

CITY OF VENETA

RESOLUTION NO. 1389

A RESOLUTION AMENDING THE VENETA EMPLOYEE HANDBOOK AND
REPEALING RESOLUTION NO. 1360

WHEREAS, the Veneta City Council has adopted Ordinance No. 283 which states that the City shall adopt a personnel system by resolution to provide systematic and equitable procedures and regulations relating to the hiring, compensation, hours of work, leave, safety, training, work conditions, promotions, transfers, discipline, removal, and other matters affecting the status of employees of the City of Veneta; and,

WHEREAS, adoption of Resolution No. 1360, as amended by Resolution No. 1364, established the current Employee Handbook which is now in need of updating, including but not limited to formatting errors and additional language to current policies; and,

WHEREAS, policies have been amended on the handbook in compliance with state laws.

NOW, THEREFORE, BE IT RESOLVED by the Veneta City Council that:

SECTION 1 Adoption. The Veneta City Council adopts the City of Veneta Handbook by Resolution No. 1389 hereto attached and incorporated as Exhibit A.

SECTION 2 Repealing Clause. Resolution No. 1360 is hereby repealed.

SECTION 3 Effective Date. This Resolution shall take effect on July 1, 2023.

PASSED AND ADOPTED by the Veneta City Council this 12th day of June 2023.


Keith Weiss, Mayor

ATTEST:


Grace Jelks, City Recorder

Matt Michel, City Administrator

RESOLUTION NO. 1389, EXHIBIT A

INDEX

1.00. Introduction	3	7.70. Inclement Weather / Emergency Closing.....	33
1.10. About This Handbook.....	3	7.80. Stand-by Duty	33
1.20. Purpose	3	7.90. Flex Time	33
1.30. Application.....	3	7.100. Lunch & Rest Periods	34
2.00. Personnel Program	4	7.110. Safety Rules and Accident Reports	35
2.10. Administration.....	4	7.120. Mandatory Child Abuse Reporting.....	35
2.20. Employee Acknowledgement.....	4	7.130. RESERVED	36
2.30. Personnel Records.....	4	7.140. Layoffs.....	36
3.00. Definition of Terms	6	7.150. References.....	36
4.00. Employment Ethics.....	10	7.160. Resignation	36
4.10. Ethics.....	10	7.170. Dress Code	36
4.20. Confidentiality	10		
4.30. Misrepresentation.....	11		
4.40. Outside Employment.....	11		
4.50. Off Duty Conduct.....	11		
4.60. Criminal Acts	11		
4.70. Political Activity.....	12		
4.80. Drug Free Workplace	12		
4.90. Smoke Free Workplace	16		
4.100. Personal Use Restrictions	16		
5.00. Equal Employment Opportunities.....	17		
5.10. Equal Employment Opportunity	17		
5.20. Americans with Disabilities Act (ADA).....	18		
5.30. Pregnancy Accommodation Policy.....	18		
5.40. No-Harassment Policy.....	19		
5.50. Bullying in the Workplace	20		
5.60. Sexual Harassment.....	20		
5.70. Employment Eligibility Verification	21		
5.80. Veterans' Preference in Hiring	22		
5.90. Whistleblower	22		
5.100. Meeting Participation	22		
5.110. Religious Observances Leave and Accommodation	22		
5.120. Service Animals.....	22		
5.130. Domestic Violence.....	22		
5.140. Harassment Complaint Procedure	22		
5.150. No Retaliation	24		
5.160. Bulletin Board Postings	24		
6.00. Hiring Procedures.....	26		
6.10. Vacancies/New Positions	26		
6.20. Nepotism	26		
6.30. Application for Employment.....	26		
6.40. Qualification Stds: New Hires & Promotions	27		
6.50. Interview Board	27		
6.60. Medical Exams & Physical Demonstrations	27		
6.70. Pre-Employment Controlled Substance Screening.....	28		
6.80. Appointment / Hiring	28		
6.90. Hiring & Working Hours for Minors	28		
6.100. Residency Requirements	29		
7.00. Employment Cond./Employee Conduct ...	30		
7.10. New Appointments/Hires.....	30		
7.20. Introductory Period	30		
7.30. Promotion Probation.....	30		
7.40. Transfers	31		
7.50. Attendance	31		
7.60. Hours of Operation & Work Schedules	32		
8.00. Communications & Software Systems	38		
8.10. Systems Policy	38		
8.20. Communication Courtesies	38		
8.30. Copyrights	39		
8.40. Electronic Mail System	36		
8.50. City Computers: Software Installation	40		
8.60. Telephone Usage - Landline	40		
8.70. Cellular Devices Policy	40		
8.80. Voice Mail System	43		
8.90. Archiving Electronic Communications	42		
8.100. Social Media	42		
9.00. Compensation	45		
9.10. Compensation Plan	45		
9.20. Classification Plan	45		
9.30. Change of Classification	46		
9.40. Wage Adjustments	46		
9.50. Employee Evaluations	47		
9.60. Non-Disciplinary Demotion	47		
9.70. Pay Periods & Days	48		
9.80. Overtime	48		
9.90. Compensatory Time Off	48		
9.100. Fair Labor Standards Act	49		
9.110. Stand-by Duty Compensation	49		
10.00 Accrued / Paid Time Off.....	50		
10.10. Recognized Holidays	50		
10.20. Vacation	50		
10.30. Sick Leave	52		
10.40. Personal Leave	54		
10.50. Maternity/Parental Leave	54		
10.60. Expression of Breast Milk	55		
10.70. Statement of No FMLA/OFLA Coverage	55		
10.80. Military Leave	55		
10.90. Administrative Leave	56		
10.100. Crime Victim's and Domestic Violence Leave and Accommodation Policy	57		
10.110. Other Leave with Pay	57		
10.120. Leave without Pay	58		
11.00. Benefits	59		
11.10. Health Insurance	59		
11.20. Life Insurance	60		
11.30. Long Term Disability	64		
11.40. Deferred Compensation Plan	60		
11.50. Retirement	60		
11.60. Occupational Injury & Illnesses	60		
11.70. Conferences and Conventions	61		

11.80. Travel Policy.....	61
11.90. Educational & Training Aid.....	63
11.100. Professional Affiliations	63
11.110. Clothing Allowance.....	63
11.120. Cell Phone stipend	65
11.130. Pool Pass	65
11.140. Longevity Bonus.....	65
12.00. Disciplinary Process	67
12.10. Policy	67
12.20. Objectives of Discipline	67
12.30. Causes of Discipline	71
12.40. Forms of Discipline.....	72
12.50. Determination of Discipline.....	68
12.60. Process for Probation, Demotion, and Term.....	69
13.00. Complaint Procedure.....	75
13.10. Policy.....	75
13.20. Complaint Procedure.....	75
14.00. Savings Clause.....	72
15.00. Adoption of Policies.....	72

1.00. Introduction

- 1.10. About This Handbook
- 1.20. Purpose
- 1.30. Application

1.10. About This Handbook

1.10.10. Communication is the most important aspect of the employment relationship. This handbook is designed in an effort to improve employee understanding of what is expected of them. It also outlines what the City offers employees in return.

1.10.20. Please read this handbook carefully. It is a synopsis of mutual expectations. As such, it cannot anticipate every situation that might arise while you are employed with the City of Veneta. However, it does address the most common issues where questions have been raised in the past.

1.20. Purpose

1.20.10. The purpose of these policies is to provide systematic and equitable procedures and regulations relating to hiring, compensation, hours of work, leave, safety, trainings, working conditions, promotions, transfers, discipline, removal and other matters affecting the status of employees of the City of Veneta. These policies are provided to maintain and improve the facilities and services which the residents of the City require, to maintain uniformity and equity in personnel matters which will make City service attractive as a career, and to encourage each employee to give the employee's best service to the City.

1.30. Application

1.30.10. These personnel rules, policies and procedures apply to all City employees provided, however, that in the event of an inconsistency or a conflict between these policies and any valid collective bargaining unit contract, individual written employment contract, ordinance, rule or law, the collective bargaining unit contract, individual employment contract, ordinance, rule or law, will apply. In all other cases, these policies and procedures will apply. Without limiting the generality of the foregoing, the disciplinary policies contained herein shall not apply to discipline of the City Administrator, who is an at-will employee subject to termination without cause. Further, the performance standards, professional expectations, and any rules against discrimination outlined in this handbook apply to Veneta's employees, as well as City volunteers, elected or appointed officials, and contractors doing business with the City.

The City specifically reserves the right to modify or amend these policies at any time. To the extent reasonably practical, employees will be given advance notice of proposed modifications or amendments to these policies which are of general applicability to employees. In the event of the amendment of any ordinance, rule or law incorporated in this document or upon which these provisions rely, these policies will be deemed amended in conformance with those changes.

2.00. Personnel Program

- 2.10. Administration
- 2.20. Employee Acknowledgement
- 2.30. Personnel Records

2.10. Administration

2.10.10. The personnel program established by this handbook and any other written plans or policies relating to personnel shall be administered by the City Administrator and City Council. The City Administrator's responsibilities include, but are not limited to: Preparing classification and compensation plans, determining and revising the fringe benefits package, administering provisions of the personnel program, advising supervisors on interpretations of provisions of these policies, advising the City Council on needed amendments to these policies, and ensuring supervisors are responsible for the proper operation of their departments.

2.20. Employee Acknowledgement

2.20.10. New employees will be provided with an orientation session during which they will be given a copy of this handbook and the opportunity to ask questions they may have concerning its contents or application. Current employees will also be given an orientation to this handbook, or any subsequent modification to it required by changes in applicable laws or regulations, or by subsequent action of the City Council. Each employee will be required to sign an acknowledgment stating that the employee has been given a copy of the handbook and they were provided an opportunity to ask questions.

2.30. Personnel Records

2.30.10. Each employee will have official personnel files which will be maintained by the City, under the strict control of the City Administrator or designee.

2.30.20. The file shall contain: Employee's name, title, position or job function description, department assigned, current salary, change in employment status, training received, evaluations, disciplinary actions, and other such information as may be considered pertinent.

2.30.30. Employee personnel files shall be considered non-public information to the maximum extent permitted by the public records laws. Unless disclosure is required by law or a court of competent jurisdiction, employee personnel files will be accessible only to the employee, the employee's supervisor, the City Administrator, City staff members performing Human Resources functions as a part of their normally assigned duties, the City Attorney or any attorney employed by the City or its insurers.

2.30.40. All medical and personal information and records created as a result of employment or employment offers will be maintained in a separate, "CONFIDENTIAL" file.

2.30.50 Employee confidential files shall be considered private to the maximum extent permitted by the public records laws. Unless disclosure is required by law or a court of competent jurisdiction, employee confidential files will be accessible only to the employee, the City Administrator, City staff members performing Human Resources functions as a part of their normally assigned duties, the City Attorney

or any attorney employed by the City or its insurers.

2.30.60. Except as authorized by law, no information from an employee's personnel or confidential files shall be released to outside parties except when: (1) the employee provides prior written authorization; (2) the City Attorney determines that release of the file is required by law or permitted by this policy; (3) by order of a court or other appropriate legal authority.

2.30.70. Access to files as allowed in this Chapter 2, shall be monitored by the City Administrator, or designee.

3.00. Definition of Terms

As used in these rules, unless the context requires otherwise:

Active Applications: Resumes or completed Veneta Employment Applications received in the recruitment process.

Anniversary Date: Administrative date an employee begins working in a particular position as a new hire or newly promoted or reclassified position. This date is used for determining when performance evaluations are due.

Appointing Authority: Any person or group vested with the authority to employ, discipline or terminate an employee in a position in City service.

COBRA: An acronym for "Consolidated Omnibus Budget Reconciliation Act" of 1974, which grants certain rights to continued insurance coverage, and protection concerning retirement funds for employees and dependents.

Compensatory Time Off: Paid time off provided in lieu of overtime pay.

Controlled Substances: All forms of narcotics, depressants, stimulants, hallucinogens, and cannabis, whose sale, purchase, transfer, use or possession is prohibited or restricted by law.

Cost of Living Adjustment: A periodic, optional change to the base wage of all regular positions within the City's Organizational Chart.

Disability: Any physical or mental impairment which is legally protected under either federal or state laws or regulations.

Disciplinary Probation: A probationary period imposed upon an employee for disciplinary reasons, of such duration as the supervisor who imposes such probation may specify.

Employee: A person employed by the City of Veneta to perform the duties and responsibilities of the position to which they are assigned.

Employee Status: Regular, Introductory/Probationary, Promotional Probationary, Disciplinary Probationary or Seasonal/Temporary.

Exempt Position: A position that meets the definition of a classification or skill levels that is considered exempt under FLSA. Generally, Administrative, Supervisory, or Confidential positions. Employees assigned to one of these positions are not paid overtime nor are they eligible to accrue compensatory time.

Family member: means the eligible employee's spouse, same-gender domestic partner (as described in ORS 106.300 to 106.340) biological child, adopted child, stepchild, foster child, same-gender's domestic partner's child, parent, adoptive parent, stepparent, foster parent, parent-in-law, same-gender's domestic partner's parent, grandparent, grandchild; and any individual with whom the employee has or had an *in loco parentis* relationship.

Full-Time Position: A position, in which the regularly scheduled hours of work are forty (40) hours per week. Employee(s) in full-time positions shall be compensated on a salaried basis.

Hire Date: The date that the City's employment offer letter is signed by the new employee.

Immediate Family: Shall include the employee's wife, husband, son, daughter, mother, father, brother, brother-in-law, half-brother, sister, sister-in-law, half-sister, son-in-law, daughter-in-law, mother-in-law, father-in-law, grandparents of employee or employee's spouse, grandchild, aunt, uncle, niece, nephew, stepparent or stepchild.

Introductory and Promotional Probationary Employee: An employee who has been newly hired or newly assigned to a position, to work full or part-time, who has not yet satisfactorily completed their probationary period.

Introductory Period: A period of time, a minimum of six (6) months in duration, during which new employees are in an introductory status and are required to demonstrate, to the satisfaction of City, fitness and competence for the position to which appointed or hired. Introductory employees shall be eligible to use vacation and sick leave during their introductory period of employment up to the amount of vacation or sick leave accrued.

Lay-off: Termination due to a shortage of funds, materials, or for involuntary reasons not reflecting discredit upon the performance of the employee.

Merit Increase: An adjustment in an employee's wage up to the next higher Step in the wage range for their position as shown on the City's Compensation Plan.

Meritorious Performance: Performance deserving of reward or merit.

Military Leave: A leave of temporary absence granted to employee(s) while serving in the US Armed Forces, Reserves, National Guard, or the United States Health Service.

Non-Exempt Position: A position that does not meet the definition of an Administrative, Supervisory, or Confidential position according to FLSA. Employees assigned to one of these positions are paid overtime and/or are eligible to accrue and use compensatory time as required by law.

OPERS: Oregon Public Employees' Retirement System.

Over-The-Counter Medicine: Medicine which is generally available without a prescription from a licensed practitioner/physician or dentist and are limited to medicine that is capable of impairing the judgment of an employee to safely perform his or her duties.

Part-Time Position: A position, in which the regularly scheduled hours of work are less than forty (40) hours per week. Employee(s) in part-time positions shall be compensated by the hour.

Position Classifications: Management, Professional/ Supervisory, Skilled I, II, III, Seasonal, or Temporary. Within each of those classifications, the positions can be further classified as exempt or non-exempt and full or part time.

Position Vacancy: A position which becomes vacant when a current employee has been promoted, is

voluntarily or involuntarily demoted, separated, terminated, or has retired.

Prescription Drugs: Drugs which are used in the course of medical treatment and have been prescribed and authorized for use by a licensed practitioner/physician or dentist and are limited to those drugs which are capable of impairing the judgment of an employee to safely perform his or her duties.

Promotion: Movement of an employee from one position to a position with a broader scope of, or more, responsibilities, and/or higher mandatory requirements.

Promotion Introductory Period: A period of time, generally six (6) months in duration, during which newly promoted employees are required to demonstrate, to the satisfaction of City, fitness and competence for the position to which promoted.

Protective Hairstyles: hairstyle, hair color or manner of wearing hair, including braids (regardless of whether the braids are created with extensions or styled with adornments, locs and twists).

Race: A fluid concept used to group people according to various factors including ancestral background and social identity. Race is used to group people that share a set of visible characteristics, such skin color and facial features, and also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hair styles).

Reasonable Suspicion: Specific articulable observations by a supervisory employee concerning the work performance, appearance, odors, behavior, or speech

of the employee, or any accident or incident involving property damage, physical injury to any person where human factors contribute to the incident and a question of sobriety short of reasonable suspicion exists. Although reasonable suspicion testing does not require certainty, mere "hunches" are not sufficient to meet this standard.

Refusal: Failure to appear for testing without a deferral will be considered refusal to participate in testing, and will subject an employee to the range of disciplinary actions, including termination, and an applicant to the cancellation of any offer of employment.

Regular Employees: An employee who has been assigned to a position, to work full or part-time, with indefinite duration following satisfactory completion of the introductory period or promotional probationary period.

Resignation: Voluntary termination of employment by an employee.

Searches: Employees shall have no expectation to be free from search of a locker, desk or contents of other similar City-controlled spaces. The search of any area used exclusively by an employee (when directed at or against an employee due to suspicion of a violation of this policy) shall be based on reasonable belief that the employee possesses any controlled substance. Such a search shall be approved by the department head or the department head's designee, and, if possible, notice to the employee and an opportunity to be present shall be given.

Seasonal Employees: Employees who are hired to work, full or part time, for a period of five months or less. Seasonal

employees are at-will employees who can be terminated at any time, with or without cause, and without benefit of the disciplinary procedures set forth herein. No grievances may be filed over termination of a seasonal employee. Seasonal employees shall be paid on an hourly basis and are not eligible for leave time or other benefits unless mandated by law.

Service Animal: A service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

Start Date: The first day of work. This date will be used to determine the accrual level for vacation and years of service.

Supervisor: Any person responsible for assigning tasks to and evaluating the performance of employees, and who may hire and discipline employees, or recommend to the city administrator to suspend (with or without pay) or terminate employees.

Temporary Employees: Employees who are hired to work full or part time, for a limited time, or for a particular project or projects, regardless of duration. Temporary employees are at-will employees who can be terminated at any time, with or without cause, and without benefit.

Transfer: Movement of an employee from a specifically described position of employment and pay level in one department, to a similar position and pay level in another department.

Under the Influence: any detectable level of drugs in an employee's blood or urine or any noticeable or perceptible impairment

of the employee's mental or physical faculties. With respect to alcohol, a blood alcohol content of .04 percent constitutes being "under the influence" while on duty.

Veteran: A person who served on active duty with the Armed Forces of the United States and was discharged or released from active duty with other than a dishonorable discharge.

Volunteers: Persons who perform service for civic, charitable or humanitarian reasons without promise, expectation, or receipt of compensation for the services rendered, who offer their services freely and without coercion, direct or implied, from the City; and who are not otherwise employed by the City to perform the same services as those for which they volunteer. A volunteer performing such service shall receive reimbursement for authorized expenses.

4.00. Employment Ethics

- 4.10. Ethics
- 4.20. Confidentiality
- 4.30. Misrepresentation
- 4.40. Outside Employment
- 4.50. Off Duty Conduct
- 4.60. Criminal Acts
- 4.70. Political Activity
- 4.80. Drug Free Workplace
- 4.90. Smoke-Free Workplace
- 4.100. Personal Use Restrictions

4.10. Ethics

4.10.10. The City of Veneta believes in treating people with respect and adhering to ethical and fair business practices. We expect employees to avoid situations that might cause their personal interests to conflict with the interests of the City or situations that may compromise their reputation or integrity.

4.10.20. Employees who violate the Ethics Policy or who create an equally detrimental impact on the organization may be subject to disciplinary action up to and including termination.

4.10.30. The City of Veneta employees are public employees, and as such, are subject to the State of Oregon's ethics laws. In some cases, these laws are very specific, such as prohibitions on gifts and strict definitions of conflict of interest. Information on ethics laws is available at the Oregon Government Ethics Commission website, <http://www.oregon.gov/OGEC/>.

4.10.40. Employees should talk with their manager if they have questions about whether or not an activity meets the City of Veneta's or Oregon's ethical standards.

4.20. Confidentiality

4.20.10. Employees working at the City have access to highly confidential, legally protected, and proprietary information of customers and other employees. Confidential information includes all information acquired by an employee during the course of employment that is of economic value to the City and not generally available to the public, including legally protected information such as financial records and reports, payroll, employee confidential records and personnel file, and business plans. The unauthorized disclosure of such information would have a material adverse impact on the integrity of the City and would have an adverse impact on our relationships with our citizens and co-workers.

4.20.20. No records or information including (without limitation) protected medical data, documents, files, records, computer files or similar materials (except in the ordinary course of performing duties on behalf of the City) may be removed from our premises without permission from the City Administrator or designee.

4.20.30. The contents of records or information obtained due to one's employment or position with the City in regard to City business or City employees may not be disclosed, except where required for a business purpose or required public disclosure.

4.20.40. Employees are subject to appropriate disciplinary action up to, and including, termination for revealing information of a confidential nature.

4.30. Misrepresentation

4.30.10. City employees should consider how they represent the City in business transactions and interactions. Employees shall not misrepresent City policies, practices, procedures, or prices, or misrepresent their status and authority to enter into agreements. Employees may not use the City's name, logo likeness, facilities, assets or other resources, or the authority of their position with the City for personal gain or private interests, or create an equally detrimental impact on the organization.

4.40. Outside Employment

4.40.10. Employees may accept outside employment, whether part-time, temporary or regular, provided such employment:

- a. Discussed with direct supervisor.
- b. Is approved by the City Administrator.
- c. In no way detracts from the efficiency of the employee's work for the City of Veneta.
- d. In no way conflicts with the interest of the City or is a discredit to the City.
- e. Does not take precedence over extra work required by City employment.

4.40.20. The City Administrator or City Council may, at any time, revoke permission to hold outside employment in the event the City Administrator or City Council determines that the above conditions have not been satisfied.

4.50. Off Duty Conduct

4.50.10. The City regards the off-duty activities of employees to be their own personal matter. However, there are

certain types of off-duty activities that are of concern because of the potential negative impact on the City's reputation within the community we serve. For that reason, employees who either engage in, or are associated with, criminal acts or discriminatory conduct may be subject to disciplinary action including termination.

4.50.20. For purposes of this section, off-duty activities also include participation in criminal or discriminatory conduct in online activities, including, but not limited to, forms of online publishing and discussion such as blogs, wikis, file-sharing, user-generated video and audio, virtual worlds and social networks.

4.60. Criminal Acts

4.60.10. Employees are required to report

- a. All drug- or alcohol- related arrests, citations, convictions, guilty pleas, no contest pleas or diversions that result from conduct which occurred while on duty, on City property, in a City vehicle, while representing the City at a function or event, while in uniform, or that would reasonably negatively affect the public's trust in your position or your Department;
- b. All arrests, citations, convictions, guilty pleas, no contest pleas that result from crimes involving the theft or misappropriation of property, including money; or
- c. If you are arrested, cited or convicted of a violation of any law that will prevent you from performing any of the functions of your position or prevent you from driving a City vehicle during your work.

The employee must report the matter to the City Administrator within two business days

and must submit documentation concerning the incident or incidents.

4.60.20. Reporting of an arrest or conviction will not automatically result in termination of employment. The City will review the underlying facts of the matter; any action taken will be on a case-by-case basis, taking into account the totality of the circumstances. Actions may range from no action to disciplinary action including termination.

4.60.30. Failing to report a conviction described in 4.60.10 above constitutes grounds for termination, as does misrepresentation of the circumstances of the events.

4.60.40. Employees who are unavailable to report for work due to incarceration may not use sick leave to cover the absence, and may be subject to disciplinary action, including termination.

4.70. Political Activity

4.70.10. It is the policy of the City of Veneta that employees of the City shall not simultaneously hold an elective municipal office with the City of Veneta.

4.70.20. In accordance with ORS 260.432, or any amendment thereto, no person shall attempt to, or actually coerce, command, or require a public employee, and no City employee shall use City employment, to solicit any money, influence, service, including signatures or other thing of value, or otherwise aid or promote any political committee, or the nomination or election of any person to public office, while on the job during working hours. However, nothing in this section is intended to restrict the right of a public employee to express the employee's personal political views,

support candidates and/or ballot issues, vote in any election or be disciplined or rewarded in any manner for either giving or withholding money or services for any political committee or campaign.

4.80. Drug Free Workplace

4.80.10. Statement of Concern. The City has a responsibility to its employees and the public to insure safe working conditions for its employees and a productive City workforce unimpaired by chemical substance abuse. To satisfy these responsibilities, City must preserve a work environment free from the effects of Controlled Substances, alcohol, or other performance-impairing substances.

4.80.20. Policy. The misuse of alcohol and other substances can impair employee performance, as well as physical and mental health, and may jeopardize employee safety as well as the safety of the public. The City is committed to maintaining a safe and healthy work place for all employees by identifying the misuse of alcohol and substances, and by assisting employees to overcome substance or alcohol related problems through appropriate treatment and, if necessary, disciplinary action. Notwithstanding the terms of this policy, each employee is responsible for meeting performance, safety and attendance standards.

The City has a responsibility pursuant to the Drug Free Workplace Act of 1988. The City is a Drug Free Workplace. Employees shall not report to work Under the Influence of any alcohol or Controlled Substance (including medical marijuana). All employees understand that the use, sale, possession, manufacture, distribution and/or dispensing by an employee of any alcohol, Controlled Substance, or any other

substance which impairs job performance or poses a hazard to the safety and welfare of the employee, other employees, or the public, is strictly prohibited. Conduct in violation of this policy may result in disciplinary action and/or criminal investigation, where appropriate. Employees should expect this policy to be enforced and administered in a manner consistent with the statements of concern and policy set forth in this section.

All medical and rehabilitation records containing protected health information which are in the possession of the City will be deemed confidential "patient" records and may not be disclosed without the prior written consent of the patient, authorizing court order, or otherwise as permitted by Federal law implemented at 42 CFR Part 2.

4.80.30. Reports of Permitted Use. Each employee must report the use of Prescription Drugs, or any other substances which the employee knows or should know can impair job performance to the immediate supervisor and provide the supervisor proper written medical authorization from a licensed practitioner/physician while using such authorized substances. An employee whose impairment may affect job performance should take sick leave or other steps consistent with the advice of a licensed practitioner/physician. It is the employee's responsibility to determine by asking his or her practitioner or physician whether the Prescribed Drug or other substance will impair job performance. If an employee reports to work under the influence of Prescribed Drugs or other substances and endangers himself/herself or others, the employee may be disciplined. Any failure to report the use of such Prescribed Drugs or other substances, or failure to provide evidence of medical

authorization, can result in disciplinary action.

4.80.40. Oregon Medical Marijuana Program (OMMP). The City does not make any accommodation for holders of OMMP cards.

4.80.50. Reports of Drug Conviction. No later than five (5) days after any arrest or conviction for the violation of any criminal drug statute, the employee shall report the arrest or conviction and the facts and circumstances surrounding it in writing to the City Administrator.

4.80.60. Employee Education. The City may afford employees an opportunity to seek professional assistance regarding any Controlled Substance and/or alcohol related problems. Any City employee may seek such advice, information and assistance voluntarily. Medical confidentiality will be maintained, consistent with this policy and Oregon law.

4.80.70. Employee Assistance. Any employee who voluntarily requests assistance in dealing with a personal Controlled Substance and/or alcohol problem may do so through a private treatment program for Controlled Substance and alcohol problems.

If an employee seeks Controlled Substance/alcohol treatment voluntarily and is not subject to any adverse employment actions, documented performance concerns, or discipline, accrued sick leave benefits may be used while attending rehabilitation. After such accommodation, the discontinuation of any involvement with Controlled Substances, alcohol, mis-used Prescription Drugs, or other intoxicating substances, shall be an essential requisite for continued

employment, and is consistent with City's policy of maintaining an impairment-free workplace.

4.80.80. Discipline Related to Prohibited Use of Controlled Substances, Prescription Drugs, or Alcohol. An employee may be found to use alcohol, Prescription Drugs, or Controlled Substances on the basis of any appropriate evidence including, but not limited to:

- a. Direct observation;
- b. Evidence obtained from an arrest or criminal conviction;
- c. A verified positive test result; or
- d. An employee's voluntary admission.

As a result of disciplinary action arising from the prohibited use of Controlled Substance, Prescription Drug, or alcohol, an employee may be required to participate in a treatment program as a condition of continued employment. A supervisor, based on Reasonable Suspicion that such prohibited use is a factor in employment, may require an employee to be evaluated for Controlled Substance, Prescription Drug, and alcohol misuse and treatment. An employee may be required to participate in follow-up care as part of a comprehensive treatment program based upon medical advice.

As a condition of continuing employment, an employee may be required to authorize the City to monitor the employee's treatment and satisfactory participation in such treatment programs, and to submit to random blood and urine screenings for a specified period of time not to exceed 36 months in any situation where treatment is the result of City intervention. Medical confidentiality will be preserved, subject to rights granted by the employee to City to monitor treatment and program compliance.

4.80.90. Random Drug Test. Employees in safety-sensitive positions, such as field employees, lifeguards, and employees with Commercial Drivers' Licenses are subject to random drug testing as mandated by federal law.

4.80.100. Search of Property Upon Reasonable Suspicion.

When Reasonable Suspicion exists to believe an employee possesses alcohol or a Controlled Substance on City property, or has otherwise violated provisions of this rule regarding possession or use of Controlled Substances, Prescription Drugs, or alcohol, the City maintains the right to conduct unannounced inspections of city owned property, including work stations, equipment, desks, cabinets, etc. for the purpose of checking for alcohol and Controlled Substances. The City may search the employee's possessions located on City property, including but not limited to clothes, locker, lunchbox, toolbox, and City vehicle. Employees should have no expectation of privacy in any items they bring on to City property, or in property, equipment or supplies provided by the City to the employee.

4.80.110. Testing Upon Reasonable Suspicion. Where a supervisory employee of the City has a Reasonable Suspicion that an employee is under the influence of alcohol, unreported Prescription Drugs, or Controlled Substances, the employee in question will be asked to submit to discovery testing including urinalysis or a blood screen, or both. If alcohol or Controlled Substance use is confirmed, sick leave benefits will not apply if the employee seeks treatment, even if treatment is imposed as a condition of return to work or continued employment. Positive test results may only be disclosed to the

employee, Department Head, City Administrator, City Attorney, insurance company, or a court of law or administrative tribunal in any adverse personnel action.

4.80.120. Consequence of a Positive Test. An employee who is found to be under the influence of or impaired by alcohol, unreported Prescription Drugs, or a Controlled Substance as a result of a test requested by the City based upon Reasonable Suspicion may be subject to disciplinary action, up to and including termination.

4.80.130. Employee Refusal to Test or Search. An employee who refuses to submit to a test or a search when there is reasonable cause that an employee has violated this alcohol or Controlled Substances policy is subject to disciplinary action, up to and including termination. The reasons for the refusal shall be considered in determining the appropriate disciplinary action.

An employee who refuses to cooperate with any tests required by this policy is also subject to discipline, up to and including termination. This includes, but is not limited to, tampering with, or attempting to tamper with, a specimen sample, using chemicals or other ingredients to mask or otherwise cover up the presence of metabolites, drugs, or alcohol in a specimen, or providing a blood or urine specimen that was produced by anyone other than the employee being tested.

4.80.140. Testing Procedure. When the employee is notified that he or she is required to consent and submit to such tests, he or she may request the presence of a representative to witness the test. The test shall not be delayed unreasonably, however, in order to wait for a

representative. The absence of a representative shall not be grounds for the employee to refuse to consent and submit to such tests or searches. The presence of a representative shall not disrupt or interfere with the tests or searches.

The employee shall give consent to a blood, urine or breathalyzer test, or any combination, upon request, by signing a consent form. The form shall contain the following:

- a. A signature line for the employee to sign evidencing the employee's consent to the release of the test results to City;
- b. An explanation of the procedure for confirming an initial positive test result for a Controlled Substance, including marijuana;
- c. A statement of the consequences of a confirmed positive test result for a Controlled Substance, including marijuana;
- d. A statement of the consequences of a confirmed positive test for alcohol;
- e. A statement of the consequences of refusing to consent to the blood, urine, breathalyzer or other test.

The employee shall be furnished an opportunity to include on the consent form a list of Prescribed Drugs and Over-the-Counter Medications which may be in the employee's body. The employee shall also be afforded the right to explain a confirmed positive test result.

4.80.150. In the event that the blood or urine test results are positive for Controlled Substance(s), including marijuana, City shall require that a second confirming test from the same sample be conducted, using gas chromatography/mass spectrometry techniques or a qualitative equivalent, which also must be positive before

concluding the employee has such substances(s) present in the body.

4.80.160. If a blood or confirmed urine test is positive, the City will instruct the laboratory to retain the blood or urine sample for a period of not less than thirty (30) calendar days from the date the tests are complete for the purposes of allowing the employee to conduct an independent test at his or her own expense at a laboratory approved by the City.

4.80.170. The procedures to obtain, handle and store blood and urine samples and to conduct laboratory tests shall be documented to establish procedural integrity and an uncompromised chain of evidence. Such procedures shall be administered with due regard for the employee's privacy and the need to maintain the confidentiality of test results consistent with this Policy. The employee shall be notified of the results of all tests conducted pursuant to this Policy.

4.90. Smoke-Free Workplace

4.90.10. The City provides a tobacco-free environment for all employees and visitors. For purposes of this policy, "tobacco" includes the smoking of any tobacco-based product, smoking in any form (including, without limitation, vaping devices, cigars and e-cigarettes), and the use of oral tobacco products or "chew/spit" tobacco. Marijuana is also prohibited under this policy. This policy applies to employees, volunteers, and any visitors to City property, vehicles or facilities/buildings.

4.90.20. If an employee wishes to use tobacco, the employee must do so outside of the City's facilities/buildings, only in designated smoking areas, and out of visitor view. Smoking is not allowed near

building entrances; Oregon law prohibits smoking within 10 feet of building entrances and other openings, including second-story windows.

4.100. Personal Use Restrictions

4.100.10. On-site personal use of City owned office equipment, including computers, copier, facsimile, and Internet access is allowed on off-duty hours or during break or lunch periods so long as it:

- a. Involves only minimal additional expense to the City;
- b. Does not interfere with official City business;
- c. Does not support a personal private business; and
- d. Does not involve or support activities that are illegal, are offensive or inappropriate for the workplace, or otherwise violate this Handbook.

4.100.20. Off-site personal use of City owned equipment is prohibited.

4.100.30. Employees using City owned equipment should have no expectation of privacy regarding anything that is on the computer in their work area. The City, at any time, may review such material and work area.

5.00. Equal Employment Opportunities Policies

- 5.10. Equal Employment Opportunity
- 5.20. Americans with Disabilities Act (ADA)
- 5.30. Pregnancy Accommodation Policy
- 5.40. No-Harassment Policy
- 5.50. Bullying in the Workplace
- 5.60. Sexual Harassment
- 5.70. Employment Eligibility Verification
- 5.80. Veterans' Preference in Hiring
- 5.90. Whistleblower
- 5.100. Meeting Participation
- 5.110. Religious Accommodation
- 5.120. Service Animals
- 5.130. Domestic Violence
- 5.140. Harassment Complaint Procedure
- 5.150. No Retaliation
- 5.160. Bulletin Board Postings

5.10. Equal Employment Opportunity

5.10.10. It is the City's policy to employ, retain, promote, discipline, terminate, and otherwise treat all employees and job applicants on the basis of merit, qualifications and competence. The City provides equal employment opportunity to all qualified employees and applicants without unlawful regard to race, color, religion, sex, gender identity, pregnancy (including childbirth and related medical conditions), sexual orientation, national origin, age, disability, genetic information, veteran status, domestic violence victim status, political affiliation, or any other status protected by applicable federal, Oregon, or local law. The City also recognizes an employee's right to engage in protected activity under Oregon and federal law, as discussed in various policies below, and will not retaliate against an employee for engaging in protected activity.

5.10.20. Statement Regarding Pay Equity. The City supports Oregon's Pay Equity Law and federal and Oregon laws prohibiting discrimination between employees on the basis of a protected class (as defined by Oregon law) in the payment of wages or other compensation for work of comparable character. Employees who believe they are receiving wages or other compensation at a rate less than that at which the City pays wages or other compensation to other employees for work of comparable character are encouraged to discuss the issue with the City Administrator.

5.10.30. Offers of employment, including promotions, may, depending on the physical requirements of the essential functions of the particular job, require the applicant(s) take an appropriate medical examination, and pre-employment drug screen. Information obtained as a result of medical examinations will be limited to job related inquiries and specific physical job functional requirements consistent with business necessity. Results are maintained in the employee's confidential file.

5.10.40. The City Council is the coordinator for the City's procedures and for the implementation of this policy. It is the intent of the City of Veneta to apply these policies to all employment related practices, including, but not limited to: job application and testing; hiring; promotion; demotion; termination; tenure; compensation; training; recruitment; advertising of job openings; lay-off and recall; leaves of absence; fringe benefits; and all other employment related activities.

5.10.50. Any violation of this policy should immediately be brought to the attention of the City Administrator or if the City Administrator is alleged to have violated the policy, to the Mayor, who will contact the

District's attorney and will institute an appropriate investigation as deemed necessary to substantiate the facts surrounding the alleged violation. Based on this information, disciplinary action to correct the violation may be taken if indicated by the facts of the case, and a written record will be maintained containing the results of the investigation.

5.20. Americans with Disabilities Act (ADA)

5.20.10. The Americans with Disabilities Act (ADA) is a comprehensive federal civil rights law that specifically protects individuals with physical and mental disabilities. The City is committed to fully complying with the ADA and Oregon's disability accommodation and anti-discrimination laws. The City is also committed to ensuring equal opportunity in employment for qualified persons with disabilities.

5.20.20. Reasonable accommodation may be available to employees and applicants, as long as the accommodation doesn't cause undue hardship for the City. Individuals protected by the ADA should discuss their need for possible accommodation with Human Resources staff or the City Administrator.

5.20.30. Employees should request an accommodation as soon as it becomes apparent that a reasonable accommodation may be necessary to enable the employee to perform the essential duties of the position. All requests for an accommodation should be made with the employee's supervisor, and should specify which essential functions of the employee's job cannot be performed without a reasonable accommodation. In most cases, an employee will need to secure medical verification of his or her need for a reasonable accommodation. Both the City

and the employee must monitor the employee's accommodation situation and make adjustments as needed.

5.20.40. The City prohibits retaliation or discrimination against any employee who, under this policy:

- a. Asks for information about or requested accommodations;
- b. Uses accommodations provided by the City; or
- c. Needs an accommodation.

5.20.50. Employees who ask about, request or use accommodations under this policy and applicable Oregon law have the right to refuse an accommodation that is unnecessary for the employee to perform the essential functions of the job or when the employee doesn't have a known limitation. Under Oregon law, an employer can't require an employee to use OFLA leave if a reasonable accommodation can be made that doesn't impose an undue hardship on the operations of the City. Also, no employee will be denied employment opportunities if the denial is based on the need of the City to make reasonable accommodations under this policy.

5.30. Pregnancy Accommodation Policy

5.30.10. Employees who are concerned that their pregnancy, childbirth, or a related medical condition (including lactation) will impact their ability to work should contact their supervisor to discuss their options for continuing to work and, if necessary, leave of absence options. The City will provide one or more reasonable accommodations pursuant to this policy for employees with known limitations unless such accommodations impose an undue hardship on the City's operations.

5.30.20. Although this policy refers to "employees," the City will apply this policy equally to an applicant with known limitations caused by pregnancy, childbirth or a related medical condition.

5.40. No-Harassment Policy

5.40.10. The City prohibits harassment and sexual assault of any kind in the workplace, or harassment and sexual assault outside of the workplace that violates its employees' right to work in a harassment-free workplace. Specifically, the City prohibits harassment or conduct related to an individual's disability, race (includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hair styles), color, national origin, religion, gender, gender identity, age, genetic information, sexual orientation, veteran status, military status, pregnancy, domestic violence victim status, retaliation for opposing unlawful employment practices, association with members of a protected class, marital status, injured worker status, non-supervisory family relationships, or any other protected class, regardless of whether that harassment is targeted specifically at the employee. Such harassment is prohibited whether committed by a City employee or by non-employees, such as elected or appointed officials, volunteers, interns, or contractors or vendors working with the City.

Employees who believe that they have been subjected to harassment, discrimination or retaliation may voluntarily disclose information regarding an incident of workplace harassment that involves them as a victim. The City encourages all employees to document and report any incidents of workplace harassment.

5.40.20. City policy prohibits harassment such as verbal, written or physical conduct that denigrates, makes fun of, or shows hostility towards an individual because of that individual's protected class or protected activity, and can include:

- Jokes, pictures (including drawings), epithets, or slurs;
- Negative stereotyping;
- Displaying racist symbols anywhere on City property;
- "Teasing" or mimicking the characteristics of someone with a physical or mental disability;
- Criticizing or making fun of another person's religious beliefs, or "pushing" your religious beliefs on someone who doesn't have them;
- Threatening, intimidating, or hostile acts that relate to a protected class or protected activity; or
- Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of the protected status.
- Negative comments or teasing a person about their natural hair, hair texture, hair type or protective hair style. Employees may not touch another employee's hair without permission to do so, even if the touch is extended out of curiosity or as a compliment.

5.40.30. The above are examples of prohibited conduct and will not be tolerated. Each member of management is responsible for creating an atmosphere free of discrimination, harassment, and sexual assault. Each member of management is responsible for creating an atmosphere free of discrimination, harassment, and sexual assault. Further, all employees are

responsible for respecting the rights of other employees and to refrain from engaging in conduct prohibited by this policy, regardless of the circumstances, and regardless of whether others participated in the conduct or did not appear to be offended.

5.50. Bullying in the Workplace

5.50.10. The City strives to promote a positive, professional work environment free of physical or verbal harassment, "bullying" or discriminatory conduct of any kind. The City, therefore, prohibits employees from bullying one another or engaging in any conduct that is disrespectful, insubordinate or that creates a hostile work environment for another employee for any reason. For purposes of this policy, "bullying" refers to repeated, unreasonable actions of individual (or group of) employees directed towards an individual or group of employees, which is intended to intimidate and that creates a risk to the health and safety of the employee.

5.50.20 Examples of workplace bullying behavior include:

- a. **Verbal Bullying:** Slander, ridiculing or maligning a person or their family, persistent name calling which is hurtful, insulting or humiliating, abusive or offensive remarks, using a person as the brunt of jokes or mockery.
- b. **Physical Bullying:** Pushing, shoving, kicking, poking, tripping, assault, or threat to a person's work area or property.
- c. **Gesture Bullying:** Non-verbal threatening gestures, glances that can convey threatening messages.
- d. **Exclusion Bullying:** Socially or physically excluding or disregarding a person in work-related activities. In

some cases, failing to be cooperative and working well with others may be viewed as bullying.

- e. **Cyber Bullying:** Bullying that takes place using workplace electronic technology, which includes devices and equipment such as cell phones, computers, and tablets as well as communication tools including social media sites, text messages, chat, and websites.

This is not a complete list. All employees are expected to exercise common sense and refrain from other similar kinds of conduct.

5.60. Sexual Harassment

5.60.10. 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 (regardless of whether such conduct is welcome) where:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals, or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

5.60.20. 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, but not limited to 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 the sexual conduct, flirtations, sexual prowess, comments about an individual's body, talking about sex life or asking others about their sex life. Sexual harassment also includes making derogatory remarks about individuals who are gay, lesbian, bisexual or transgender; or discriminatory treatment based on sex. 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.

5.60.30. Employees, volunteers or interns who have experienced a sexual assault, any harassment, discrimination in violation of this policy, who have witnessed such behavior, or who have credible information about such behavior occurring, are expected to and should bring the matter to the attention of Human Resources or City Administrator, or a supervisor or member of management as soon as possible. Employees are strongly encouraged to document the information or incident in any written or electronic form, or with a voice mail message (or phone call). An employee who experiences or witnesses harassment is encouraged, but not required, to tell the harasser that the behavior is offensive and unwanted, and that he/she wants it to stop.

5.60.40 All complaints and reports will be promptly and impartially investigated and will be kept confidential to the extent possible, consistent with Oregon law and the City's need to investigate the complaint and address the situation. If conduct in violation of this policy is found to have occurred, the City will take prompt, appropriate corrective action, and any

employee found to have violated this policy will be subject to disciplinary action, up to and including termination of employment.

Employees who have been subjected to harassment, sexual assault, or discrimination are encouraged to use the City's complaint-reporting procedure, described above, to ensure a timely, thorough investigation and handling of the situation. Employees may, however, seek redress from the Oregon Bureau of Labor and Industries (BOLI) pursuant to ORS 659A.820 to 659A.865, or in a court under any other available law, whether criminal or civil. Although the City cannot provide employees with legal advice, employees should be aware of the statute of limitations applicable to harassment or discrimination claims under ORS 659A.030, 659A.082 or 659A.121 (five years). Further, before an employee can take any legal action against the City the employee must provide written notice of the claim within 180 days of the act or omission the employee claims has caused him/her harm. When an employee can prove harm as a result of unlawful harassment or discrimination in an administrative proceeding or in a court, remedies available to the employee include enforcement of a right, imposition of a penalty, or issuance of an order to the employee's employer (in limited circumstances).

5.60.50. The City prohibits retaliation in any way against an employee because the employee has made a good-faith complaint pursuant to this policy or the law, has reported (in good faith) sexual assault, harassing or discriminatory conduct, or has participated in an investigation of such conduct.

5.70. Employment Eligibility Verification

5.70.10. In conformity with the Immigration Reform and Control Act of 1986 (IRCA), we

hire only those who are eligible to work in the United States. Verification documentation is required of all new hires, and employees are expected to inform the City immediately if their eligibility changes.

5.70.20. After an individual is employed by the City (as allowed by law) the City may choose to use the federal E-Verify program to validate social security numbers, or the City may use other methods for verifying social security numbers.

5.70.30. Expired documents are not valid documents for I-9 purposes, unless expressly allowed by federal law.

5.70.40. Existing employees are expected to provide current valid documents, as applicable, for re-verification purposes when such requests are made by the City Administrator or designee.

5.80. Veterans' Preference in Hiring

5.80.10. The City may give preference to veterans, when making hiring decisions. The City does not discriminate against individuals based on current or prior military service.

5.90. Whistleblower

5.90.10. The City does not discriminate against employees who report in good faith alleged violations of state or federal laws, rules, or regulations.

5.100. Meeting Participation

5.100.10. The City does not take adverse employment action against employees who choose not to attend the City-sponsored meetings where the City's "position" regarding religious or political matters, will be presented.

5.110. Religious Observances Leave and Accommodations

5.110.10. The City respects the sincerely held religious beliefs and observances of all employees. The City will make, upon request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on the City's business, this may also include accommodating the wearing of religious clothing.

5.110.20. With supervisor approval, an employee may use vacation or other available leave for religious activities; if accrued leave is not available, then an employee may request to take unpaid leave (refer to the City's Leave without Pay Policy 10.120.30.) Requests for religious leave or accommodation may require the requesting employee to provide proof of the "sincerely held" religious belief.

5.120. Service Animals

5.120.10. The City may consider a service animal a reasonable accommodation.

5.130. Domestic Violence

5.130.10. The City does not discriminate against employees who are victims of domestic violence, sexual assault, or stalking.

5.140. Harassment Complaint Procedure

5.140.10. Employees, volunteers, or interns who are subject to, or aware of, what they believe to be sexual assault, harassment, or discrimination in a violation of any City policies, are expected to bring the matter to the attention of a supervisor, Human

Resources or City Administrator as soon as possible. Employees are strongly encouraged to document the information or incident in any written or electronic form, or with a voice mail message. An employee who experiences or witnesses harassment is encouraged, but not required to tell the harasser that the behavior is offensive and unwanted, and that they want it to stop.

5.140.20. All complaints and reports will be promptly and impartially investigated and will be kept confidential to the extent possible, consistent with the City's need to investigate the complaint and address the situation. If conduct in violation of this policy is found to have occurred, the City will take prompt, appropriate corrective action, and any employee found to have violated this policy will be subject to disciplinary action, up to and including termination of employment.

5.140.30. Employees who have been subjected to harassment, sexual assault, or discrimination are encouraged to use the City's complaint-reporting procedure, described above, to ensure a timely, thorough investigation and handling of the situation. Employees may, however, seek redress from the Oregon Bureau of Labor and Industries (BOLI) pursuant to ORS 659A.820 to 659A.865, or in a court under any other available law, whether criminal or civil. Although the City cannot provide employees with legal advice, employees should be aware of the statute of limitations applicable to harassment or discrimination claims under ORS 659A.030, 659A.082 or 659A.121 (five years). Further, before an employee can take any legal action against the City, the employee must provide written notice of the claim within 180 days of the act or omission the employee claims has caused him/her harm. When an employee can prove harm as a result of unlawful harassment or discrimination in an

administrative proceeding or in a court, remedies available to the employee include enforcement of a right, imposition of a penalty, or issuance of an order to the employee's employer (in limited circumstances).

5.140.40. Nothing in this policy is intended to diminish or discourage an employee who has experienced workplace harassment or discrimination, or sexual assault, from talking about or disclosing his/her experience.

The City is committed to creating and maintaining a workplace free of sexual assault, harassment, discrimination, and retaliation and it has confidence in the process it has developed for addressing good-faith complaints. However, Oregon law requires the City to inform employees that if they have been aggrieved by workplace harassment, discrimination or sexual assault and want to enter into an agreement with the City regarding his/her experience and/or employment status, the employee should contact Human Resources. The employee's request to enter into such an agreement must be in writing (email or text is acceptable). Requests of this nature will be considered on a case-by-case basis; such agreements are not appropriate for every situation. If the City and employee do reach an agreement, the City will not require an employee to enter into a nondisclosure agreement (which would prohibit the employee from discussing or communicating about his/her experiences in the workplace or the terms of the agreement) or a non-disparagement agreement (which would prohibit the employee from speaking slightlying about the City or making comments that would lower the City in rank or reputation). If, however, the employee makes a request for an agreement under this paragraph, nondisclosure and non-disparagement are

terms that the City and the employee may agree to. The employee will have seven days to revoke the agreement after signing it.

5.150. No Retaliation

5.150.10. If you believe you have been discriminated against or harassed, or if you witness or suspect any violation of our policies, you should report the matter immediately to any member of management or to the City Administrator,

5.150.20. If the complaint is in regard to an alleged violation of these policies by the City Administrator the complaint may be directed to the Mayor.

5.150.30. The City will not retaliate against you for filing a complaint or cooperating in an investigation, and will not tolerate or permit retaliation by management, employees or co-workers.

5.150.40. The City will not tolerate unlawful retaliation against employees for engaging in protected activity. Federal Laws such as Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the American with Disabilities Act, all prohibit an employer from retaliating against an employee engaged in a protected activity.

5.150.50. A protected activity is defined as: The engaging in or exercising of a right that is protected by law. Some examples of "protected activity" under the Labor Code include:

- a. Filing or threatening to file a claim or complaint with the Labor Commissioner.
- b. Taking time off from work to serve on a jury or appear as a witness in court.
- c. Disclosing or discussing your wages.

- d. Using or attempting to use sick leave to attend to the illness of a child, parent, spouse, domestic partner, or child of the domestic partner of the employee.
- e. Engaging in political activity of your choice.
- f. For complaining about safety or health conditions or practices.

5.150.60. Any act of retaliation by a manager and/or coworker may result in serious adverse disciplinary action up to and including termination.

5.150.70. Any staff member may file a complaint with the City Administrator or the Mayor if he/she feels that they have experienced retaliation in any form.

5.160. Bulletin Board Postings

5.160.10. Various agencies in the State of Oregon and the federal government require certain posters to be displayed in a conspicuous place, where employees may regularly view them. Employers with more than one work location are generally required to display posters at each location. The City posts at the following locations: City Administrative Center, Veneta Community Pool, Public Works Yard/Building, and the Wastewater Treatment Plant.

5.156.20. These posters have been combined and placed on one single poster to as Commonly Required Postings in Oregon poster includes the:

1. Oregon State Minimum Wage poster
2. Oregon Family Leave Act poster
3. Oregon OSHA poster
4. Federal Minimum Wage poster
5. Federal Family and Medical Leave Act poster

6. EEOC "It's The Law" poster
7. Federal Polygraph Protection Notice
8. Federal USERRA (military rights) poster
9. Oregon Equal Pay Law
10. Notice of Domestic Violence Harassment, Sexual Assault or Stalking Protections
11. No Smoking
12. Worker's Compensation Insurance Compliance
13. Employment Insurance Notice (form 11)
14. Oregon ORS (260.432) Political Activity
15. Workplace Fairness Act
16. Pregnancy Disability Law

5.160.30. Certain posters must also be readily available for job applicants to view. These include the federal Polygraph Protection Act Notice; the federal Family and Medical Leave Act poster; the OR-OSHA Job Safety and Health poster ("It's the Law"); and the "Equal Employment Opportunity is THE LAW" poster. These posters are also posted at the City Administrative Center.

6.00. Hiring Procedures

- 6.10. Vacancies/New Positions
- 6.20. Nepotism
- 6.30. Application for Employment
- 6.40. Qualification Standards: New Hires/Promotions
- 6.50. Interview Board
- 6.60. Medical Examinations & Physical Demonstrations
- 6.70. Pre-Employment Drug Screening
- 6.80. Appointment / Hiring
- 6.90. Hiring and Working Hours for Minors
- 6.100. Residency Requirements

6.10. Vacancies/New Positions

6.10.10. Vacant or new City positions may be filled by a transfer or promotion of a current City Employee, or by recruitment of a new employee. Recruitment may, at the discretion of the City Administrator, be limited to current and laid-off City employees; or may be open to persons who are not current or laid-off City employees. If open recruitment is used, it shall be accomplished by means of advertising, which shall include, but not be limited to, posting the announcement on the City's website, placing the notice in the local newspaper, and listing the position on other associations' websites as applicable.

6.10.20. Applications, announcements, and all publicly circulated information shall contain the following statement: "THE CITY OF VENETA IS AN EQUAL OPPORTUNITY EMPLOYER"

6.10.30. We are an Equal Opportunity Employer. We do not discriminate on the basis of race, religion, color, sex, age, national origin, legally protected disability, marital status, or any other protected classes.

6.20. Nepotism

6.20.10. No person shall be employed by the City in a position when such employment would result in such person supervising or being supervised by a family member of the employee's immediate family. In the event that two (2) employees become immediate family members and a supervisory relationship exists, the employees and the City will jointly attempt to find an alternative work assignment for one (1) of the two (2) employees.

6.20.20. If no suitable alternative assignment or restructuring of line of command is available, it will be necessary for one of the two employees to resign. Should neither of the affected employees volunteer to resign, the City Administrator working with the Department Head shall terminate one of the employees, retaining the employee with the skills, abilities, or certifications that are, in the judgment of the City Administrator more beneficial to the City.

6.20.30. The provisions of this section shall apply to promotion, demotion, transfer, reinstatement, and new appointment or hire. The provisions of this section shall not conflict with Oregon Revised Statutes, 659A.309, or any amendments thereto.

6.30. Application for Employment

6.30.10. Application forms will be furnished by the City Administrator, or designee, to all applicants. An application form must be on file for each person being considered for a position. Resumes alone will not be accepted. The City may require that additional information be included with the application, such as letters of reference,

educational transcripts, certificates or awards.

6.30.20. Applications submitted for specific vacancies will not be retained as an active application for future vacancies; however, a new application can be submitted for each new vacancy for which the applicant wishes to apply. Application materials received from unsuccessful applicants in response to specific vacancies will be retained by the City according to the record retention laws in effect at the time.

6.40. Qualification Standards: New Hires & Promotions

6.40.10. The City Administrator, or designee, shall review each application to ascertain the individual applicant's education, experience and other qualifications for the position offered, concentrating on the applicant's ability to perform the essential responsibilities and to ascertain if the applicant meets the minimum qualifications of the position. The ascertain shall be based on one or more of the following:

- a. Information contained on the application form or other written documents submitted.
- b. Written, performance, or physical tests, or any combination thereof.
- c. Qualifications required for certification under state law.
- d. Information obtained by appropriate references as identified on application materials,
- e. Information gained from completing a criminal background check if applicant is at least 18 years old.

6.50. Interview Board

6.50.10. An oral interview board shall be appointed for the purpose of interviewing

qualified applicants. The interview board at a minimum shall consist of the following:

- a. The relevant Department Head or designee
- b. The City Administrator or designee
- c. Other members as is appropriate and approved by the City Administrator, or designee, for the position being filled.

6.50.20. In lieu of the above process, the City Council or City Administrator may modify and adopt an alternative process for specific vacancies. The alternative process shall be in writing and developed prior to advertising of the vacant position.

6.50.30. Candidates selected for hire will be given a conditional offer of employment, with final offer of employment determined after reference checks, criminal background checks, and pre-employment drug screening (safety-sensitive positions only).

6.60. Medical Examinations & Physical Demonstrations

6.60.10. Due to the nature of the essential functions required to successfully perform public works jobs, the City will give a conditional offer of employment, with a final offer subject to the results of a medical examination.

6.60.20. Medical examinations shall be conducted by a licensed physician, as directed by the City, to determine specifically whether the applicant can safely perform the essential functions of the position offered, prior to final appointment or hire. The City will pay for the cost of any examination it requires.

6.60.30. Applicants for any position may be required to demonstrate how they would, with reasonable accommodation for any

disability, perform the essential functions of the position.

6.70. Pre-Employment Controlled Substances Screening

6.70.10. For positions that are safety-sensitive, the City, will require applicants who are receiving conditional offer letters for employment to consent to a pre-employment Controlled Substances screen. The applicant will be advised that the presence of one or more Controlled Substances may be cause for retraction of the pre-employment offer and that appointment to a position is contingent upon a negative Controlled Substances test result.

6.70.20. Applicants shall be directed to an appropriate collection facility. The applicant will be required to authorize the facility to conduct the laboratory testing and release the results of the testing to the City. The drug test must be undertaken as soon after notification as possible, but not later than 48 hours after notice to the applicant. Where appropriate, applicants may be reimbursed for reasonable travel expenses.

6.70.30. Applicants shall be advised of the opportunity to submit medical documentation that may support a legitimate use for a specific Controlled Substance and that such information will be reviewed only by medical consultants to determine whether the individual is lawfully using a Controlled Substance.

6.70.40. If the applicant is found to be under the influence of or impaired by Controlled Substance(s) as a result of this test, or if the applicant refuses to submit to testing, the City reserves the right to decline a final offer of employment, and the applicant may be ineligible to reapply for a

position with the City for a period of twelve months. The City shall, if applicable, inform the applicant that a confirmed presence of a Controlled Substance in the applicant's urine precludes the City from hiring the applicant.

6.80. Appointment / Hiring

6.80.10. The City Council shall hire the City Administrator. The City Administrator shall hire and assign Department Heads and all other employees, subject to review, if requested by the City Council.

6.80.20. The City Administrator, or designee, will give new or re-hired employees a full orientation on or about their first day of employment. The orientation will include, but not be limited to, an overview of this handbook and other written personnel policies, a review of the new hire packet including instructions and deadlines for required forms, introductions to all other employees, tour of City and/or City facilities, and to the lay-out of the City Administration Center building.

6.90. Hiring & Working Hours for Minors

6.90.10. The City of Veneta complies with all child labor laws. Specifically:

- a. Verification of age
- b. Maintenance a list of all minors hired
- c. Posting of a validated Employment Certificate
- d. Rest Periods/breaks
- e. Meal Periods
- f. Adequate Work
- g. Weight Lifting
- h. Minimum Wage
- i. Overtime
- j. Paydays
- k. Deductions
- l. Uniforms

m. Final Paychecks

6.90.20. No minor under the age of 15 shall be employed by the City.

6.90.30. Once hired, 15, 16 and 17 year old employees will be given an employee manual which addresses laws specific to minors noted in 6.90.10. Sections of this manual pertinent to employees aged 15, 16 and 17 are made available at the worksite.

6.100. Residency Requirements

6.100.10. The employee assigned to the City Administrator position is encouraged to live within the City limits. The employee assigned to the Public Works Director position is encouraged to live within the City limits.

6.100.20. Residency will not be a condition of employment; however, it could be a condition of continued employment.

6.100.30. Employees assigned to positions subject to call out must reside within a maximum 30 minute response time.

6.100.40. These residency requirements must be met within a set time after completion of the probationary period. The amount of time given will be determined by the employee, Department Head, and City Administrator upon completion of the probationary period.

7.00. Employment Conditions/Employee Conduct

- 7.10. New Appointments/Hires
- 7.20. Probationary Period
- 7.30. Promotion Probation
- 7.40. Transfers
- 7.50. Attendance
- 7.60. Hours of Operations & Work Schedules
- 7.70. Inclement Weather/Emergency Closing
- 7.80. Stand-by Duty
- 7.90. Flex Time
- 7.100. Lunch & Rest Periods
- 7.110. Safety Rules & Accident Reports
- 7.120. Mandatory Child Abuse Reporting
- 7.130. Purchasing/Procurement Procedures and Spending Authority
- 7.140. Layoffs
- 7.150. References
- 7.160. Resignation
- 7.170. Dress Code

7.10. New Appointments/Hires

7.10.10. New employees are started at a wage amount equal to Step One (1) of the range for their position as shown on the City's Compensation Plan. However, in instances where a new employee has experience or skills which are above the mandatory requirements for the position, or unusual difficulty is experienced in filling the position, the City reserves the right to hire at a higher Step, located between the minimum and the median. All starting rates above the minimum of the range are subject to budgetary constraints.

7.20. Introductory Period

7.20.10. New and re-employed former employees will be placed in a introductory

status for a minimum of six (6) months, from the first day of work. This period may be extended by the City Administrator, or designee.

7.20.20. Employees are not guaranteed any length of employment upon hire or transfer/promotion; the employee or the City may terminate the employment relationship during the introductory period for any lawful reason. Further, completion of the probationary period or continuation of employment after the probationary period does not entitle you to remain employed by the City for any definite period of time. Both you 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.

7.20.30. Regardless of the intended duration of the introductory period, such period shall continue until the employee is notified, in writing, of successful completion of the introductory period, by the City Administrator, or designee. If the employee is not so notified, the introductory period shall be deemed to be extended. Successful completion of the introductory period does not warrant, on its own, an increase in salary.

7.20.40. Employees shall be evaluated during the introductory period. These evaluations will be used by the City Administrator and Department Head in determining the employee's fitness and competence for the position.

7.30. Promotion Probation

7.30.10. Following a promotion, a regular employee will be in an introductory period for a minimum of six (6) months from the date of promotion. This period may be

extended by the City Administrator, or designee.

7.30.20. During the promotion introductory period, the employee's paid leave and fringe benefits will continue as if the employee were not in a introductory status.

7.30.30. Regardless of the intended duration of the promotion introductory period, such period shall continue until the employee is notified, in writing, of successful completion of the promotion introductory period by the City Administrator or designee. If the employee is not so notified, the promotion introductory period shall be deemed to be extended. Successful completion of the introductory period does not warrant, on its own, an increase in salary.

7.30.40. Promoted employees will be evaluated on fitness and competence for the position, in a like manner to a new appointment.

7.30.50. At any time during the promotion introductory period, the promoted employee may, at the sole discretion of the City, be removed from the position to which the employee was promoted. In the event of such removal, if the employee is an employee in good standing with no disciplinary or misconduct issues, the employee may be reinstated to the employee's former position, if the position continues to exist and if the employee remains qualified for the position and capable of performing the essential responsibilities of the position, with reasonable accommodation for any disabilities. Removal from a introductory promotional position is not subject to appeal or grievance, except as otherwise provided in these policies. Any new employee who has filled a promoted employee's former

position may be reassigned or terminated in the event that an introductory promotional employee is to be reinstated in the former position.

7.40. Transfers

7.40.10. Employees may be transferred from one position to another, with approval of the City Administrator and the affected supervisors and/or Department Heads. The salary level for transfers of any type will be determined on a case-by-case basis by the employee, their new (if applicable) supervisor, and the City Administrator.

- a. Voluntary Transfer: Transfer, by employee request, can be accomplished, provided mandatory requirements for the new position are met.
- b. Temporary Assignment: The City may temporarily assign an employee to any position, or department, when it is deemed to be in the best interest of the City.

7.50. Attendance

7.50.10. Employees are expected to work a complete designated workday. If an employee cannot report for work, the employee is expected to notify their direct supervisor at least one (1) hour prior to the beginning of the employee's shift. Employees unable to notify their supervisor prior to the beginning of their regular shift because of emergency situations are expected to contact their supervisor as soon as possible after the situation is under control. Notification to the City by a family member will fulfill the reporting requirements in most situations.

Generally speaking, phone calls, texting and leaving a voice mail are acceptable

methods of notification; however, employees should know and use the specific method preferred by their direct supervisor (i.e. City phone or by text).

7.50.20. Unauthorized absence may result in disciplinary action. An employee who is absent from work for three (3) consecutive working days, without authorization or notification, will be considered to have abandoned the employee's job as of the last day of active employment and will be declared to have voluntarily quit, unless the City determines the absence was due to an unavoidable situation and the employee and/or a family member was unable to contact the City due to circumstances beyond the employee's control.

7.50.30. Employees shall maintain an accurate time sheet reflecting all hours worked which shall be signed and submitted to the employee's supervisor at the end of each pay period. Supervisors shall check the time sheets for accuracy and completeness, sign them and deliver them to the Finance Officer or designee, who shall maintain employee attendance records showing daily, weekly and monthly hours worked, type(s) of leave taken and compensatory hours accrued, when applicable.

7.50.40. Non-exempt employees shall not begin work early, leave late or work hours in addition to the employee's regularly scheduled hours, without prior approval of the employee's supervisor, except in situations involving the threat of imminent loss of life or property connected to the employee's normal job duties.

7.50.50. Non-exempt employees authorized to attend to City-related business outside of their normal work hours will be compensated at a rate equal to one-

quarter hour of pay for phone and email communications initiated by management. If an employee is required to return to the workplace for additional work, the employee will be compensated at a minimum of one hour of their current rate of pay.

7.60. Hours of Operation & Work Schedules

7.60.10. The hours during which City offices and departments shall be open to serve the public will be determined by the City Administrator, after consultation with the City Council.

7.60.20. The operating business days and hours of the Veneta Administration Office are Monday through Friday, 8:00 a.m. to 5:00 p.m. City Hall employees are expected to be at work during these hours unless the employee has approval for leave time or permission for a flexible work schedule (flextime).

7.60.30. The work schedule, for employees in full-time positions, will normally provide for a work week of forty (40) hours within a specific seven (7) day period. Other work schedules may be established to meet the needs of specific City services. On occasion it may be necessary to alter the regularly scheduled hours and days of work. Regular hours may differ in each City department.

7.60.40. The hours of work for individual positions and/or employees shall be determined by the supervisor, with the approval of the Department Head, and the City Administrator, to meet the needs of the City. When the work schedule is altered, employees will be given as much advance notice as possible. Employees are required

to attend work in accordance with the most recent schedule.

7.70. Inclement Weather / Emergency Closing

7.70.10. The City recognizes that there may be circumstances beyond its control, such as inclement weather, national crisis, or other emergencies, that may result in closing City Hall. On such occasions, the City may close for all or part of a regularly scheduled workday. In such an event, the City Administrator or designee will endeavor to notify all Department Heads for the purpose of contacting employees. Employees should also contact their Department Heads to determine whether they should report to work in such circumstances.

7.70.20. In the event of inclement weather that prevents safe travel, or another emergency, the City Administrator or designee will determine whether any City office should be closed or its opening delayed. If there is not any indication of office closure, the employee should assume that the office is open on a normal schedule. The conditions between the employee's home and the office may be better or worse. If the office is closed, the employee should stay home. If the office is open, on a delayed schedule or other alternative schedule, the employee should come in when they can do so safely. That may be before or after the "formal" opening time. Employees who are delayed in such circumstances should make efforts to contact their supervisors to inform them of the delay.

7.70.30. Employees eligible for paid time off benefits and scheduled to work will not be charged leave time for full or partial closures if the City chooses to close the office; however, employees who do not report for

work or who leave early when the office is open, must charge their missed time to accrued leave.

7.70.40. Employees who previously requested and received approval to be off work must charge their missed time to accrued leave as planned even if the office is closed during that time. Employees who have rescinded their leave request prior to the start of the work day shall not be held to using their accrued leave time.

7.70.50. In the event of a city-wide disaster all City employees who are on duty shall remain on duty until an appropriate Department Head approves their release from duty. If an employee is faced with a decision to deal with a family emergency in addition to any city-wide or regional emergency, the employee shall be relieved from duty to give attention to their family emergency issue. Such decisions shall be made as soon as possible by the City Administrator or designee.

7.80. Stand-by Duty

7.80.10. Employees in specific positions within the Public Works Department will be responsible for rotating stand-by duty. While on stand-by duty, consumption of alcoholic beverages or other Controlled Substances that have the potential of impairing a person's mental capacity by employees is forbidden and the employee shall maintain the capability to respond to an after-hours or holiday emergency within thirty (30) minutes of receiving the call.

7.90. Flex Time

7.90.10. Non-Exempt Employees. With approval of the employee's supervisor, Department Head and/or City Administrator, work schedules may vary

with the stipulation that the time worked within each day, will total for each day an amount equal to that employee's regular schedule, with a work schedule consisting of a maximum of ten (10) hours per day. Work hours may be staggered on a flex time arrangement to provide longer hours of service to the public.

7.90.20. Employees for whom necessity requires a temporary change in a regular schedule from that generally applied, will work according to schedules prepared by the respective Supervisor and/or Department Head and approved by the City Administrator. Employees working on a flex-time schedule will not be paid overtime because of the flex hour scheduling without prior approval.

7.90.30. Exempt Employees. The City's expectation is that exempt employees are available during regular open business hours, as listed in 7.60.40. Therefore, full time exempt employees are expected to work a minimum of 40 hours in a workweek.

7.90.40. Exempt employees may be granted a short-term schedule modification due to seasonal projects or other assignments that require working in excess forty-eight (48) hours in one workweek over a sustained period. The employee's supervisor and City Administrator must approve requests for a temporary schedule modification. The schedule modification must be in writing and signed by the employee, supervisor, and City Administrator. Human Resources will retain the request form in the employee's personnel folder.

7.90.50. Unless a short-term schedule modification has been approved by the supervisor, all other absence periods shall

be accounted for by the use of accrued leave.

7.100. Lunch & Rest Periods

7.100.10. Non-exempt employees are to be provided with at least one (1) unpaid lunch period of at least one-half (1/2) hour in length for every work period of six (6) hours or more. Non-exempt employees required to perform tasks during the normal meal period, must be allowed an equal time for meals thereafter. Any non-exempt employee not provided an alternate lunch period must report such time as time worked.

7.100.20. Non-exempt employees must take a lunch period in every six (6) hour work period, even if the employee arrives late or leaves early from his or her normal shift. If arriving late or leaving early results in the employee working less than six (6) hours, the employee is not required to take a lunch period.

7.100.30. Non-exempt employees are provided a ten (10) minute paid, uninterrupted rest period for each four (4) hour segment or major portion thereof in the work period. Breaks shall be arranged so as not to interfere with City business

7.100.40. If, because of the nature or circumstances of the work, an employee is required to remain on duty or to perform tasks during the break or meal period, the employee must inform his or her supervisor before the end of the shift so that the City may pay the employee for that work. Meal periods and rest breaks are mandatory and are not optional. An employee's meal period and rest break(s) may not be taken together as one break. Meal periods and rest breaks may not be "skipped" in order to start work late or leave early. An employee

who fails to abide by this policy and applicable laws may be subjected to discipline, up to and including termination.

7.110. Safety Rules and Accident Reports

7.110.10. Safety Policy Statement: The City's first priority is to maintain a safe working environment for its employees and the public. For the employee's protection, job-related injuries, incidents, accidents, or illnesses must be reported immediately using the appropriate forms.

7.110.20. The Public Works Superintendent will conduct monthly safety meetings. Attendance for such meetings will be considered mandatory for employees working in the field.

The City also has a Safety Committee comprised of administrative and public works employees. The Public Works Director, working in conjunction with staff assigned to risk management and under the guidelines of the City's Safety Manual, will conduct monthly Safety Committee meetings. Attendance for such meetings will be strongly encouraged for committee members.

7.110.30. Management Responsibility.

Management shall:

- a. Develop and maintain a Safety Manual for the City which encompasses safety measures to be taken by all employees.
- b. A copy of the Safety Manual will be presented to all employees. Employees shall be given an overview of the manual and they shall be given the opportunity to ask questions. Depending on the employee's position specific sections in the manual may be reviewed and explained in detail.

Each employee shall then sign an acknowledgement form, which will be placed in the employee's personnel file, stating that the employee received a copy of the Safety Manual and have been given an opportunity to ask questions.

- c. Supervisors shall explain to their employees that a violation of the safety rules could lead to disciplinary action up to and including termination of employment.

7.110.40. Employee Responsibility. Every employee must be safety conscious and responsible for helping the City achieve the goal of providing a safe work place. Employees shall report any unsafe or hazardous condition to their supervisor immediately, if it cannot be corrected independently.

7.110.50. Safe Work Practices. Employees are expected to use common sense and good judgment in their work habits, and to follow safe work practices.

7.110.60. Safety Training. Periodic training will be arranged, when requested or otherwise appropriate by a supervisor or designee. Employees will participate in all required safety training programs offered by the City.

7.110.70. Reporting Accidents. The City Administrator, Department Head, and the direct supervisor shall be notified of all accidents involving City employees and/or City equipment as soon as possible, but in no event later than the next workday. Accidents involving City owned vehicles or personal vehicles being operated on City business shall be reported to the Sheriff's Department for investigation.

For additional information on Worker's Compensation, see Chapter 11.60

7.120. Mandatory Child Abuse Reporting

7.120.10. All City employees are subject to mandatory child abuse reporting laws as prescribed in House Bill 4016 even if their jobs do not require interaction with children. Employees are required to report suspected child abuse and neglect to law enforcement or the Oregon Department of Human Services (DHS).

7.120.20. Notifying a supervisor does not fulfill an employee's responsibility under the law, the employee must report the suspect child abuse or neglect to law enforcement or DHS directly.

7.120.30. A mandatory reporter is required to report abuse wherever and whenever they encounter it, even if they are not at work.

7.120.40. Failing to report child abuse is a Class A violation (similar to a serious traffic offense) and a person making a good faith report of child abuse is immune from civil and criminal liability for making the report.

7.130. RESERVED

7.140. Layoffs

7.140.10. The City Administrator, with the concurrence of the City Council, may lay off employees due to lack of funds or curtailment of work, as deemed necessary. Layoffs shall be based on the City's needs, resources, and the skills, aptitudes, and competence of available personnel. The City will endeavor to give employees reasonable notice of intent to layoff. An employee in good standing may be eligible for reinstatement.

7.150. References

7.150.10. All requests for employment references must be directed to Human Resources. No manager, supervisor, or employee is authorized to release references for current or former employees. Managers and supervisors are expressly prohibited from providing LinkedIn "recommendations" or using a website on the internet to discuss a current or former employee's performance or termination of employment. The City may disclose the dates of employment and position(s) held of former employees, and whether the employee is eligible for rehire. Former employees who authorize additional disclosures must make a request to do so in writing. This does not preclude any employee from writing a letter of recommendation for a current or previous employee.

7.160. Resignation

7.160.10. To resign in good standing, an employee shall give not less than ten (10) working days prior notice, unless the City Administrator agrees to permit a shorter period because of extenuating circumstances. The notice of resignation shall be in writing and contain the resigning employee's reasons for leaving City service.

7.160.20 Employees resigning shall return all City property prior to their last day of work and can expect to complete a written or oral exit interview. Such interview shall be conducted by Human Resources staff or the appropriate Department Head.

7.160.30 Final paychecks shall be issued in paper form and shall reflect only federal and state mandated deductions unless deductions are needed for insurance

coverage. As a rule, insurance coverage ends the last day of the month in which the employee worked at least twenty-four (24) hours. In some cases, the final check could include a refund of premium previously deducted.

7.170. Dress Code

7.170.10. As a City employee, you represent the City when you are on duty or in City uniform. Dress and personal grooming communicates a professional image to our citizens and helps to instill confidence in our ability to provide a high standard of quality services. References to drugs, drug paraphernalia, or alcohol are prohibited.

7.170.20. This policy is intended to provide a guideline and is not meant to address all situations. The guidelines will vary by department depending on the nature of the work performed and specific for the task, safety, involvement with the public, or other circumstances as determined by the City Administrator or designee.

7.170.30. A business casual work attire is expected for employees who primarily work at the City Administrative Center. Attire must be properly fitting in size, clean, and in conformance with safety standards. All footwear is expected to be clean, in good repair, and be closed toed or contain at least one over-the-foot strap.

7.170.40. The City participates in Casual Fridays allowing employees a more relaxed, casual attire. Relaxed, casual attire includes denim jeans, t-shirts, and open toed shoes as long as they are properly sized, clean, and in compliance with safety standards.

7.170.50. Employees who are performing cleaning or maintenance duties, performing tasks in relation to public events, or at any time there is a danger of foot injuries are required to wear closed-toed shoes.

7.160.50. Pants and uniformed shirts are expected attire for employees who primarily work in the field. Public Works employees will be provided with uniform attire with the City logo, which shall be kept clean and in good repair. Footwear is expected to be in good repair and closed-toed, and may be further regulated as needed, including the requirement to wear boots to prevent employee injury. Pants should not be faded or contain holes. Shorts may be worn by employees who are in the heat the majority of the day. Public Works employees should not wear shorts on days in which they will be exposed to some risk of injury from equipment, facilities, or contamination.

7.17.70. Please see Human Resources to discuss appropriate options for accommodations due to religious beliefs, medical conditions, or any other legally protected class.

8.00. Communications & Software Systems

- 8.10. Systems Policy
- 8.20. Communication Courtesies
- 8.30. Copyrights
- 8.40. Electronic Mail System
- 8.50. City Computers: Software Installation
- 8.60. Landline Telephone Usage
- 8.70. Cellular Devices Policy
- 8.80. Voice Mail System
- 8.90. Archiving Electronic Communications
- 8.100. Social Media

8.10. Systems Policy

8.10.10. The City's systems, equipment, hardware, software and other information (hereinafter referred to as "systems") in any form are considered an asset of the City and thus must be properly used and adequately protected. This includes the transmission of information over computer communication networks.

8.10.20. Systems include but are not limited to, computers, software, electronic mail (e-mail), copiers, fax machines, telephones, cellular devices, voice mail, surface messengers, communication tools, various on-line services, and protected health information. All of these systems are operated and managed based upon this policy.

8.10.30. The City-provided systems are intended to be used primarily for business purposes. Without manager's approval, you are not allowed personal use of the City's systems. Any approved personal use must not interfere with normal business activities, involve solicitation, be associated with any for-profit outside business activity, or

potentially bring harm or embarrassment to the City.

8.10.40. The City reserves the right to monitor employee use of its systems at any time. Employees should not consider their usage of the City systems to be private. Within the bounds of current and future laws, the City reserves and intends to exercise the right to review, audit, intercept, access, and search any of these systems at will, monitor data and messages within them at any time for any reason, and disclose selected contents without notice or other restrictions. Messages sent through these systems remain the property of the City. All data and messages maintained on the City systems may be subject to public records law and disclosed to the public upon lawful request.

8.10.50. Any improper use or violation of this policy may result in disciplinary action up to and including termination. Any violation of this policy should be brought to the attention of the City Administrator, or designee.

8.20. Communication Courtesies

8.20.10. Employees are to be courteous to other users of systems and always conduct themselves in a professional manner. Some examples of inappropriate systems use includes, but is not limited to:

- a. Installing non-business software
- b. Sending chain letters or other material that can be construed as spam
- c. Playing games
- d. Displaying sites with inappropriate sounds or visuals
- e. Transmitting obscene, harassing, offensive or unprofessional messages
- f. Accessing any site that is sexually or racially offensive or discriminatory

g. Displaying, downloading, or distributing sexually explicit material.

8.20.20. Employees are not permitted unauthorized access to the electronic communications of other employees or third parties unless directed to do so by City management. No employee can examine, change or use another person's files, output or username unless he/she has explicit authorization from the Department Head to do so.

8.20.30. Only authorized employees may communicate on the Internet on behalf of the City. Authorization comes solely from the City Administrator or their designee. Employees may not express opinions or personal views that could be misconstrued as being those of the City.

8.20.40. Any information posted to the City's internet or intranet sites must be in-line with the goals and standards outlined in the Communications Master Plan.

8.20.50 Employees will follow the City's Style Guide when producing any communications or media that will be provided to anyone other than City staff.

8.30. Copyrights

8.30.10. Any software or other materials downloaded into the City's computers may be used only in ways consistent with the licenses and copyrights of the vendors, authors or owners of the material. The City honors all licenses, copyrights, patents, restrictions and terms and conditions associated with commercial proprietary computer software.

8.30.20. Systems users are not authorized to use, copy, modify, or transfer purchased computer software in whole or in part except as expressly provided in the applicable

software license, contract or purchase agreement. "Pirating" (making unauthorized copies of software or music) is a violation of federal copyright law. All approved material that is posted should obtain all proper copyright and trademark notices if applicable.

8.30.30. System applications online media developed while employed by or under contract with the City are the property of the City, not the employee who did the developing

8.40. Electronic Mail System

8.40.10. E-mail messages are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. Employees should write e-mail communications with no less care, judgment, and responsibility than they would use for letters or internal memoranda written on City letterhead.

8.40.20. Please be aware that even when a message is erased through e-mail it is still possible to retrieve and read that message. Even though the City reserves the right to retrieve and read any e-mail messages, those messages are to be treated as confidential by other employees and accessed only by the intended recipient. The City expects that employees will respect others' privacy, and unless authorized to do so, will not retrieve or read electronic messages not intended for them.

8.40.30. All outgoing e-mail should contain a footer with the following disclosure and notice:

"Public Records Law Disclosure: This e-mail may be a public record subject to public disclosure.

Confidentiality Notice: This e-mail may contain confidential or privileged

information. It is intended only for the use of the recipient named above. If you believe you have received this message in error, please notify me immediately by reply e-mail, delete the message from your computer and destroy any paper copies."

8.40.40. The use of passwords for security does not guarantee confidentiality. All passwords must be disclosed to the City or contracted staff person tasked with this password tracking. It is the responsibility of each employee to notify the appropriate staff person of system password changes.

8.40.50. Incidental use of City e-mail for personal purposes is permitted, but such use must be kept to a minimum and only take place during non-work hours. Employees are reminded that they have no expectation of privacy in the e-mails sent using City systems and that those e-mails may be public records subject to disclosure.

8.50. City Computers: Software Installation

8.50.10. In an effort to protect the integrity of City systems, personal or downloaded software may only be installed after authorization from the employee's direct supervisor or contracted information technology staff has been received.

8.50.20. A complete virus check of all such software shall be made, if recommended, immediately before it is installed on any City computer.

8.50.30. A virus check must be made on any disk or files originating from outside the City prior to its use in City computers.

8.50.40. Copying or transferring of the City-owned software may be done only with the

written authorization of the City Administrator.

8.60. Telephone Usage - Landline

8.60.10. The City recognizes that employees must occasionally make and/or receive personal telephone calls. Such calls must be held to a minimum and should impact work as little as possible. Unauthorized use of the telephone, including charging long distance calls to the City, may result in corrective action, up to and including termination.

8.70. Cellular Devices Policy

This policy applies to employee use of cell phones, smart phones and similar devices, tablets and similar devices, all of which are referred to as "cellular devices" in the Cellular Devices policy.

8.70.10. Employees provided with a City-owned cellular device, must restrict the use of the device to City business. City-owned cellular devices will be purchased and replaced by the City as needed, but employees are required to maintain their assigned City-device.

8.70.20. Employees are allowed to bring personal cell devices to work with them. During working hours, however, employees should refrain from using them except in an emergency or during a meal period or rest break.

8.70.30. Nonexempt employees may not use their personal or City-provided cellular device for work purposes outside of their normal work schedules without written authorization in advance from the Department Head. This includes, but is not limited to, reviewing, sending, and responding to emails or text messages, and responding to calls or making calls. All employees using personal cellular devices for work purposes must have an acknowledgement form on file indicating that they understand that the device may be subject to public disclosure.

8.70.40. Cellular devices are made available to City employees on a limited basis to conduct City business. In some cases, the City may provide a monthly cell phone stipend to employees who regularly make calls on behalf of the City away from the office.

8.70.50. Employees who receive a cellular device from the City must agree to not use the cellular device for personal use except in emergency situations and must abide by the Cellular Device Policy. Further, employees who receive a cellular device from the City must acknowledge and understand that because the device is paid for and provided by the City, or subsidized by the City, any communications (including text messages) received by or sent from the cellular device may be subject to inspection or review if the City has reasonable grounds to believe that the employee's use of the cell phone violates any aspect of the Cellular Device Policy. An employee who refuses to provide the City access to his/her cellular device in connection to an investigation and after reasonable notice may be subject to discipline, up to and including termination.

8.70.60. Cameras of any type, including cell phones or cellular devices with built-in cameras and video photography options,

may not be used during working hours, or at any City-sponsored function unless authorized to do so by the employee's Department Head. The City reserves the right to take and use photos from public spaces and events. Events requiring registration will be paired with a photo release waiver to allow staff to capture images.

8.70.70 City-related business conducted on a City provided or personal cellular devices may be subject to disclosure and production under Oregon's Public Records laws or in connection with litigation filed against the City.

8.70.80. Oregon law prohibits the use of handheld cellular devices while driving for making or receiving calls, or sending texts or instant messages. Employees needing to make a call or send a text/instant message should locate a lawfully designated area to park to continue to make the call or send a text/instant message, even if the employee is using a "hands-free accessory." Please note, the use of speaker phones or push to talk features are not considered "hands-free" accessories. Violation of this policy will subject the employee to discipline, up to and including termination.

8.70.90. Unapproved cellular expenses such as personal calls, unauthorized long distance calls, or any other inappropriate use will not be paid for by the City and will be considered the employee's responsibility.

8.70.100. Privacy and Public Records. Employees should have no reasonable expectation of privacy in a City-provided or City-paid mobile device. An employee who refuses to provide the City access to their City provided or personal mobile device in connection with an investigation and after

reasonable notice may be subject to discipline, up to and including termination.

8.70.110. City-related business conducted on City-provided or personal cell phones and/or cellular devices may be subject to disclosure and production under Oregon's Public Records laws or in connection with litigation filed against the City or individual employees.

8.80. Voice Mail System

8.80.10. The voice mail system is the property of the City and has been provided for use in conducting City business. All communication and information transmitted by, received from, or stored in this system are the City's records and the property of the City.

8.80.20. The voice mail system is to be used for City business only, and use of the system for personal purposes is discouraged. Employees should not expect personal privacy rights pertaining to any information stored in, created, received, or sent over the voice mail system.

8.80.30. The City, in its discretion as owner of the voice mail system, reserves and may exercise the right at any time to monitor, access, retrieve, and delete any message stored in, created, received or sent over the system for any reason, and without the permission of any employee. You are not authorized to retrieve or listen to any voice mail messages that are not sent to your personal attention. Any exception to this policy must receive prior approval from the City Administrator.

8.90. Archiving Electronic Communications

8.90.10. Employees must follow federal and state law with regards to archiving electronic

communications. Generally, you should follow the same archiving timeframes for electronic records, as you would for paper records.

8.90.20. Examples of records that are most commonly considered public record include:

- a. Policies and directives,
- b. Correspondence or memoranda related to official business,
- c. Work schedules and assignments,
- d. Agendas and minutes of meetings,
- e. Drafts of documents that are circulated for comment or approval,
- f. Any document that initiates, authorizes, or completes a business transaction,
- g. Final reports or recommendations

8.90.30. Examples of records that are most commonly not considered public record include:

- a. Personal messages or announcements,
- b. Copies of extracts of documents distributed for convenience or reference,
- c. Announcements of social events,
- d. Messages received via listserv,
- e. Spam

Employees should refer to the City's Records Retention Schedule for City-specific information.

8.100. Social Media

8.100.10. All City employees are subject to and expected to follow the City of Veneta Social Media Policy.

8.100.20. Employee Own Use of Social Media

Be aware of your City association in online social networks. If you choose to identify yourself as a City employee or if you have a

public facing position and your City association is known to the general public, you must ensure your profile and related content (even if it is of a personal and not an official nature) is consistent with how you wish to present yourself as a City professional, is appropriate given the public trust associated with your position, and conforms to existing community public service standards.

8.100.30. Do not use or reference your formal position when writing in a non-official capacity.

8.100.40. If you publish content related to the City to a social media site, preface your comments with the following disclaimer: "The postings are my own and do not necessarily represent the City of Veneta's positions, strategies or opinions."

8.100.50. Employees may be subject to discipline, up to and including termination, if they create and post any text, images or other media that violate any City policies, including the City's no-harassment and no-discrimination and workplace violence policies. This is especially true if the employee's postings negatively affect the public's trust in the employee or in the City or if the employee holds a public-facing position with the City. Similarly, postings that include threats of violence, that are physically threatening or intimidating, bullying or harassing, will not be tolerated and may subject an employee to discipline, up to and including termination.

Employees are prohibited from creating a link from their personal blog, website or other social networking site to a City owned or maintained website without identifying yourself as a City employee.

Employees should never represent themselves as a spokesperson for City,

unless authorized by their manager or supervisor to do so. If the City is a subject of the content the employee is creating, the employee should be clear and open about the fact that they are a City employee, and make it clear that their views do not represent those of the City or its employees or elected officials.

8.100.60. Always be fair and courteous to co-workers, the citizens we serve, City employees and elected officials, and suppliers or other third parties who do business with City.

Employees should keep in mind that they are more likely to resolve work-related complaints by speaking directly with co-workers than by posting complaints to a social media outlet. If an employee posts complaints or criticism, they must avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage citizens, co-workers, City employees or elected officials, that might constitute harassment or bullying, and/or that violate City policies. Examples of such conduct might include offensive posts that a reasonable person would perceive as calculated to intentionally harm an individual's personal or professional reputation, posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or City policy.

8.100.70. Nothing in this policy is meant to prevent an employee from exercising his/her right to make a complaint of discrimination or other workplace misconduct, engage in lawful collective bargaining activity, or to express an opinion on a matter of public concern that does not unduly disrupt City operations. Employees are free to express themselves as private

citizens on social media sites, but an employee's exercise of expression is balanced against the City's interest in the effective and efficient fulfillment of its responsibilities to the public.

9.00. Compensation

- 9.10. Compensation Plan
- 9.20. Classification Plan
- 9.30. Change of Classification
- 9.40. Wage Adjustments
- 9.50. Employee Evaluations
- 9.60. Non-disciplinary Demotion
- 9.70. Pay Periods & Days
- 9.80. Overtime
- 9.90. Compensatory Time Off
- 9.100. Fair Labor Standards Act
- 9.110. Stand-by Duty Compensation

9.10. Compensation Plan

9.10.10. The City Council shall adopt a Compensation Plan that includes all of the current paid positions within the City's Organizational Chart. The City Administrator, or designee, is responsible for analyzing, maintaining and administering the adopted plan.

9.10.20. The City Administrator, or designee, shall, from time to time, analyze compensation policies, fluctuations in personnel requirements of the City, and the salary or hourly rate range for each position, to determine if adjustments should be made in compensation, either generally or in specific positions, and shall report such findings to the City Council.

9.10.30. The Compensation Plan shall include each position on the City's organization chart, with a minimum (Step 1) and maximum (Step 10) monthly salary or hourly rate range. Each range shall have incremental steps with a differential between each step. The Finance Officer shall maintain a copy of the Compensation Plan on file and provide it to employees upon request. The Compensation Plan is a public record.

9.20. Classification Plan

9.20.10. The City Administrator, or designee, shall develop a Position Classification Plan. The plan will include an organizational chart showing each position by department, a listing of the classifications including a definition and positions within each classification, and a description of each position or job function, including: the department, the classification, work schedule, a general statement of responsibilities, essential responsibilities, auxiliary expectations, position qualifications (minimum qualifications, special and desirable), physical demands of the position, working conditions, supervision exercised, and supervision received.

9.20.20. Position and job function descriptions are descriptive and not restrictive, and are intended to indicate the kinds of duties that may be generally assigned to any specific classification, while providing supervisors the flexibility of making daily work assignments. The use of a particular expression or illustration of such duties shall not be held to exclude others not mentioned, nor will any specific omission necessarily mean that such assignment may not be included.

9.20.30. A copy of the approved Classification Plan will be maintained at City Hall as a matter of public record.

9.20.40. All employees are defined by federal and Oregon law as either "exempt" or "non-exempt" which determines whether the employee is eligible for overtime. Employees will be instructed as to whether they are exempt or non-exempt at the time of hire or when a promotion or demotion occurs. All employees, regardless of

employment classification, are subject to all City rules and procedures.

9.30. Change of Classification

9.30.10. The City may reclassify positions within the financial limitations of the current City budget and changing needs.

9.30.20. Supervisors are responsible for notifying the City Administrator of any changes in the responsibilities/expectations of a position that could warrant a reclassification.

9.30.30. Any employee may also request of the Supervisor that the employee's position be reviewed to determine whether it is properly classified.

9.30.40. The City Administrator will make the necessary investigation of any such request and any changes in positions classifications will be documented in written form.

9.40. Wage Adjustments

9.40.10. Cost of Living Adjustments.

- a. Each year, during the budget process, determination will be made whether or not economic conditions warrant a cost-of-living adjustment. The amount of such an adjustment will be determined primarily by using the All Urban Consumers CPI-U West from the previous calendar year.
- b. The City Administrator, or designee, shall assist the budget committee in their decision by gathering information and assisting with the analysis.
- c. If granted, cost of living adjustments shall be for all regular positions and steps within the City's

Compensation Plan for Regular Positions and generally, will be effective the first day of the pay period that includes the first day of a new fiscal year.

- d. The City Council has final decision regarding cost of living adjustments.

9.40.20. Minimum Wage Adjustments.

- a. Each year, during the budget process, determination will be made whether or not the State's minimum wage is being adjusted.
- b. If the State's minimum wage changes, the City shall adjust the Step 1 amount for the positions directly tied to minimum wage on the City's Compensation Plan for Seasonal and Temporary Positions.
- c. Positions indirectly tied to the minimum wage shall be adjusted based on the existing wage to minimum wage ratios.
- d. The wage adjustments will generally be effective the first day of the pay period that includes the first day of the new fiscal year or as directed by State Law.

9.40.30. Merit Increases.

- a. Employees may be eligible for a merit increase based on the results of their annual performance evaluation and/or significant attainment or progress toward established goal(s). Recommendation of a merit increase is at the discretion of the employee's supervisor. Recommendations need to be submitted using the appropriate personnel form.
- b. All merit increases are subject to budgetary considerations and approval by the City Administrator.

When a recommended merit increase is approved, such increase shall be retroactive to the beginning of the pay period immediately following the employee's anniversary date. Should extraordinary circumstances occur, causing an evaluation to be delayed and overlap one or more anniversary dates, the employee may be eligible for a retroactive merit increase prior to the last anniversary date.

- c. Merit increases, in most situations, would take the form of moving the employee's wage to the next higher Step for their position on the City's Compensation Plan.
- d. Employees already at the last Step (#10) are considered capped on the Compensation Plan and are not eligible for a merit increase. Capped employees will continue to receive the annual cost-of-living adjustments.

9.40.30. The City will perform periodic compensation studies to analyze current pay practices and determine if they are competitive and if employee's salaries are in compliance with current employment, state, and federal laws. Based on the outcome of the survey, adjustments to the City's Compensation Plan may be made.

9.50. Employee Evaluations

9.50.10. Every regular employee shall receive an annual evaluation from their immediate supervisor. Evaluation dates shall correspond with the employee's hire date, and subsequently, the date of promotion into a new position. 9.50.20. After the employee's introductory evaluation, the supervisor will strive to provide a formal performance review on an annual basis.

Evaluations should be completed and delivered to the employee within 15 days of the applicable anniversary date. If circumstances preclude the completion of the evaluation within the stated time, the responsible supervisor will strive to notify the employee in writing. The notice will include an explanation of the cause for the delay and will set a date and time, preferably not more than 30 days from the anniversary date, for the evaluation to be completed and reviewed with the employee.

9.50.30. Employees who disagree with a performance evaluation may submit a written response with reasons for the disagreement. The employee's response shall be filed with the employee's evaluation in the employee's personnel file. Such response must be filed no later than 30 days following the date the performance evaluation was received. Supervisors and Managers are encouraged to provide employees with informal evaluations of their employee's work on a periodic basis.

9.50.40. All employees shall have the opportunity to communicate about their supervisor's performance as a supervisor using the Supervisor Review Form. Participation is not mandatory and can be done anonymously, but all employees are highly encouraged to participate in this process by using the form or by writing a letter or email, or by discussion with the supervisor's supervisor.

9.60. Non-Disciplinary Demotion

9.60.10. An employee may be demoted to a position and classification with a lower salary range than that previously assigned, resulting from reorganization, a change in job duties, inadequate qualifications or job performance. Any such demotion shall be

subject to the appeal process for serious disciplinary actions, as set forth in this handbook.

9.70. Pay Periods & Days

9.70.10. Pay periods are bi-weekly. Employees will be paid every other Friday, provided that, should any payday fall on a holiday, the payday will be the last working day prior to the holiday. The bi-weekly pay cycle consists of 14 days, beginning on Sunday 12:00 a.m. and ending on the second Saturday 11:59 p.m. of the pay period. There are a total 26 bi-weekly pay periods in a calendar year.

9.70.20. The City will process leave accruals and benefit deductions each pay period. On months that have three pay dates, the City will process leave accruals and benefit deductions on the first and second pay date; only mandatory deductions will be withheld from a third pay day of a month (such as federal and state income tax, FICA, local taxes, child support, and/or wage garnishments).

9.70.30. In most cases pay checks and direct deposits will be available to employees by 10:00 a.m. on payday. Variances to this time will be announced as soon as possible, once the need for a delay is known.

9.70.30. Approved time sheets must be submitted to the Finance Director or designee by 10:00 a.m. the morning after the last working day of each pay period, unless prior arrangements have been made.

9.70.40. The employee's signature on the time sheet constitutes the employee's verification that the time sheet is true and accurate in all respects, and that the

employee has not worked any time not recorded on the time sheet.

9.80. Overtime

9.80.10. Overtime shall be paid for all non-exempt employees for all hours paid or worked in excess of forty (40) hours per week. No overtime shall be worked by non-exempt employees unless specifically approved, in advance, by the responsible supervisor. Overtime shall be kept to a minimum.

9.80.20. The work week for purposes of calculating hours worked per week and overtime hours starts on Sunday 12:00 a.m. and ends Saturday 11:59 p.m.

9.80.30. Overtime will be paid at the rate of one and one-half (1-1/2) times the regular hourly rate, or employees who work overtime will be given the equivalent (1.5 hours for each hour worked) in compensatory time off, at a mutually acceptable time.

9.80.40. Determination of whether overtime worked is compensated by payment or time off work is, in part, determined by the availability of budgeted funds or at the request of the employee. When budgeted funds are not available, the City and the employees agree, effective with the adoption of these policies, that compensation will be converted to time off work at the rate of 1.5 hours for each overtime hour worked.

9.90. Compensatory Time Off

9.90.10. Maximum accrual of compensatory time shall be sixty (60) hours.

9.90.20. All overtime accumulated over the maximum allowed for compensatory time shall be paid as overtime in their normal paycheck for the pay period in which the accumulation exceeds the maximum allowed. For administrative ease of maintaining a Compensatory time system, carrying forward Compensatory time into a new fiscal year will require the City to fund the liability that otherwise would have been paid as overtime. Compensatory time will be paid out at the hourly rate applicable at the time of payment.

9.90.30. Compensatory time must be used in a minimum of one quarter (1/4) hour blocks.

9.90.40. Subject to available funding and supervisor approval, employees may opt for payment of banked Compensatory time on the employee timesheet to be paid out on a routine basis. Requests must be made in writing using the appropriate section of the employee timesheet and approved by the employee's supervisor.

9.100. Fair Labor Standards Act

9.100.10. Executive, supervisory, administrative, professional, elected, or contractual employees of the City who meet the criteria outlined in Oregon Administrative Rules, Chapter 839, Division 24, are excluded from the overtime pay and compensatory time requirements.

9.110. Stand-by Duty Compensation

9.110.10. Employees holding certain positions within the public works department shall be assigned to rotating stand-by duty.

9.110.20. If during stand-by duty a non-exempt employee is called to perform

services for the City, such employee shall be compensated for such services at straight time, unless the employee has recorded more than forty (40) hours in any one (1) week, in which case the employee shall be paid at the rate of one and one-half (1 1/2) times the hourly rate of pay or shall accrue compensatory time at the rate of one and one-half (1 1/2) times the hours worked.

9.110.30. Public Works employees assigned to standby duty will be compensated for maintaining their availability as follows: up to \$75.00 per week-end day and up to \$75.00 per holiday above and beyond their regular pay.

9.110.40. For each time the employee is called in to work while on stand-by, the employee shall be paid for a minimum of one (1) hours work unless the employee was already on duty when called, provided, however that in the event an employee is called in from stand-by to perform duties more than three (3) times in a twenty-four (24) hour period, the employee shall be considered to be on payroll at the applicable hourly rate and shall be paid only for actual time worked on the fourth (4th) and subsequent calls during such twenty-four (24) hour period.

9.110.50. All call-back hours shall be recorded on the employee's time sheet. After three (3) calls in a twenty-four (24) hour period, the employee shall notify the employee's supervisor.

9.110.60. Employees shall not consume alcoholic beverages or use Controlled Substances that could affect safety and judgement when on stand-by status, and shall remain within thirty (30) minutes response time.

10.00 Accrued / Paid Time Off

- 10.10. Recognized Holidays
- 10.20. Vacation
- 10.30. Sick Leave
- 10.40. Personal Leave
- 10.50. Maternity/Parental Leave
- 10.60. Expression of Breast Milk
- 10.70. Statement of No FMLA/OFLA Coverage
- 10.80. Military Leave
- 10.90. Administrative Leave
- 10.100. Crime Victim and Domestic Violence Leave and Accommodation Policy
- 10.110. Other Leave with Pay
- 10.120. Leave without Pay

10.10. Recognized Holidays

10.10.10. All employees with a regular or introductory status shall be entitled to the following holidays with regular pay equal to the hours they are normally scheduled to work in a day.

New Year's Day.....	January 1
Martin Luther King Jr. Day....	3rd Monday of January
President's Day.....	3rd Monday of February
Memorial Day.....	Last Monday in May
Juneteenth.....	June 19
Independence Day.....	July 4
Labor Day.....	1st Monday in September
Veterans Day.....	November 11
Thanksgiving Day.....	4th Thursday in November
Day after Thanksgiving.....	4th Friday in November
Christmas Day.....	December 25

10.10.20 Additional holidays may be scheduled from time to time by the City Council.

10.10.30. Holidays which occur during vacation or sick leave shall not be charged against such leave.

10.10.40. Floating Holidays. Employees in regular or introductory status working forty

(40) hours per week shall accrue sixteen (16) hours of floating holiday on July 1 and shall accrue eight (8) hours on January 1 of each year for a total of three (3) floating holidays per fiscal year. Employees in regular or introductory status working less than forty (40) hours per week shall accrue floating holidays pro-rated based on the number of hours they are normally scheduled to work per week.

10.10.50. All floating holidays must be taken during the fiscal year in which they are earned or they will be lost; they may not be carried over to the next fiscal year. Unused floating holidays shall not be compensated for in any way at the time of resignation, retirement or termination of an employee. Employees are strongly encouraged to use floating holidays early to avoid being denied time off at the end of the fiscal year.

10.10.60. Whenever a holiday falls on a Sunday, the following Monday shall be observed as the holiday. Whenever a holiday falls on a Saturday, the previous Friday shall be observed as a holiday.

10.10.70. When an authorized holiday falls on an employee's regularly scheduled day off, the holiday Sunday or Saturday rule applies.

10.10.80. Employees in seasonal/temporary status shall not be eligible to accrue or receive holiday benefits.

10.20. Vacation

10.20.10. All employees in regular or introductory status will accrue vacation, based on their original start date as follows

- a. From the beginning of Year 1 through the end of Year 3 – 6.67

hours per month (80 hours annually).

- b. From the beginning of Year 4 through the end of Year 5 – 8.00 hours per month (96 hours annually).
- c. From the beginning of Year 6 through the end of Year 10 – 10.00 hours per month (120 hours annually).
- d. From the beginning of Year 11 through the end of Year 15 – 13.33 hours per month (160 hours annually).
- e. From the beginning of Year 16 through the end of year 20 – 16.32 hours per month (196 hours annually).
- f. From the beginning of Year 21 and thereafter – 20.67 hours per month (248 hours annually).

10.20.20. Employees in regular or introductory status working less than forty (40) hours per week shall accrue vacation leave using the accrual rates above, but pro-rated based on the number of hours they are normally scheduled to work per week.

10.20.30. Employees in a temporary or seasonal status shall not be eligible to accrue or receive vacation benefits.

10.20.40. Introductory employees shall be eligible to use vacation leave during their introductory period of employment up to the amount of vacation accrued at the time of use.

10.20.50. Accrual of vacation leave shall stop on the last day worked. Vacation leave accrued through the last day worked shall be paid to the employee on the date the employee receives his or her final paycheck.

10.20.60. Vacations will be scheduled in advance so as to meet the operating requirements of the City and, insofar as possible, the preference of the employees.

10.20.70. Vacations shall be scheduled so as to have minimum adverse effects on the operation of the City. If disputes arise over the scheduling of vacation time off, the supervisor shall resolve the dispute based on:

1. Date written request for leave was received.
2. Previously granted leave requests, including previous years' requests.

10.20.80. Vacation leave may accumulate from year to year up to a maximum accumulation of one hundred sixty (160) hours.

10.20.90. Employees, who have fifteen (15) years of service or less, may opt to have up to 40 hours of vacation paid, in lieu of time off, per fiscal year. Requests must be made in writing using the appropriate section of the employee timesheet and be approved by the immediate supervisor.

10.20.100. Employees, who have sixteen (16) years of service or more, may opt to have up to 80 hours of vacation paid, in lieu of time off, per fiscal year. Requests must be made in writing using the appropriate section of the employee timesheet and be approved by the immediate supervisor.

10.20.110. If the number of vacation hours accumulated by an employee exceeds the allowable maximum accumulation at any time during the year, no additional accruals will occur until the balance is reduced below the one hundred sixty (160) hour maximum.

10.20.120. Employees who have completed their introductory period and are terminated prior to their use of vacation shall be paid for the part of the employee's vacation time earned. Any employee terminated prior to completion of their introductory period shall not be paid accrued vacation.

10.30. Sick Leave

10.30.10. The City provides a more generous sick leave policy than what is required through the Oregon Sick Leave law. This policy will be updated as necessary to reflect changes in and to ensure compliance with Oregon law.

Under Oregon's Paid Sick Leave Law and this policy, "employee" includes part-time, full-time, hourly, salaried, seasonal, temporary, exempt and non-exempt employees. Sick leave runs concurrently with other leave where allowed by law.

10.30.20. All employees with a regular or introductory status and normally scheduled to work forty (40) hours per week shall earn paid sick leave at the rate of eight (8) hours per calendar month of service. Sick leave shall accrue beginning on their start date. There shall be a maximum accumulation of sick leave of two hundred forty (240) hours.

10.30.30. All employees with a regular or introductory status normally scheduled to work less than forty (40) hours per week, shall earn paid sick leave at a pro-rated amount based on the number of hours they are normally scheduled to work per week. Sick leave shall accrue beginning on the first day of work.

10.30.40. Employees in an introductory status shall be eligible to use paid sick leave during their introductory period of

employment up to the amount of sick leave accrued at the time of use.

10.30.50. Employees with temporary or seasonal status are eligible to accrue sick leave as required, and at the rate, specified by Oregon Sick Leave law and may use accrued sick time after the 91st calendar day of continuous employment.

10.30.60. The accrual and eligibility of sick leave for employees with seasonal or temporary status shall start over each calendar year. Under Oregon Sick Leave law, an employee would be entitled to have any unused sick time hours restored if that person is reemployed within 180 days. If that person had not yet qualified for leave (had earned hours but not yet reached 90 days of employment) they would be able to pick up where they had left off again assuming they were reemployed within 180 days.

10.30.70. Employees are eligible to use sick leave for the following reasons:

- a. Personal illness, injury or health condition, including time off for medical diagnosis, care, treatment, and preventative care;
- b. Care for your family member with an illness, injury or health condition, including time off for medical diagnosis, care, treatment, and preventative care;
- c. For any purpose allowed under Oregon's domestic violence, harassment, sexual assault, or stalking law; or
- d. A public health emergency, including upon an order of a general specific public health emergency, or when the City requires you to be away from the workplace by law or rule for health reasons.

10.30.80. Abuse of sick leave privilege shall be cause for disciplinary action. If the City suspects sick leave abuse, including but not limited to repeated use of unscheduled sick leave or repeated use of leave adjacent to weekends, holidays, vacations, or paydays, the City may require documentation from a healthcare provider. Employees found to have abused sick leave as described here may also be subject to discipline, up to and including termination.

If the need for sick leave is unforeseeable, the employee shall notify their supervisor with the reason for his or her absence at least one (1) hour prior to the time he or she is expected to report for work.

If an employee fails to provide proper notice or make a reasonable effort to schedule leave in a manner that is only minimally disruptive to the organization and operations, the City may deny the use and legal protections of sick leave.

If an employee takes five (5) or more consecutive scheduled workdays as sick leave, the City may require reasonable documentation showing that the employee was absent for an approved reason. Reasonable documentation includes documentation signed by a healthcare provider, or documentation for victims of domestic violence, harassment, sexual assault or stalking. Documentation may be requested at the discretion of the supervisor if less than five (5) days. Employers must pay for all costs associated with providing medical verification, including copays, the full cost of visits if the employee is uninsured, and lost wages if the employee is required to miss work to obtain the medical verification.

10.30.90. Accrual of sick leave shall stop on the last day worked.

10.30.100. Unused sick leave shall not be compensated for in any way at the time of resignation, retirement or termination of an employee. However, unused sick leave shall be reported to the appropriate agency for computations relating to retirement benefits, as required.

10.30.110. Sick leave may be used in amounts of not less than one-half (1/2) hour, except as provided herein.

10.30.120. If the need for sick leave is foreseeable, an employee must notify their supervisor as soon as practicable before the leave is to begin. Generally, an employee must provide at least 10 days' notice for foreseeable sick leave. The request shall include the anticipated duration of the sick leave, if possible. Employees must make a reasonable effort to schedule foreseeable sick time in a manner that minimally disrupts the operations of the City. Employees must notify their supervisor of any change in the expected duration of sick leave as soon as practicable.

10.30.120. Exceptions to Sick Leave With Pay.

- a. No employee of the City shall be entitled to salary, paid benefits, or accrued leave benefits by the City, if the employee is receiving full-wage replacement worker's compensation or other similar benefit payments from a source related to employment other than with the City of Veneta.
- b. From time to time the City may require the employee to submit a sick leave certification from an attending physician. In the event of failure or refusal to supply such

certificate, or in the event the certificate does not clearly show sufficient reason to preclude the employee from the performance of duties, such sick leave will be canceled and the employee's services may be terminated.

10.30.130. Sick Leave Without Pay. At the City's sole discretion and if requested by any employee, sick leave without pay may be granted if the employee's accrued sick leave, compensatory time, vacation time, administrative time, and personal time have been depleted. In the event that such additional unpaid leave exceeds thirty (30) days, an extension must be requested and may be approved by the City Administrator. Such leave of absence, shall not exceed one (1) year, and shall be without pay or fringe benefits, except as otherwise required by law (i.e. COBRA).

10.40. Personal Leave

10.40.10. All employees with a regular or promoted introductory status may earn personal leave when an employee has accumulated the maximum of two hundred forty (240) hours sick leave, at a rate of eight (8) hours, for each month during which the employee maintains an accumulated two hundred forty (240) hours of sick leave, provided:

- a. Personal leave hours shall not be accumulated in excess of sixty (60) hours.
- b. Personal leave hours may not be earned if an employee's sick leave is less than the maximum. Therefore; accrued personal leave must be used prior to using sick leave.
- c. Personal leave will be scheduled by mutual agreement between the employee and supervisor.

- d. Unused personal leave shall not be compensated in any way at the time of resignation, retirement or termination.
- e. Employees in a regular status working less than full-time shall earn personal leave on a pro-rated amount based on the hours they are normally scheduled to work during each calendar month.
- f. Subject to available funding, employees may opt for payment of personal leave in lieu of time off. Payment may be requested for no more than forty (40) hours per fiscal year. Requests must be made in writing using the appropriate section of the employee timesheet and approved by the employee's supervisor.

10.40.20. Accrual of personal leave shall stop on the last day worked.

10.50. Maternity/Parental Leave

10.50.10. Work absences caused by childbirth or related circumstances are likely covered by the City's accrued sick leave policies during the period that the employee's doctor certifies the employee's inability to work. The City may also allow the employee to use accrued paid Vacation leave under these circumstances. If the employee has no paid sick leave accrued, he/she should discuss the issue with their supervisor.

10.50.30. To be eligible for sick leave benefits due to childbirth or related circumstances, the employee should follow the process for using sick leave and should notify the City, in writing, of the anticipated date of departure and date of return at least thirty (30) days prior to the beginning of the leave, if at all possible. In the event of

emergency, such as premature delivery, telephone notice shall suffice, provided written notice is given within three (3) working days following the emergency.

10.60. Expression of Breast Milk

10.60.10. Female employees breastfeeding a child 18 months or younger are allowed a 30 minute unpaid break during each 4-hour work period or major part of a 4-hour work period for expression of breast milk; the break should be taken by the employee approximately in the middle of the work period.

10.60.20. If an employee takes the 30 minute break by adding time to a paid 10-minute rest period, ten minutes of the break will be paid, the remaining portion will not.

10.60.30. With prior approval from her manager, an employee may choose to work before or after her normal shift to make up the amount of time used during the unpaid portion of the rest period.

10.60.40. If the employee does not make up the unpaid time, the employee will not receive compensation for the breast milk expression time. Employees cannot be required to make up the unpaid time.

10.60.50. 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.

10.60.60. An employee who intends to express milk during work hours must give their supervisor or [Contact] reasonable oral or written notice of her intention to do so in order to allow the [Company] time to make any preparations necessary for compliance with this rule.

10.60.70. 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.

10.70. Statement of No FMLA/OFLA Coverage)

10.70.10. City employees are not eligible for leaves of absence under the Oregon Family Leave Act (OFLA) or the federal Family Medical Leave Act (FMLA) due to the size of the City (24 or fewer employees).

10.80. Military Leave

10.80.10. The City shall comply with all applicable facets of the Uniformed Services Employment and Reemployment Rights Act (USERRA), or any amendments thereto, as the Act applies to employees who leave employment in "other than a temporary

position" for the purpose of military training, service or examination.

Employees who wish to serve in the military and take military leave should contact Human Resources for information about their rights before and after such leave. The employee is entitled to reinstatement upon completion of military service, provided that the employee applies for reinstatement within the time allowed by law.

10.80.20. Eligible employees called for initial active duty for training and for all periods of annual active duty for training as a member of the National Guard, National Guard Reserve or any reserve component of the Armed Forces for the United States or of the United States Public Health Service, may be entitled to leave with pay for all regular workdays that fall within a period not to exceed 15 calendar days in any federal training year. Weekend drill obligations are not considered "federal active duty" for training under this policy; other requirements apply.

10.80.30. The City will honor requests from eligible employees to take a leave of absence under the Oregon Military Leave Act. Thus, during a period of military conflict, as defined by law, eligible employees with a spouse or registered same-sex domestic partner who is a member of the Armed Forces, National Guard, or military reserve forces ("Military Spouse"), and who has been notified of an impending call or order to active duty (or who has been deployed) is entitled to a total of 14 days of unpaid leave per deployment after the Military Spouse has been notified of an impending call or an order to active duty and before deployment and when the Military Spouse is on leave from deployment. To be an eligible employee and entitled to this leave, the employee must have worked an average of

20 hours per week prior to beginning the requested leave.

10.90. Administrative Leave

10.90.10. In recognition that certain employees who hold City positions classified as exempt (Management and Professional/Supervisory) will from time to time work more than forty (40) hours per week, and in lieu of any compensatory time, such employees hired after August 15, 2010 are entitled to six (6) hours of administrative leave per month. Each employee hired prior to August 15, 2010, will continue to accrue administrative leave at the rate they were accruing as of August 15, 2010.

- a. Administrative leave shall not accumulate to more than (sixty 60) hours at any one time.
- b. Administrative leave will be scheduled by mutual agreement between the employee and supervisor.
- c. Unused administrative leave shall not be compensated in any way at the time of resignation, retirement or termination.
- d. Subject to available funding, employees may opt for payment of administrative leave in lieu of time off. Payment may be requested for no more than forty (40) hours per fiscal year. Requests must be made in writing using the appropriate section of the employee timesheet and approved by the employee's supervisor

10.90.20. Accrual of administrative leave shall stop on the last day worked. Unused administrative leave shall not be compensated for in any way at the time of resignation, retirement or termination of an employee.

10.100. Crime Victim's and Domestic Violence Leave and Accommodation Policy

10.100.10. Any employee who has worked an average of at least 25 hours per week for 180 days are eligible for reasonable, unpaid leave to attend criminal proceedings if the employee or immediate family member has suffered financial, social, psychological or physical harm as a result of being a victim of certain felonies., such as kidnapping, rape, arson, assault.

10.100.20. Employees who are eligible for crime victim leave must:

- a. Use any accrued, but unused vacation/sick leave during the leave period;
- b. Provide as much advance notice as is practicable of his/her intention to take leave (unless giving advance notice is not feasible); and
- c. Submit a request in writing to Human Resources as far in advance as possible, indicating the amount of time needed, when the time will be needed, and the reason for the leave.

In all circumstances, the City may require certification of the need for leave, such as copies if any notices of scheduled criminal proceedings that the employee receives from a law enforcement agency or district attorney's office, police report, a protective order issued by a court, or similarly reliable sources.

10.100.30. Domestic Violence Leave and Accommodation Policy. All employees are eligible for reasonable unpaid leave to address domestic violence, harassment, sexual assault, or stalking of the employee or their minor dependents. Employees may

use accrued vacation or sick leave while on Domestic Violence Leave.

10.100.40. Reasons for taking leave include the employee's (or the employee's dependent's) need to: seek legal or law enforcement assistance or remedies; secure medical treatment for or time off to recover from injuries; seek counseling from a licensed mental health professional; obtain services from a victim services provider; or secure an existing home.

10.100.50. Other examples of reasonable accommodation may include, but are not limited to: transfer, reassignment, modified schedule, changed work telephone number, changed work station, installed lock, implemented safety procedure, or other adjustment to a job structure, workplace facility or work requirement.

10.100.60. Employee who are victims of domestic violence harassment, sexual assault, or stalking may be entitled to a "reasonable safety accommodation" that will allow the employee to more safely continue to work, unless such an accommodation would impose an undue hardship on the City. Please contact Human Resources or City Administrator with requests for reasonable safety accommodations.

10.110. Other Leave with Pay

10.110.10. Employees with regular or promotional introductory status, with approval, are entitled to leave without loss of time, pay, loss of leave accruals or benefits for absences caused by the following:

- a. City employees called for jury or witness duty, or subpoenaed as a witness in their capacity as a City

employee, shall be paid at their regular rate of pay during such absence. Compensation received by the employee for serving on a jury will be paid to the City. Compensation received by the employee to cover travel and related expenses will be retained by the employee, unless otherwise paid by the City. It is the responsibility of the employee to report to work for the remainder of their normal shift if jury duty does not exceed the work day, or to make arrangement with their supervisor for approval of the use of accrued leave. It is the employee's responsibility to keep their supervisor or Department Head informed about the amount of time required for jury or witness duty. No personal civil case of the employee shall be covered by this provision.

- b. Employees with regular status who are requested by an appropriate agency to participate in a search and rescue operation are eligible for leave with pay for a period not to exceed five (5) regular working days, for each such operation (incident), provided the employee fully complies with ORS 652.250.
- c. In the event of the death of an employee's immediate family member(s), an employee with regular or introductory status may be granted up to three (3) days paid bereavement leave with pay per occurrence, not to exceed six (6) paid days per fiscal year. Requests for Bereavement Leave must be made to the employee's immediate supervisor before the Leave is begin.

10.120. Leave without Pay

An employee with regular or promotional introductory status may be granted leave without pay for a period not exceeding ninety (90) days. Requests for such leave must be in writing, and must establish reasonable justification. No vacation, holiday, personal leave, administrative leave, sick leave, retirement, or other benefits (except COBRA rights) will be continued or accrued during periods of leave without pay, and all applicable accrued leave must be used. The City provides continued access to medical insurance to employees on unpaid leave in accordance with the requirements of COBRA. Additional information concerning extended benefits is available from the City Administrator, or designee and is largely dictated by the terms in the City's agreement with City County Insurance Services.

10.120.40 Leave requests must be approved by the Department Head or Human Resources and the City Administrator. Leave approval is subject to position, work load, and other work-related factors. Management will provide written rationale on approval or denial of request. Decisions will be job-focused and not based on the person requesting the absence.

11.00. Benefits

- 11.10. Health Insurance
- 11.20. Life Insurance
- 11.30 Long Term Disability
- 11.40. Deferred Compensation Plan
- 11.50. Retirement
- 11.60. Worker's Compensation and Safety on the Job
- 11.70. Conferences and Conventions
- 11.80. Travel Policy
- 11.90. Educational Training & Training Aid
- 11.100. Professional Affiliations
- 11.110. Clothing Allowance
- 11.120. Cell Phone Stipend
- 11.130. Pool Pass
- 11.140. Longevity Bonus

11.10. Health Insurance

11.10.10. The City of Veneta participates with employees and their dependents to provide health insurance to cover non-occupational injuries and illnesses. All regular and introductory status employees who are normally scheduled to work twenty-four (24) hours or more per week are eligible for health insurance coverage on the first day of the month following their first full calendar month of employment. Dependents of qualifying employees who are otherwise eligible for coverage shall be provided with health insurance coverage pursuant to the provisions of the policy currently in effect.

11.10.20. The City will, subject to limitations by its insurance carrier, provide employees with a medical insurance plan. The premium will be shared between the City and the employee depending on (1) the premium costs, (2) the plan offered and (3) the number of hours each employee is normally scheduled to work. All premium costs paid for by employees will be

deducted pre-tax within the scope of current tax laws. Subject to the City's contract with the insurance carrier, in all cases, the City will pay at least 50% of the health insurance premium for each employee.

11.10.30. In conjunction with a health plan, the City will contribute money into each employee's Health Savings Account (HSA) in quarterly installments. Employees must notify the City if they desire to contribute additional money into their HSA directly from their paycheck, pre-tax. Employees are responsible to track all HSA contributions and the City will not be held responsible for any additional taxes, penalties, etc. that may occur due to contributions made in excess of IRS limits.

11.10.40. Information and health care booklets are available from the City Administrator, or designee. In compliance with COBRA (the Consolidated Omnibus Budget Reconciliation Act), the City will offer continuing health care coverage on a self-pay basis to employees and/or a dependent child when they cease to be a dependent child under the provisions of the current carrier's health plan. Such continued health care coverage will be the same as the current level provided to the employee and/or other employees purchasing that level of coverage. In all matters concerning eligibility for and/or duration of continued health care coverage, the City will comply with the requirements of COBRA.

11.10.50. The City provides an Employee Assistance Program (EAP) through Cascade Centers to employees and dependents who are enrolled in The City's medical coverage. For access to confidential help 24 hours a day, seven days a week, call toll-free: 1-800-433-2320, or go online to www.cascadecenters.com.

The EAP program provides confidential counseling services and educational tools such as resources relating to eldercare, childcare, legal consultation, financial coaching, identity theft, and others.

11.20. Life Insurance

1120.10. All regular and introductory employees who are normally scheduled to work twenty-four (24) hours or more per week are eligible for term life insurance coverage on the first day of the month following their first full calendar month of employment. The City pays 100% of the premium and reserves the right to change the coverage amount as needed.

11.30 Long Term Disability

11.30.10. The City provides Long Term Disability (LTD) insurance coverage for all regular and introductory employees who are normally scheduled to work twenty-four (24) hours or more per week. This coverage is intended for non-job related injuries and illnesses that take place outside of employment.

11.30.20. The injured employee is responsible for filing the LTD claim with the provider and managing the claim process.

11.40. Deferred Compensation Plan

11.40.10. The City of Veneta provides one or more deferred compensation plans. Employees in regular or introductory status are eligible for participation in these plans on a self-pay basis as a pre or post tax deduction.

11.50. Retirement

11.50.10. The City of Veneta provides retirement benefits for its qualified

employees through the OREGON PUBLIC EMPLOYEES RETIREMENT SYSTEM (OPERS), and the Oregon Public Service Retirement Plan (OPSRP), in accordance with the provisions of PERS and OPSRP, as each may be amended from time to time. Statutory requirements may change, subject to state law.

11.50.20. Employees, not previously qualified with PERS, who work in excess of six hundred (600) hours per year are eligible for PERS retirement participation after six (6) months of employment. Public employees hired on or after August 29, 2003 become members of OPSRP, unless membership was previously established in PERS. The City provides 100% of the employee's and employer's contribution to PERS or OPSRP.

11.50.30. Contributions to Social Security and Medicare are shared equally between the City and all employees.

11.50.40. There is no mandatory retirement age for City employees. However, employees should consult the PERS Summary of Member Benefits for further information.

11.60. Occupational Injury & Illnesses

11.60.10. Employees are protected by worker's compensation insurance under Oregon law. This insurance covers you in case of occupational injury or illness by providing, among other things, medical care, and compensation and temporary or other disability benefits. Employees are expected to work safely and in a safe environment.

The injured employee is responsible for immediately notifying the employee's supervisor, completing an injury/incident

report or Form 801, whichever is most appropriate, and submitting it to the supervisor no later than the working day following the accident or injury, unless the seriousness of the accident makes it impossible for him or her to do so. Failure to timely follow these steps may negatively affect your ability to receive benefits.

11.60.20. An injured employee's supervisor is responsible for preparation of the injury/incident report or Form 801 in the event the employee is incapable of doing so. Failure to complete the required reports may jeopardize the employee's right to worker's compensation benefits.

11.60.30. When an employee must take time off from work as a result of such injury or illness, the employee shall receive such worker's compensation benefits as the employee may be entitled to under the State Worker's Compensation law. The employee has the option of using any accrued leave as a way to bridge the gap between their normal salary and the amount of compensation benefits they receive from the City's workers' compensation carrier.

11.60.40. When receiving compensation as stated above, the employee will continue to accrue leave benefits as if they were working their regular work schedule.

11.60.50. If an employee requires worker's compensation leave, the City will strive to reemploy the employee in the most suitable, vacant position available at the conclusion of that leave. However, the employee must first submit documentation from a health care provider who is familiar with the condition certifying the employee's ability to return to work and perform essential functions of the position.

11.60.60. If an employee's health care provider determines that the employee is able to perform modified work, the City will attempt to provide the employee with a temporary job assignment for a reasonable period of time until the employee can resume their regular duties (except where provided as an accommodation as for a disability). While the employee is on a modified position or assigned transitional work, the employee is still subject to all other City rules and procedures.

11.70. Conferences and Conventions

11.70.10. Decisions concerning employee attendance at conferences, conventions, or other meetings, at City expense, shall be made by the employee's supervisor and/or City Administrator. Decisions concerning the City Administrator's attendance at conferences, conventions, or other meetings, at City expense, shall be made by the Mayor.

11.80. Travel Policy

11.80.10. When employees are required or asked to travel on City business, guidelines and reimbursements for expenses incurred shall be determined as follows:

- a. Prior to traveling outside the City, the employee will obtain approval for the trip and the mode of travel from the employee's Supervisor, and/or the City Administrator.
- b. Travel on official business outside and inside the City by a single individual, should be in a City-owned vehicle, when available.
- c. If the employee is authorized to use a private vehicle for travel outside the City, mileage will be paid at the maximum rate approved by the IRS at the time of such travel, provided the private vehicle use is

advantageous to the City. This rate includes all travel, insurance, and storage, expenses of the vehicle. There will not be any other reimbursement for those vehicle related expenses; however, parking fees will be reimbursed subject to the guidelines in section. 11.80.20. listed below.

- d. If the employee is authorized to use a private vehicle for travel inside the City, mileage will be paid at 50% of the maximum rate approved by the IRS at the time of such travel, provided the private vehicle use is advantageous to the City. This rate includes all travel, and insurance. There will not be any other reimbursement for those vehicle related expenses.
- e. Use of a City vehicle for personal business and commuting in a City vehicle are prohibited. If either of these occur the employee shall be subjected to disciplinary action and the value of such use reported as taxable income.
- f. Employees using personal vehicles for City business shall furnish to the City proof of personal insurance coverage. The City Council may set the levels of such required coverage from time to time, provided it shall not create an excessive burden on the employee.
- g. Drivers of City-owned vehicles, or employees using personal vehicles on city business, shall obey all traffic and speed laws, and shall use such vehicles only for City business.
- h. No alcoholic beverages shall be carried in a City-owned vehicle at any time. No alcoholic beverages shall be carried in an employees' personal vehicle while on City business. Employees will refrain

from any consumption of alcohol prior to driving, when traveling for City business. No one who is under the influence of intoxicants, including alcohol, Controlled Substances, or Over the Counter Medicine, so that the person's ability to safely operate a vehicle is in any way impaired, shall operate a vehicle for City business. No one who is visibly intoxicated shall be allowed in a City vehicle or in a personal vehicle which is being used for City business.

11.80.20. It is the practice of the City of Veneta to reimburse employees for reasonable and necessary costs incurred while performing authorized City business. Prior approval from the employee's supervisor and/or City Administrator is required for all expected travel expenses.

11.80.30. Time spent traveling to and from training and other work events is considered paid work time. If travel time would result in a work week of more than 40 hours, supervisor authorization is required to flex the employee's schedule or receive overtime hours.

11.80.40. With supervisor or City Administrator approval, employees traveling on City business are eligible for a Per Diem for their personal meal expenses and incidentals. The City uses per diem rates recommended by the U.S. General Service Administration (www.gsa.gov).

- a. Per Diem is calculated using the traveler's time of departure and time of return. The traveler is entitled to one day per diem for every 24 hour period and one half-day per diem for any 12 hour period.

- b. Meals and Incidental Expenses (M&IE Total) is the full daily amount an employee receives for a single calendar day of travel when that day is neither the first nor last day of travel. M&IE Total = Breakfast + Lunch + Dinner + Incidentals. Sometimes meal amounts will be deducted from trip voucher.
- c. When meals are included in conference registration fees or hotel rates, a deduction will be made from the applicable per diem rate. To determine the appropriate deduction amount by travel location, the City will refer to the M & IE Breakdown from the Domestic Per Diem Rates page of the U.S. General Services Administration web site (above).
- d. Exceptions to Meal Per Diem include when an employee attends a meeting where the meal is an agenda item but not included in the fee and the selection and the cost of the meal are beyond the control of the employee, or, the meal provided does not comply with the employee's diet, such as but not limited to vegetarian or vegan options. The employee will be reimbursed for the actual cost of that meal. A receipt is required for reimbursement.
- e. Employees will need to print out a copy of the meeting or conference agenda for confirmation. Receipts are required for non-meal and Exception Meal expenses only. No receipts are needed for provided meals.

Incidental expenses and special circumstances that require higher expense will be reimbursed if it is preauthorized by the supervisor and/or City Administrator, and receipts are presented.

11.90. Educational & Training Aid

11.90.10. The City shall encourage training opportunities for employees in order that

services rendered to the City will be more effective. At the discretion of the City, training sessions may be conducted during regular working hours.

11.90.20. The City will reimburse an employee's tuition cost upon successful completion of a job-related course, provided, HOWEVER, that APPROVAL MUST BE GRANTED BY the City PRIOR TO ENROLLMENT, and within current budget authority.

11.90.30. When attendance for a training program is required by the City, the total cost, including mileage and meals, will be paid by the City. In such cases, all educational materials provided to the employee shall become the property of the City.

11.100. Professional Affiliations

11.100.10. Employees are encouraged to join and participate in job-related professional associations and groups. Members of professional societies may be granted permission to attend meetings of their society, when such attendance is considered to be in the best interest of the City.

11.100.20. With prior approval from the employee's supervisor or City Administrator, employees may attend seminars, conferences, or short training courses offered by such groups, provided the subject matter is job-related. Preference will be given to courses sponsored by associations that lead to certificates of advanced standing such as First Aid, or accredited water or waste water treatment plant operator.

11.110. Clothing Allowance

11.110.10. City of Veneta Public Works employees routinely work in environments that require special attire and frequent replacement, therefore, the City will furnish them with specific items of clothing and equipment and provide a clothing allowance for items not furnished.

11.110.20. The City will supply all Public Works employees with OSHA/OROSHA required safety equipment, raingear, rubber boots, work gloves, and City-logo attire. Use of items provided by the City is restricted to use on the job and normal commuting time to and from work.

11.110.30. Except as provided above, Public Works employees are expected to purchase their own clothing and footwear including, but not limited to, jackets, pants, and boots. The City's policy is to reimburse each Public Works employee for these purchases up to \$400.00 per fiscal year. To qualify for reimbursement employees must attach legible receipts to an approved reimbursement form for their individual purchases. Employees providing receipts totaling less than \$400.00 will receive only the amount on their receipts. Employees have the entire fiscal year to use the full \$400.00 reimbursement.

11.110.40. Reimbursement for clothing items that do not have the City logo is considered a taxable fringe benefit per IRS Code 162 because such items are "non-distinctive" and therefore could be worn for personal use. The total allowance paid will be included in taxable wages on the employee's W-2 (in Box 1).

11.110.50. The Finance department will keep a record of individual usage of the

clothing allowance benefit. Copies of the record are available upon request.

11.120. Cellular Device Stipend

11.120.10. The City recognizes that some employees, due to their position and responsibilities, must be reachable by cellular device during and after normal business hours. Recognizing that most employees have a personal cellular device, the City will provide a monthly stipend for city related use of an employee's personal cellular device to employees that qualify.

11.120.20. The employee's supervisor and/or the City Administrator will determine whether or not an employee is qualified for a stipend based upon their job description and responsibilities.

11.120.30. The monthly cellular device stipend for qualified employees will be \$50 for employees requiring a service plan with voice and data and \$30 for employees requiring a voice only service plan.

11.120.40. Employees receiving a stipend are required to adhere to Section 8.70 regarding appropriate usage during business hours. Personal use of cellular devices should only occur during non-business hours except in the case of an emergency.

11.120.50. Employees receiving a stipend are required to obtain and retain a cellular device service plan, a reliable cellular device and any necessary equipment (charger, protective casing, screen protector, etc.) and are solely responsible for the care and maintenance of that device and equipment.

11.120.60. The City will not be responsible for any expenses relating to cellular device usage over and above the monthly stipend amount. Such expenses

including fees, taxes, repair, replacement costs, etc. are the sole responsibility of the employee.

11.120.70. Employees receiving a stipend are further responsible for immediately notifying the City in the event they no longer have a reliable cellular device and/or service plan.

11.120.80. The stipend is not considered part of the employee's compensation because the phone is owned by the employee; therefore, it is excluded from taxable income.

11.130. Pool Pass

11.130.10. As part of the City of Veneta's efforts to support employee wellness, regular and introductory employees shall be provided one "family season pass" (as defined by pool policy) each pool season as part of their official compensation package.

11.130.20. The family season pass does not cover the cost of swim lessons, swim team membership, pool rentals, or any use of the pool, other than as outlined in the season pass. Employees who wish to participate in activities not covered by the season pass will be responsible for paying the regular user fees.

11.140. Longevity Bonus

11.140.10. In recognition of knowledgeable and experienced employees who have reached the top of their pay grade, regular, full-time employees with 10 or more years of consecutive employment with the City shall be awarded a one-time longevity bonus.

11.140.20. Bonus amounts will be determined by the following schedule:

Year 10: 2.5% of salary

Year 15: 3.0% of salary

Year 20: 3.5% of salary

Year 25: 4.0% of salary

Year 30: 4.5% of salary

11.140.30. The bonus will be awarded for the pay period that includes the employee's hiring anniversary date.

12.00. Disciplinary Process

12.10. Policy

12.20. Objectives of Discipline
12.30. Causes of Discipline
12.40. Forms of Discipline
12.50. Determination of Discipline
12.60. Process for Probation,
Demotion, Termination

12.10. Policy

12.10.10. Employees are expected to perform to the best of their abilities at all times. There will be occasions, however, where employees perform at an unsatisfactory level, violate a policy or law, or commit an act that is inappropriate. When performance or conduct does not meet City standards, the City will determine whether it will terminate the employee's employment or provide the employee a reasonable opportunity to correct the deficiency through progressive discipline.

12.20. Objectives of Discipline

12.20.10. When it is necessary for supervisors to resort to corrective action, the principle objective in any disciplinary action shall be to improve the performance, efficiency and morale of the City employee and City operations.

12.30. Causes of Discipline

12.30.10. Discipline may be initiated for many reasons, including, but not limited to, violations of City policies or other work rules, insubordination or poor job performance. The severity of the disciplinary action generally depends on the nature of the offense and an employee's work record, may range from verbal counseling to termination, and may occur in

any order the City determines is necessary and responsive to the situation; although your supervisors will generally make an effort to apply discipline in a progressive order, starting at less stringent types of discipline (such as a verbal warning) and graduating to more stringent discipline (such as demotion or termination). When an employee is subject to disciplinary action, the action will be documented on the appropriate City form and placed in the employee's personnel file.

12.30.20. Some examples of prohibited conduct includes, but is not limited to:

- a. Falsification of employment or other City records; or untruthfulness regarding work or City matters
- b. Falsification of any time sheets (your own or another employee's).
- c. Theft, misuse, or the deliberate or careless damage or destruction of any City property, or the property of any other employee, citizen, vendor or third party.
- d. Unauthorized use of City equipment, materials or facilities.
- e. Provoking a fight or fighting during work hours or on City property.
- f. Carrying firearms or any other dangerous weapon on City premises at any time.
- g. Engaging in criminal conduct while at work.
- h. Causing, creating or participating in a significant or substantial disruption of work during working hours on City property.
- i. Insubordination, including but not limited to: failure or refusal to follow the orders or instructions of a supervisor or member of

management, disrespectful conduct or the use of abusive or threatening language toward another City employee, customer or vendor.

- j. Failure to notify a supervisor when unable to report to work, or when leaving work during normal working hours without permission from a supervisor to do so.
- k. Failure to observe work schedules, including rest breaks and meal periods. You are expected to be at work on time, remain until your workday ends, and perform the work assigned to or requested of you.
- l. Sleeping or malingering on the job.
- m. Excessive personal telephone calls during working hours; unproductivity
- n. Unprofessional appearance during normal business hours.
- o. Failing to attend scheduled work sessions and related activities at conferences, workshops, or educational events that are paid for by the City.
- p. Misrepresentation of City policies, practices, procedures, or your status or authority to enter into agreements on behalf of the City. Employees may not use the City's name, logo, likeness, facilities, assets or other resources of the City for personal gain or private interests.
- q. Violations of the Ethics Policy or Oregon's Ethics laws.
- r. Violation of any safety, health, security or City policy, rule or procedure. Employees are expected to act in accordance with all appropriate codes, laws, regulations, and policies, regardless of whether they are set by the City or outside regulatory or legislative bodies.
- s. Harassment, discrimination, or bullying as defined by Federal, State, and City policies.
- t. Failure to maintain professional and respectful working relationships with fellow employees, supervisors, elected officials, and citizens of our community with whom they must interact.

Any violation of the rules or prohibited conduct in this policy may result in discipline, up to and including termination. This list of prohibited conduct is illustrative only; other types of conduct injurious to security, personal safety, employee welfare and the City's operations, some of which are described elsewhere in this Handbook, may also be grounds for discipline, up to and including termination.

12.40. Forms of Discipline.

12.40.10. Modes of discipline include, but are not limited to:

- a. Verbal counseling
- b. Written counseling or warning
- c. Performance Improvement Plans, Increased Training or Mentoring
- d. Leave without Pay Disciplinary probation
- e. Demotion
- f. Termination

12.50. Determination of Discipline

12.50.10. When performance or conduct does not meet the City's standards, the City will determine whether it will terminate an employee or provide the employee a reasonable opportunity to correct the deficiency through counseling or discipline (such as, in no particular order, verbal warnings, written warnings, suspensions without pay, and demotions).

12.50.20. The corrective action process will not always commence with a verbal counseling or include a specific or ordered sequence of steps. Some misconduct, especially if intentional or serious, warrants more severe action (including termination) on the first or subsequent offense. Discipline may occur in any order the City determines is necessary and responsive to the situation; although your supervisors will generally make an effort to apply discipline in an increasingly progressive order, starting at less stringent types of discipline (such as a verbal warning) and graduating to more stringent discipline (such as demotion or termination).

12.50.30. In lieu of terminating the employment of an employee for serious violations of City policies, procedures and rules and for other inappropriate behavior, the City may choose to provide the employee with a last-chance agreement. The City may also choose to send the employee to training or an education opportunity.

12.50.40. In all cases, the City will determine the nature and extent of any discipline based upon the circumstances of each individual case and may proceed directly to a written warning, demotion, last chance agreement, or termination for misconduct or performance deficiency, without any prior disciplinary steps, in no particular order, and when the City deems

such action is appropriate. The City retains the right to terminate any employee's employment at any time and for any reason with or without advance notice or other disciplinary action.

12.50.50. A supervisor may choose whether to make the imposition of a verbal warning part of the employee's personnel file. All discipline will be noted in the employee's personnel file and will not be removed from an employee's file.

12.60. Process for Probation, Demotion, and Termination

12.60.10. Notice of Disciplinary Concerns and Employee's Opportunity to Provide Comment (Pre-Disciplinary Meeting).

- a. If the supervisor deems that it may be appropriate, for disciplinary reasons, to place an employee on disciplinary probation, demote, or terminate an employee, the supervisor shall notify the City Administrator, Department Head, Human Resources personnel, and the employee in writing of the nature of the proposed discipline which is being considered and the specific reasons for the proposed discipline.
- b. If the discipline involves the loss of salary, a demotion, or a termination, Human Resources personnel working with the supervisor shall provide the employee with a written explanation of the concerns, and shall afford the employee an opportunity to respond to the concerns and provide an explanation, either in person or in writing, within five working days.
- c. Once the employee has been afforded an opportunity to respond, after consultation with Human Resources personnel, the

supervisor shall decide what, if any, discipline to impose. The supervisor may not impose a more severe form of discipline than that listed in the Disciplinary Notice without first informing the employee in writing of the reasons for the more severe discipline, providing an explanation of any additional concerns, and affording the employee another opportunity to respond to the additional concerns.

Human Resources personnel working with the supervisor shall advise the employee in writing of the disciplinary decision within two working days (or at a later date if the City notifies the employee in writing that it requires additional time to make the disciplinary decision), either hand-delivered to the employee or mailed to the employee.

13.00 Complaint Procedure

13.10. Policy

13.20. Complaint Procedure

13.10. Policy

13.10.10. The City recognizes that there are times when the need arises for employees to express concerns or complaints in a formal manner. The following procedures will ensure that employees receive fair and unbiased treatment for regarding their workplace concerns. Employees who have concerns or wish to report possible discrimination or harassment may choose to follow these procedures or may choose to proceed under Section 5.0 of this policy.

13.20. Complaint Procedures

13.20.10. Step 1: Informal Discussion with Supervisor. Employee concerns should first be discussed with the employee's immediate supervisor. Many concerns can be resolved informally when an employee and supervisor take time to review and discuss the concerns and options to mitigate the issues. If the employee complaint is regarding illegal harassment, discrimination or retaliation, the employee should submit the written complaint directly to Human Resources.

13.20.20. Step 2: Written Complaint to Human Resources or City Administrator. If the employee is not satisfied with the results of the informal discussion with their supervisor (in Step 1), the employee may submit a written complaint within five working days of speaking with their Supervisor. The complaint must be dated and provided to Human Resources, or to the City Administrator if Human Resources is unavailable.

Human Resources or the City Administrator will consult with the employee's immediate

supervisor, Department Head, and any other relevant parties to evaluate, review, or investigate the complaint and may recommend disciplinary action. Human Resources will provide a summarized written response to the employee. Generally, the City strives to provide a response within five working days, but in some cases a longer period of time may be needed to fully review the complaint. The City will keep the complaining employee generally informed of an estimated timeline for review. The City Administrator or a supervisor, as applicable, may take disciplinary action based on such report, using the City's disciplinary process.

13.20.30. Complaint Against the City Administrator. In the event the complaint is about the City Administrator, the employee must follow the process in Step 1. If the complaint proceeds to Step 2, the employee must submit the written complaint to Human Resources and follow the process in this Section 13.20. Human Resources will inform the Mayor and the City Attorney of the complaint and will handle (or delegate to a neutral third party) all aspects of the complaint, including any review or investigation. Human Resources will draft a report which includes findings regarding the allegations and will work with the City Attorney to ensure that the appropriate process is followed. During this time, the Mayor or the City Attorney will work together to keep the Council reasonably informed of the process, while respecting employee privacy and addressing any confidentiality concerns. Human Resources (or its delegate) will provide the final report to the Council. The Council shall consider the report and determine if any disciplinary measures are warranted. If the Council believes discipline is warranted, the Council shall seek the advice of the City Attorney and will follow the disciplinary procedures in any

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Employment Agreement or in these policies, as applicable.

Employees who have concerns or wish to report possible discrimination or harassment against the City Administrator may choose to follow these procedures or may choose to proceed under Section 5.0 of this policy.

13.20.40. Contents of the Complaint. The written complaint must include:

- a. The date the complaint was submitted and the date the employee satisfied Step 1.
- b. A detailed explanation of the concern or complaint and details of all previous efforts to resolve the issue. The complaint must include specific facts and, if possible, dates and witnesses.
- c. Any City policies the employee believes may have been violated and how;
- d. Detailed information regarding the employee's dissatisfaction, if applicable, with the immediate supervisor's response.

13.20.40. Recordkeeping. Human Resources will maintain records of the

complaint process confidentially and securely.

13.20.50. Extensions and Finality. The City may extend the time limits for the pre-disciplinary meeting or responses at any time. Failure of the City to respond within the time limits set forth in this section shall constitute an extension of the applicable time limits. Any complaint not taken to the next step on the procedure shall be considered settled on the basis of the last reply made and received in accordance with provisions in this section. All disciplinary decisions are final.

14.00. Savings Clause

14.10.00. Should any portion of this Employee Handbook be rendered ineffective by a Court of competent jurisdiction, the remaining parts shall remain in full force and effect.

15.00. Adoption of Policies

15.10.10. The City Council may alter these policies at any time, including rectifying any portion as necessary to accommodate changes in applicable statute and/or regulation.