the Fire Rescue Department.

3.4 Flex Time

Exempt employees are not eligible for overtime compensation under the FLSA. There are times when exempt employees are expected to work hours well in excess of the forty (40) hour FLSA workweek. The City Manager or his designee may grant periods of flex time to exempt employees when it is determined that the time off is reasonable and warranted. The flex benefit is designed to allow the City Manager or designee the ability to flex the employee's schedule (go home early or come in late) when warranted and is intended for occasional use rather than on a routine basis.

Exempt employees are expected to utilize accrued leave for approved absences from the workplace that exceed two (2) hours. An exempt employee who is absent from the workplace for not more than two (2) hours in a workday, need not note such absence on the timecard.

3.5 Rest Period

Non-exempt employees are required to take an uninterrupted rest break for every four-hour segment or major portion thereof in the work period. The City permits employees to take up to a fifteen (15) minutes rest period, 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.

3.6 Rest Breaks for Expression of Breast Milk

The City will provide reasonable rest periods to accommodate an employee who needs to express milk for their child eighteen (18) months of age or younger. If possible, the employee will take the rest periods to express milk at the same time as the rest breaks or meal periods that are otherwise provided to the employee. The employee is entitled to take a reasonable period each time the employee has a need to express milk.

The City will treat the rest breaks used by the employee for expressing milk as paid rest breaks up to the amount of time the City is required to provide as paid rest breaks and/or meal periods under these personnel rules. Additional time needed beyond the paid rest breaks and/or meal periods may be taken as unpaid time.

If an employee takes unpaid rest breaks, the City may, at the discretion of the employee's supervisor, allow the employee to work before or after the normal shift to make up the amount of time used during the unpaid rest periods. The City will allow, but not require, an employee to substitute paid leave time for unpaid rest periods taken in accordance with this policy.

The City will make a reasonable effort to provide the employee with a private location within close proximity to the employee's work area to express milk. For purposes of this policy, "close proximity" means within walking distance from the employee's work area that does not appreciably shorten the rest or meal period. A "private location" is a place, other than a public restroom or toilet stall, in close proximity to the employee's work area for the employee to express milk concealed from view and without intrusion by other employees or the public.

If a private location is not within close proximity to the employee's work area, the City will identify a private location the employee can travel to. The travel time to and from the private location will not be counted as a part of the employee's break period.

Notice: An employee who intends to express milk during work hours must give their supervisor or Department Director reasonable oral or written notice of the intention to do so in order to allow the City time to make any preparations necessary for compliance with this rule.

Storage: Employees are responsible for storing expressed milk. Employees may bring a cooler or other insulated food container to work for storing the expressed milk. If an office provides access to refrigeration for personal use, an employee who expresses milk during work hours may use the available refrigeration.

3.7 Meal Period

Non-exempt employees are required to take at least a thirty (30) minute unpaid meal period during each workday when working 6 or more hours in a day. 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 unless the employee is assigned a work vehicle and therefore does not have a personal vehicle for travel.

Sample rest and meal break schedules are listed below. Employees with questions about the rest or meal breaks available should contact their supervisor or Human Resources.

Length of Work Period	Requirement	
	Rest Breaks	Meal Periods
2 hours or less	0	0
2 hours & 1 minute – 5 hours & 59 minutes	1	0
6 hours	1	1
6 hours & 1 minute – 10 hours	2	1
10 hours & 1 minute – 13 hours & 59 minutes	3	1

Police: Employees assigned to Patrol, Detectives and shift work in Dispatch shall be granted a paid lunch period as their positions require them to be available to respond while in such assignments.

Fire: Employees assigned to Fire Rescue shift work will have meal periods included in their 24-hour shift period.

Section IV Pay Plan and Compensation

4.1 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.

4.2 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.

Regular classifications have a defined salary structure and schedule that is approved and adjusted by the City Council.

On-Call employees are to be placed at a step commensurate with the employee’s level of experience within the defined range for the classification.

Seasonal employees are hired to provide short term work during peak periods throughout the year. A seasonal salary schedule will be established annually by the City Manager. General labor not requiring driving responsibilities will be paid Oregon minimum wage. Seasonal positions requiring more training and/or skills than general labor or maintenance will be paid at a rate appropriate to the job classification they are hired to cover.

Staffing agency employees hired through an agency will be paid at a wage commensurate with the position they are temporarily filling, or the skillset required of the project assigned.

4.3 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 cases where 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.

4.4 Pay Rate Changes

Pay rate changes may occur for those employees below maximum step for their pay range in the following situations when recommended by the supervisor/manager and approved by the Personnel Officer:

a) Performance Reviews

Employees shall be evaluated, using prescribed personnel evaluation forms. 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 employees successfully complete their trial service periods, performance evaluations will be completed at least once each year by their anniversary date.

b) New Hire Trial Service Review

Newly hired employees will be eligible for a step increase on their anniversary date following successful completion of the trial service period.

c) 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. Movement through range and retention of an achieved pay step will be subject to work performance evaluation made by the City Manager or designee in the chain of command supervising the employee. Progression through the salary range occurs when job performance meets the requirements of the position. Progression through the steps is based on overall job performance. Employees who receive an overall rating of less than “performer” will not be eligible to advance a step.

d) Exceptional Increase

The City Manager may approve an exception to the general rules regarding salary increases where circumstances warrant such action. Such recommendations shall be submitted by the Department Director.

e) Cost of Living Adjustments

The City Council may consider a Cost of Living Adjustment (COLA) for employees not covered by a collective bargaining agreement. 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. Other factors may be taken into consideration, such as a competitive market study.

f) On-Call Dispatch - Good Standing

On-call Dispatch employees are required to perform dispatching duties a minimum of twenty-four (24) hours during each calendar quarter to maintain the required skillset necessary for dispatching. Required training to maintain certifications shall not count towards this twenty-four (24) hour requirement. No dispatcher shall be absent from the

workplace more than two consecutive months, unless the ability to meet the attendance requirements are protected under state or federal laws or work shifts are not available.

On-call dispatchers will be eligible for a single step increase at the beginning of the next calendar year when recommended by a supervisor so long as they have maintained satisfactory performance and worked a minimum of 320 hours in the preceding calendar year. On-call employees who are “stepped-out” at Step 6, will be eligible to advance to the negotiated “new” rate, when a rate change occurs, effective the beginning of the succeeding calendar year when step eligibility criteria is met.

Wage changes will be effective the beginning of the pay period following receipt of the recommendation by Human Resources.

4.5 Classification Change

Employees may promote, demote or be reclassified to another position during their career with the City. When an employee’s salary is changed due to demotion or promotion, all accrued earned compensation shall be converted to cash at the employee’s old rate.

a) Promotional Increase

An employee who promotes to a higher classification shall be placed on the new salary range at a step that provides a 5% increase. The promoted employee’s anniversary date will change to the date of promotion.

b) Reclassification Increase/Decrease

Whenever the duties of a position change materially and a position is reclassified, the employee in that position is reclassified. The employee shall be placed a step on the new salary range that provides at least a 5% increase above the 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.

c) Demotion Decrease

Demotion for cause will ordinarily result in a corresponding reduction in salary.

d) Non-Exempt to Exempt Position

Employees who move from an overtime-eligible position to an overtime-exempt position will have their earned compensation paid out at the rate of the old position prior to change.

4.6 Pay Periods

Pay periods are bi-weekly and pay checks are issued every other Friday following the close of a two-week pay period.

4.7 Hourly Rate

Forty (40) Hour Employees:

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 annual rate of pay divided by 2,080 hours.

Fifty-Six (56) Hour Employees:

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 annual rate of pay divided by 2,912 hours.

4.8 Incentive Pay

In addition to base salary, non-bargaining classifications may receive incentive pay for achieving certain levels of education beyond that which is required for the position.

Incentive pay is effective the first of the pay period following receipt of satisfactory verification. It is the employee's responsibility to provide the Human Resources Department the required verification of eligibility. No such pay shall be retroactive. Regular part-time employees shall be eligible for supplementary pay on a pro-rata basis based upon regularly scheduled hours.

The components of the incentive pay are as follows:

Education:

Employees are eligible for education incentive when the employee holds a degree from an accredited institution that is greater than the educational level required of their position. Incentive amounts are as follows:

Associate Degree: \$75 per month

Bachelor Degree: \$150 per month

The maximum amount an employee may receive under this section is \$150 per month when no degree is required. An employee holding a Bachelor's degree will receive a pro-rated amount (\$75) when an Associate degree is required.

Language:

An employee passing a proficiency language test in Spanish, or any other language designated by the City, shall be eligible for second language pay. The testing process will be selected by the City. Continued eligibility for this incentive is dependent upon biannual retesting.

2nd Language: \$50 per month

Detective Assignment:

A police supervisor assigned to Police Detectives shall receive a 5% pay differential to compensate for the additional responsibilities and training required with the assignment.

4.9 Anniversary Date

An employee's anniversary date is typically twelve (12) months from placement in a position. A new anniversary date will be established when an employee successfully completes an extended trial service period and at the time of promotion.

4.10 Overtime - Non-Exempt Classifications

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.

Overtime is hours worked in excess forty (40) hours in a workweek for non-exempt positions; or time worked in excess of eighty (80) hours in a pay period for sworn, police personnel; or time worked in excess of 204 hours in a 27 calendar day period for Fire Rescue shift personnel. In addition, overtime will be paid for time worked in excess of the regularly scheduled work shift (holdover).

The City classifies employees as exempt from the overtime provisions of the Fair Labor Standards Act and State law, or eligible for overtime under Federal and State law. These rules provide for overtime for unrepresented employees.

If an employee believes they are improperly classified under these laws, they shall ask for a review of their job classification by the Human Resources Department. The question of classification shall be reviewed on a timely basis, and the City will act to correct any errors as soon as possible.

If an employee believes they have been improperly paid under the overtime provisions of Federal or State law, it is the responsibility of the employee to seek immediate correction of any error within 20 working days of the close of the payroll period in which the error is believed to have occurred. The Finance Department will act to investigate and correct any such error within a reasonable time period.

The City shall make no improper deductions from pay for any employee, regardless of exempt or non-exempt status, and shall act to reimburse an employee for any improper pay deductions, once reported to the Finance Department. The City shall continue to make a good faith commitment to comply with all applicable provisions of the FLSA and State law, and the City intends that this policy of correction shall satisfy the “safe harbor provisions” of the FLSA regulations, as amended effective August 23, 2004.

No paid overtime will be granted for hours beyond the regular work for employees assigned to position classifications determined to be exempt from Federal and State of Oregon wage and hour law.

Non-Exempt employees shall receive compensation for overtime at the rate of time and one-half for work in excess of the employee’s regularly scheduled work week. Overtime shall be computed to the nearest quarter (15 minutes) hour.

4.11 Compensatory Time in Lieu of Payment

Overtime may be banked as compensatory time to be taken as time off at a later date. Compensatory time off shall be credited at one and one-half (1½) times the hours worked. Compensatory time accumulation shall not exceed the following specified number of hours:

Confidential-Professional positions:	80 hours
Patrol Sergeants*:	120 hours
Fire Rescue Shift positions:	160 hours
Fire Rescue 40-hour positions:	80 hours

Once this maximum accumulation has been reached, all overtime earned by the employee shall automatically be paid.

*During the month of November, Sergeants may elect up to 60-hours of compensatory time to cash-out and/or roll into a deferred compensation account at the employee's straight time rate.

4.12 Callback - Hourly Employees

Confidential-Professional classified 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.

Callback applies when hours worked are not annexed consecutively to the beginning or end of the working day or working shift. Callback does not apply to scheduled overtime, hours 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 the employee's work day the employee has 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.

4.13 Callback - Hourly Sworn Employees

Callback applies when an employee is called back to work during off-duty hours. Non-exempt employees called back to work shall be credited with not less than 3-hours. Callback applies as follows:

- a) off-duty hours not annexed to the beginning or end of the employee's regularly scheduled shift;
- b) court or grand jury hearings pursuant to a subpoena on the employee's regularly scheduled day off or during off-duty hours not annexed to the employee's regularly scheduled shift; and
- c) court on a scheduled day-off if the scheduled day-off was approved prior to the receipt of a court subpoena or hearing notice. Scheduled day off as used in this section includes regular days off, approved leave days and mutually agreed upon flex days. Employees called back during leave will be paid for not less than three (3) hours at the overtime rate and the leave will be reduced by three (3) hours. (i.e. Employee is scheduled 8-hours vacation but is called back to court. Employee will be charged 5-hours vacation and paid 3-hours OT Callback.) Should the employee be required to remain in court for more than 3-hours, the vacation leave will be adjusted accordingly.)

Callback does not apply, and employees will be paid based on actual hours worked, when 1) hours worked are annexed to the beginning or end of the employee's shift (holdover); 2) attendance is for pre-noticed meetings, and 3) voluntary sign-up for an overtime opening of less than three (3) hours.

4.14 Callback - Exempt Employees

Exempt employees may be required as part of their job duties to regularly respond to emergency calls for service outside the regularly scheduled workday. This emergency work is of such a nature that it can't be delayed. Exempt employees called back to work shall be paid not less than two (2) hours at a straight time rate.

The Department Director shall determine whether or not a particular callback qualifies as an emergency within the meaning of this provision.

4.15 No Pyramiding

In no event shall any employee be compensated twice for the same hours.

4.16 Working Out of Class

The City Manager may approve a temporary pay differential of five percent (5%) or the Step 1 rate of the higher position when 5% does not place the employee in the higher classification's salary range. Working Out of Class is appropriate in cases in which an employee is assigned a significant portion of the duties and responsibilities of a vacant position. This differential may not continue past the date immediately preceding that on which any person begins work as the new incumbent assigned to fill the position vacancy.

When a Director is absent for 40 hours or more, the City Manager or the Director may appoint an employee to serve as an Acting Director and the employee would be eligible to receive five percent (5%) step up pay.

If an employee terminates employment while in Working Out of Class Assignment, any final monetary compensation paid for unused accrued vacation, holiday, or sick leave shall be at the regular base rate, less any differential, of the employee's immediately preceding regular classification assignment.

Section V Benefits

Each full-time employee will be offered the 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.

5.1 Uniform, Clothing and Equipment

Uniforms (when 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 shall wear such uniforms, other protective clothing and safety wear in the manner required by law or the City. The City will consider working conditions when determining uniform requirements. Employee shall maintain uniforms and equipment supplied by City.

Sworn personnel initially assigned as Detective Sergeant will be eligible for \$750 to purchase department approved clothing. On July 1 thereafter, assigned employees will be eligible for \$500 to cover replacement and maintenance costs.

5.2 Medical, Dental and Vision Coverage

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.
Cost Sharing

Employees covered under these rules pay 7.5% of the total monthly premium for the selected benefit plan. In addition to the 7.5%, the City and employee will split 50/50 any premium increase above 10%. Benefits are subject to change at any time and from time to time.

Permanently Disabled Employee

Any covered employee totally disabled and retired from City employment before age 60 will continue to receive life insurance benefits pursuant to the City's carrier's terms and conditions. The same life insurance benefits may be available, at the option of and expense of the employee, to the dependents of the totally disabled employee pursuant to the carrier's terms and conditions.

The health insurance premium for any employee, who has been continuously employed on a full-time basis for 12 consecutive months or longer after the determination of such disability, will be paid by the City for the period of total and permanent disability commencing after such determination, but not to exceed 18 months or conclusion of the disability, whichever occurs first.

Retiree Insurance

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 group medical insurance program (Program).

Employees hired into a non-bargaining classification prior to January 1, 2007, who retire as defined above, and who are not eligible for Medicare at the time of retirement, may elect to continue Coverage under the same cost sharing formula as regular employees for up to 48 calendar months from date of retirement. Coverage will end if the retiree dies, reaches Medicare eligibility, enters employment where insurance is provided, or applies for and is paid unemployment compensation within 18 months of retirement.

Employees who promote or laterally transfer into a non-bargaining classification shall receive retiree insurance based on the collective bargaining agreement provision under which they were originally hired.

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 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.

Non-bargaining employees hired or promoted on or after January 1, 2007, are not eligible for the 48 months of cost-sharing coverage but may elect to enroll in the City's retiree insurance at their own expense.

Eligibility for retirees, or their dependents, or both to exercise their rights to COBRA benefits is not affected or altered by these retirement provisions.

Retirees have the option to continue group dental coverage as permitted by the insurance carrier at their own expense when concurrently enrolled in medical coverage.

5.3 Life and Accidental Death and Dismemberment Coverage

The City provides life and accidental death insurance benefits.

5.4 Long Term Disability

The City provides long-term disability insurance to all eligible full-time employees.

5.5 Public Employees Retirement System (PERS)

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. The employee's contribution to PERS of 6% of subject wages shall be paid by the City effective July 1, 2007.

Section VI Holidays

6.1 Recognized Holidays

- 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 the preceding Friday will be designated as the day of observance. Whenever the holiday falls on a Sunday the following Monday will be designated as the day of observance.

6.2 Holiday Compensation

Generally, employees receive the holidays listed in Section 6.1 with pay as City offices are closed to the public. Full-time employees 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.

Police Executive, Managerial & Supervisory Employees

Police Executive, Managerial and Supervisory classified employees are assigned 12 holidays each fiscal year in lieu of holidays off. The employee may elect to use these holidays at a time mutually agreeable to the Department Director or their designee. If an employee leaves City service during the year, the employee is only entitled to holiday compensation actually accrued (8 hours for each complete month of service in the fiscal year).

Employees requesting a day off on a recognized City holiday are required to utilize holiday hours. The holiday shall be the actual holiday and not the observed day. Employees working a schedule in excess of 8 hours will only be required to use 8 hours of holiday compensation and may elect to use vacation or earned compensation for the additional scheduled hours. Employees who are within 24 hours of their vacation accrual maximums will be permitted to utilize vacation leave for the full shift.

Employees assigned to Detectives will have the option to choose to work official holidays at their normal rate of pay; however, should the employee elect to take the holiday off; the employee shall utilize holiday compensatory time. If the employee serves in an on-call capacity and elects to work the holiday, the employee may work half the day and take the remainder of the day off without any deduction from their compensatory time. If the on-call employee chooses to take the

recognized holiday off only an amount equivalent to one-half their regular working hours will be deducted from their holiday compensatory time.

Any holiday hours remaining on the last pay date in June will be compensated for in cash at the employee's straight time rate or may be rolled over into the employee's compensatory time bank as long as the contribution cap is not exceeded.

Fire Supervisory Shift Employees

Fire Shift supervisors who are assigned to a fifty-six (56) hour work week will receive 132 hours of holiday compensation time in lieu of holidays. The 132 hours shall be provided on July 1 of each fiscal year based on the prior years' service. Holiday compensation time is available for use at a time mutually agreeable to the employee and the City. Employees requesting a day off on a recognized City holiday are required to utilize holiday hours. The holiday shall be the actual holiday and not the observed day.

Holiday hours requested for payout by April 1 of each year, shall be compensated at straight time or may be rolled over into the employee's compensatory time bank as long as the cap is not exceeded. Holiday hours not utilized by June 30 shall be forfeited.

Fire 40-Hour Supervisory Employees

Fire Supervisory employees who are assigned to a forty (40) hour work week will be paid 8 hours for each designated holiday in Article 6.1. In addition, sixteen (16) hours of holiday compensation time will be assigned on July 1 for the upcoming fiscal year. The employee may elect to use these holidays at a time mutually agreeable to the Department Director or their designee.

A 40-hour supervisory employee may be required to work all or part of a holiday. In that event the employee's holiday hours will be deposited at straight time into the holiday compensation bank and the employee will receive regular pay for actual hours worked.

Holiday hours requested for payout by April 1 of each year, shall be compensated at straight time or may be rolled over into the employee's compensatory time bank as long as the contribution cap is not exceeded. Holiday hours not utilized by June 30 shall be forfeited.

Police On-Call

Police on-call employees will be compensated at time and one half for hours assigned and worked on any of the following actual City holidays:

New Year's Day	Independence Day	Thanksgiving
Memorial Day	Labor Day	Christmas

6.3 Personal Holiday

Exempt employees who do not receive a holiday compensation bank shall be credited with 8 hours of holiday time at the beginning of each calendar year.

Hourly Confidential-Professional classified employees shall be credited with 16 hours of holiday 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 a non-bargaining position in the preceding calendar year or who is a part-time employee. Any personal holiday hours not taken by December 31 shall be forfeited.

6.4 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.

Section VII Vacation

7.1 Eligibility

Regular full-time employees accrue vacation based on their regularly scheduled workdays. The hours listed below are for 40-hour personnel working 2,080 hours per year and 56-hour personnel working 2,912 hours per year.

Employee appointed to a regular part-time position, which is defined as less than a 40-hour work week, shall accrue vacation leave in an amount proportionate to their regularly scheduled hours.

Classification	Service Months	Annual Accrual Hours	Bi-Weekly Accrual Hours	Maximum Accrual Hours
Confidential-Professional	0 - 36	80	3.08	
	37 - 60	100	3.85	
	61 - 84	120	4.62	200
	85 -120	140	5.39	
	121+	160	6.16	
Fire Shift Personnel	0 - 60	180	6.92	270
	61+	288	11.08	432
Police & Fire Managerial and Supervisory	0 - 60	120	4.62	240
	61+	160	6.16	320
Supervisory	0 - 60	120	4.62	
	61+	160	6.16	200
Executive	0 - 35	120	4.62	
	36+	160	6.16	200
Police & Fire Executive	0 - 35	120	4.62	240
	36+	160	6.16	320

7.2 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 granted credit for service prior to the leave. Vacation leave shall not accrue during a leave of absence without pay. Continuous service shall apply to all accrual types.

7.3 Accrual Limitations

The following accrual limitations apply per classification as shown above:

Confidential-Professional:	200 hours
Supervisory:	200 hours
Police & Fire Supervisory Managerial and Executive:	2x annual accrual
Fire Shift Supervisory:	18 months from accrual date
Executive:	200 hours

Employees shall not accumulate vacation leave in excess of the identified maximum. Employees are responsible for monitoring their time.

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.

7.4 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.

7.5 Conversion to Cash

Non-bargaining personnel who have the maximum accumulation of vacation leave 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 limitations.

7.6 Longevity Bonus

Employees with twenty (20) years of continuous service shall receive a one-time bonus of forty (40) hours vacation. Fire Rescue shift personnel shall receive a one-time bonus of 56-hours. Employees have the option of banking or cashing the longevity bonus.

7.7 Payment on Termination

A regular employee who is eligible for vacation credits shall be entitled to payment for earned, unused vacation leave upon termination. In the event of death, earned but unused vacation leave shall be paid in the same manner as salary due the deceased employee.

An employee on a new hire trial service period is not eligible for payment of vacation hours.

Section VIII Sick Leave

8.1 Eligibility

Employees begin accruing sick leave effective their date of hire.

On-Call employees have a 90 day wait period before being eligible to utilize accrued hours.

8.2 Accrual

Sick leave shall accrue at the rate of 8 hours per month (3.69 hours per pay period) 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.

On-Call and seasonal/temporary employees shall accrue at the rate of 1 hour for every 30 hours worked.

8.3 Accrual Limitations

Employees shall accrue sick leave without limitation.

Fire shift-personnel shall accrue sick leave without limitation but may only apply up to 3300 hours towards the sick-leave conversion formula.

On-Call and seasonal/temporary employees shall accrue Oregon Sick Leave to a maximum of 80 hours.

8.4 Utilization

Full-time and part-time employees may use sick leave once accrued. 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.

On-Call and seasonal/temporary employees are eligible to use sick leave following 90-days of employment and are permitted to utilize a maximum of 40 hours in a calendar year. On-Call employees who separate City service and return within 179 days will be eligible to continue their original waiting period or will have access to accrued hours if their prior waiting period had been served. Employees who are re-employed 180 or more days after termination will serve a new waiting period.

Employees may utilize their sick leave for qualifying purposes under the Oregon Family Leave Act (OFLA) and the Federal Family Medical Leave Act (FMLA).

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 or exposure to contagious diseases under which the health of the employees with whom associated or a member of the public would be endangered by the presence of the employee, or for any OFLA qualifying purpose or any reason allowed under the Oregon Sick Time law.

Illness in Family

Employees may utilize their allowance of sick leave when a qualifying family member has an illness or injury requiring the employee's care.

A family member is defined as a spouse, same-gender domestic partner, parent, step-parent, parent-in-law and parent of same-gender domestic partner, a child (biological, adopted, foster, step and same-gender domestic partner's child), grandparent, and grandchild.

Medical and Dental Appointments

Employees may utilize their allowance of sick leave to attend preventative medical and dental care and for diagnosis, care or treatment of mental or physical illnesses for themselves or a family member.

School and Office Closures:

Employees may utilize their allowance of sick leave during a child's school closure or a City office closure due to a public health emergency.

Leave for Certain Crimes:

Employees may utilize their allowance of sick leave related to incidents of domestic violence, harassment, sexual assault or stalking.

8.5 Notification

In the event an employee needs to utilize sick leave under this section, the employee shall notify the 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.

8.6 Physician Statement

In the event that a forty (40) hour employee is off more than three (3) workdays or a fire-shift employee is off two (2) or more 24 hour shifts, the City may require the employee to obtain a statement from the employee's physician as to the nature of the illness and the expected duration of the absence.

In the event that an employee is off for more than three (3) days or two (2) 24-hour shifts, the City may require the employee to obtain a statement from the employee's physician that the employee is not suffering from an illness or injury which would prevent the employee from performing the essential functions of the job and would not expose the public or other employees to a contagious disease or illness.

The physician's statement shall be submitted to the employee's supervisor or Human Resources as soon as possible, but no later than 15 days from the date of the request.

If the City has a reasonable basis to believe that an on-duty employee is suffering from an illness or injury which would prevent the employee from performing the essential functions of the job, or would expose the public or other employees to a contagious disease or illness, then the City may immediately place the employee on sick leave, at which time the employee shall leave the work place. If the City desires an examination by a physician to confirm the employee's condition, the employee will be expected to be examined within a reasonable time by a physician. The City will reimburse the employee for out-of-pocket expenses required to obtain the physician's statement when proper documentation is submitted to Human Resources. If the physician indicates that the employee does not qualify for sick leave utilization, then the employee shall be entitled to return to work, the sick leave will be reinstated, and the employee will be paid regular wages for any lost time. If the employee does not have accrued sick leave, the employee shall be subject to Sections 8.7. Nothing herein prevents the employee, at the employee's expense, from challenging the physician's determination.

8.7 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.

8.8 Other Qualifying Events

Employees are required to utilize leave accruals, to include sick, vacation, earned compensation, holiday compensation and personal holiday, during a qualifying event pursuant to federal and state Family Leave laws to include pregnancy disability leave, parental leave, Oregon Sick Leave, and leave pursuant to ADA and ADAAA.

8.9 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.

8.10 Sick Leave Conversion Program

For each full year of regular service as an employee of the City, each regular employee who terminates employment in good standing after 10 or more years of continuous service or upon a death in service shall receive cash compensation totaling 2.5% times each full year of service of that employee's accumulated sick leave hours at a rate equivalent to the employee's gross hourly salary.

Example: Employee has 10.25 years of service, 300 hours of sick leave, earning \$20 an hour
10 full years x 2.5% = 25%
25% of 300 hours = 75 hours
75 hours x hourly rate of \$20 = \$1,500.00

8.11 Abuse

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

Section IX Administrative Leave

Non-bargaining exempt employees who meet eligibility requirements will receive paid Administrative Leave time per quarter. Administrative leave may be used in the same manner as vacation leave.

Administrative leave does not have a cash value and does not carry over. Eligible employees will receive hours for use. Unused hours shall expire at the end of each quarter.

9.1 Eligibility

Exempt employees who meet the following criteria are eligible for paid Administrative Leave time:

- Regularly required to attend two or more meetings each month outside their regular work hours; or
- Regularly required to work at least 8 hours uncompensated time a month outside their regular work hours; and
- Are unable to otherwise flex the time out of the scheduled work period.

9.2 Accrual

Quarterly in January, April, July and October eligible employees will receive sixteen (16) hours of use-it or lose-it Administrative Leave time.

Section X Other Leaves

10.1 Emergency Leave

Emergency leave is provided to employees for the purpose of visiting an immediate family member who is seriously injured or ill and death is imminent and to attend funeral services of the immediate family member.

Eligibility: For the purpose of taking emergency leave, the immediate family is defined as spouse, same-sex domestic partner, child, step-child, mother, father, mother-in-law, father-in-law, brother, sister, and grandparent.

Utilization: Emergency Leave may be used for 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 service.

Full-time employees may take up to 24 hours of emergency leave in any one calendar year. In the event that more time is needed, the employee may utilize their allowance of other leave accruals.

For the purpose of attending funeral/memorial services emergency leave shall be taken within 60 days of the family member's death.

10.2 Leave without Pay

The City will consider a written application for leave of absence without pay not to exceed ninety (90) calendar days 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 the written application for such leave.

Leave without pay shall not be approved for the purpose of accepting employment outside the service of the City; and notice that the employee has accepted employment or entered into full-time business or occupation may be accepted by the City as a resignation.

10.3 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 witness fees due for such jury duty and turn those fees over to the City. 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 their regular work day. Mileage and expenses paid for jury duty will be retained by the employee.

10.4 Court Appearance

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 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 work site.

Employees shall be required to seek all fees due for such duty and turn the fees over to the City.

10.5 Directed Educational Leave

Employees may 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.

Section XI General Provisions

11.1 Outside Employment

No employee shall accept outside employment whether part-time, temporary or regular, without the prior written approval from their Department Director. Each change in outside employment shall require separate approval. To be approved, outside employment shall:

1. Be compatible with the employee's City work; and
2. In no way detract from the efficiency of the employee in their City work; and
3. 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 work performed through outside employment.

11.2 Residency

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.

All personnel in the following job classifications shall reside within a 45-minute drive from City limits as it exists within the Urban Growth Boundary:

- Building Official
- City Engineer
- Police and Fire Supervisors
- Police and Fire Command Staff
- Facilities Management Supervisor
- Superintendents

It is the City's strong preference that Department Directors reside within the corporate boundaries or urban growth boundary of the City. Accordingly, the City will pay reasonable moving expenses if the employee moves into that boundary within 18 months of appointment to their respective position.

Current employees residing outside the residency limit established by this policy shall not be required to move within the limit. Employees currently within these limits are prohibited from moving beyond these limits.

11.3 Contact Information

All employees are required to have telephone service at their place of residence.

11.4 Personal Use of City Owned Vehicles

The City may allow employees to use City owned vehicles to commute to and from their residence upon a determination by the City Manager, or designee, that use of a City provided vehicle will provide a more efficient use of staff time, provide a faster delivery of services to citizens, first responders, or as a business necessity. This is a taxable fringe benefit under IRS regulations.

Personal use by an employee of a City owned vehicle falling under IRS regulations for *de minimis* nontaxable personal use is permitted and is part of the employee's compensation as defined by Oregon Administrative Rules 199-005-0035(3).

11.5 Continuous Service Defined

Non-bargaining employees are eligible to accrue leave benefits from the effective date of their most recent employment appointment with the City. Service is broken when an employee separates City service. A new service date is established if the employee is later rehired.

Employees on a fixed schedule of less than forty (40) hours in a work week, shall earn leave time in direct proportion to that of a regular full-time schedule.

In establishing the basis of seniority for the purposes of determining vacation accrual eligibility, an employee's current date of hire as a regular employee (part-time or full-time) will be the determining factor. Should an employee's status change from part-time to full-time, or vice versa, with no lapse in service, their service date for the purpose of time off benefit accrual will remain unchanged.

Should an employee receive approval for a leave of absence without pay, that period of absence will be deducted from their service date and a new service date established. (Note, employees on protected, unpaid leave will not have dates adjusted.)

Temporary, Seasonal and On-Call employees do not qualify for paid holiday or vacation benefits. Oregon Sick Leave is accrued and available for use pursuant to ORS 653.601 et al.

Section XII Discipline and Discharge

The provisions of discipline and discharge apply to Confidential-Professional and Supervisory classified employees who have successfully completed their new hire trial service period.

12.1 Applicability

No regular employee may be disciplined or discharged except for just cause. Discipline shall typically be progressive in nature.

12.2 Just Cause

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

- Immoral, illegal or other conduct which is a direct hindrance to the employee's effective performance of such employee's City function; or
- Serious infractions of safety rules as outlined in City Safety Policy; or
- Failure of an employee to effectively fulfill the duties and responsibilities of the employee's position.

12.3 Forms of Discipline

Disciplinary action for just cause includes the following:

- Written reprimand
- Suspension
- Demotion and/or reduction in pay
- Discharge

12.4 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 while 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 final determination of action by the Department Director.

12.5 Notice of Investigation

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. The notice shall contain sufficient information for the employee to determine the conduct at issue and the policies at issue.

12.6 Notice of Discipline

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 is to be provided a copy to review and sign indicating receipt before it is placed in the personnel file. The employee shall receive prompt written notice of any disciplinary action taken. The notice shall include a written record of the action, the specific charges or offenses, including references to written rules and regulations, and the type of penalty.

12.7 Due Process Hearing

When the recommended discipline is loss of pay, demotion or termination of employment, eligible employees will be offered a due process hearing. The intent of the due process hearing is to allow the employee an opportunity to provide mitigating circumstances or information related to the violations. Prior to the hearing the employee will be provided with a written notice of the charges against them and an explanation of the evidence supporting the charges.

A written decision will be made following the hearing and the employee will be provided with a copy.

12.8 Grievance

Disciplinary action imposed upon an employee, if protested, shall be protested only as a grievance through the Grievance Procedure.

Section XIII Grievance Procedure

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.

13.1 Applicability

Non-bargaining Confidential-Professional and Supervisory classifications have the grievance process available to them.

13.2 Procedures

Step 1

The aggrieved employee shall prepare a written, detailed grievance and present it to the Department Director within ten (10) calendar days of occurrence, not including the date of occurrence. The Department Director shall reply in writing to the grievance within ten (10) working days after the date of the presentation of the written grievance.

Step 2

If the grievance is not settled in Step 1, the written grievance shall be presented along with all pertinent correspondence, records and information accumulated to date to the City 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 shall reply to the grievance in writing in a timely manner, but no later than thirty (30) calendar days of the date of presentation of the written grievance. The decision of the City Manager shall be final and binding on the employee.

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 or emailed 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.

Section XIV Personnel File

The official personnel file is maintained by the Human Resources Department. Payroll records, which are also part of a personnel file are maintained by Finance.

14.1 Notice of Contents

Employee shall read and sign written material that is placed in their personnel file following their date of hire. An employee's signature does not necessarily indicate agreement with the content of the item signed.

14.2 Response

Employees may respond in writing to items placed in their personnel file and said response shall become a part of the file.

14.3 Confidentiality

The official personnel file shall be accessible only to the following:

- a) The employee or others authorized in writing by the employee to have access to the file;
- b) Direct supervisor(s), Department Director, City Manager and Human Resources Director or others with administrative responsibilities;
- c) Personnel responsible for maintenance of the files; and
- d) Pursuant to the requirements of a court order or in compliance with state or federal laws or regulations.

14.4 File Review and Copies

Employees have the right to review the contents of their personnel file. Employees shall contact Human Resources to schedule a date and time for the file review.

Employees wishing to obtain a copy of their personnel file shall make a formal request in writing and shall pay the reproduction costs based on the City' fee schedule. Oregon Revised Statutes require employers to provide personnel records within forty-five (45) days of the request for copies.

Section XV Separation from Service

15.1 Resignation

To resign in good standing, an employee shall give the appointing power not less than ten (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.

An employee planning to retire should give notice thereof to the Human Resources Department at least sixty (60) calendar days prior to the retirement date.

15.2 Trial Service Release

Employees serving a new hire trial service period may be released from City service when it is determined that the employee cannot successfully fulfill the responsibilities of the job in the manner expected.

Performance shall not be evaluated on the basis of any protected class or disability.

15.3 Termination

Executive and Managerial employees may be terminated when it is determined that the employee has not successfully fulfilled the responsibilities of the job in the manner expected.

Confidential-Professional and Supervisory personnel are subject to the just cause provisions found in Section XII.

15.4 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.

15.5 Recall from Layoff

There is no right to recall; however, this does not limit the City from recalling an employee.

15.6 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 ten (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 if the affected employee does not have available accrued leave.

RESOLUTION NO. 22-7153

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRANTS PASS
ADOPTING THE CITY OF GRANTS PASS NON-BARGAINING EMPLOYEE
HANDBOOK.**

WHEREAS:

1. The Council of the City of Grants Pass is authorized and directed under the provisions of Ordinance No. 4349 to adopt, and amend, if necessary, rules and regulations for the administration of the personnel system created in said ordinance; and
2. The City has a document titled Personnel Rules, Regulations and Policies, which contains policies and rules that apply to all employees and most benefits and working conditions for non-bargaining employees; and
3. The City Council wishes to remove benefits and working conditions from the personnel rules, which is a document that should apply to all personnel, and identify provisions specific to the non-bargaining employees in a separate handbook; and
4. Occasionally laws or policies will change that impact benefits or working conditions, or general language updates will be necessary, and the personnel officer is authorized to apply updates within these limitations to the Non-Bargaining Employee Handbook; and
5. The City will bring forward an amended version of the Personnel Rules for Council adoption after the Non-Bargaining Handbook is adopted.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Grants Pass adopts the Non-Bargaining Handbook incorporated herein as Exhibit 'A'.


EFFECTIVE DATE of this Resolution shall be immediate upon its passage by the City Council and approval by the Mayor.

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session this 16th day of February 2022.

SUBMITTED to and approved by the Mayor of the City of Grants Pass, Oregon, this 22nd day of February 2022.


Sara Bristol, Mayor

ATTEST:


Karen Frerk, City Recorder

Date submitted to Mayor: 2-22-22

Approved as to Form, Augustus Ogu, City Attorney 