



*City of Mt. Angel*

# Employee Handbook

April 2015

## Introduction

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Welcome to the City of Mt. Angel. We're glad to have you join our organization.

The City of Mt. Angel is a great place to work and we are sure your employment here will be rewarding. Our employees are the strongest asset we have, so this handbook is intended to help orient you and enable you to become a productive and successful member of our team. It also helps us to be responsible to our citizens and taxpayers, those we serve.

This may be your first experience being employed in the public sector. As public employees, we represent the City of Mt. Angel in our interactions with citizens, customers, co-workers and partner agencies. The way we perform our work projects an image of our city and is the basis by which the public's opinions and perceptions are formed about Mt. Angel as an organization and community. Therefore, we expect staff conduct will be professional, courteous, respectful, friendly, proactive, efficient and timely. These customer service standards extend to all aspects of our interactions with the public whether greeting a citizen, talking on the telephone, driving around town, performing work in the field, checking out a library book, or assisting with a utility payment or permit at City Hall. As a City employee, you provide an important service to the public. The responsibility is as large as the reward for a job well done.

If you have any questions as you go through this document or related to your employment, contact your immediate supervisor, any manager in the organization, or me.

Again, welcome to our team!

Sincerely,

Eileen Stein  
City Manager

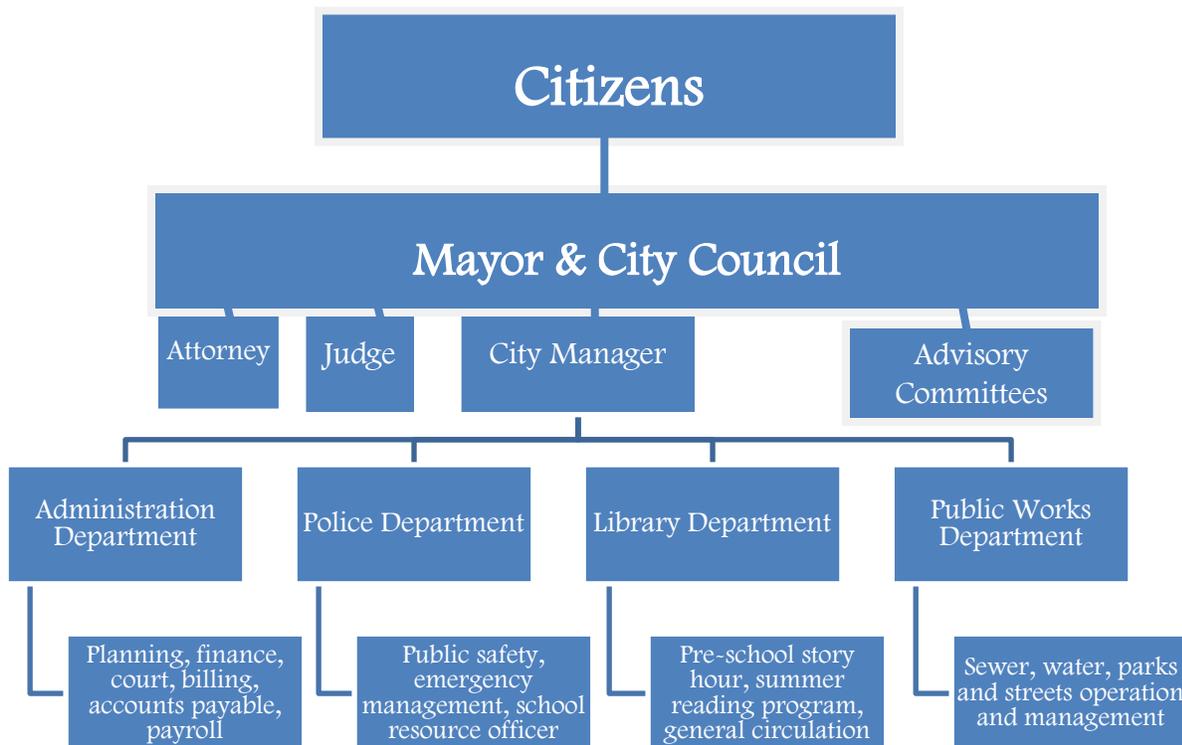
## History, Organization and Mission

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The City of Mt. Angel (City) was incorporated on April 3, 1893 and was named after Engelberg, Switzerland. The City is incorporated under a City Charter which sets out the basic framework of city governance. The current Mt. Angel City Charter has been in effect since January 1, 2015 and can be found on the City's web page at [www.ci.mt-angel.or.us](http://www.ci.mt-angel.or.us).

Our city is governed by a City Council composed of a mayor and six city councilors. The City Council sets policy, adopts a budget to appropriate money, and hires and supervises the City Manager, City Attorney and Municipal Judge. The Mayor is directly elected for a two year term and councilors are elected at-large to four year terms of office. Under the new 2015 City Charter, the Mayor is a voting member of the City Council.

The City Manager is the chief administrative official of the city to which employees report either directly or through department heads and supervisors. The City is organized as follows:



Through these departments, the City operates a public library, police department, municipal court, water and wastewater systems, maintains parks and streets, administers land use planning, personnel, payroll, finance and budgeting, utility billing, records management, elections, intergovernmental relations, media relations and community relations.

## *Mission Statement*

At the City of Mt. Angel, our mission is:

To provide a safe, clean living environment bestowing hospitality and supporting a high quality of life for residents, guests and for welcoming visitors traveling in and around Mt. Angel. The mission is achieved by strategically planning for the future, providing efficient and fiscally sound services and being responsive to citizens and customers.

To support this mission, as employees of the City, we will:

- Be responsive to citizens and customers by providing excellent customer service
- Preserve the small town quality of life
- Strategically plan for the future
- Recognize community diversity
- Provide timely, high quality, efficient and fiscally sound services
- Continue to encourage community involvement in our day to day operations

## About this Handbook

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This Employee Handbook is a guide to the City of Mt. Angel's employment policies, provisions and expectations. It outlines many of the policies that affect you and the benefits offered to you in exchange for your employment with the City. The City reserves the right to amend, delete, or otherwise revise this handbook from time to time in order to meet the needs of the organization, to allow the City to manage and supervise its employees, and to fulfill the City's mission. As changes occur, you will receive updated information concerning changes in policy and those updates should be kept with your copy of the handbook.

By its nature, this handbook contains only general information and guidelines. It may not address all the possible applications or exceptions to the general policies and procedures of the City. It is based on the belief that common sense, good judgment, respect and consideration for the rights of others are paramount to our ability to serve our customers and ourselves. We have tried to anticipate many of your questions, but in no way do we believe that this document will provide every answer. For that reason, if you have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to you, you should address your specific questions to your department head or supervisor.

This handbook does not create a contract of employment between the City and its employees. Employment with the City is "at will" meaning that the employment relationship may be terminated at any time for any lawful reason, unless you are subject to a collective bargaining agreement or written contract of employment. No supervisor, manager, or representative of the City has the authority to enter into any agreement with you regarding the terms of your employment that changes this at-will relationship or deviates from the provisions in this handbook, unless the change or deviation is put in writing and signed by the City Manager (or that is included in a collective bargaining agreement.)

**Throughout the remainder of this handbook there are many references to benefits, rights and responsibilities. If you are an employee in one of the City's bargaining units, the specific benefits, rights and responsibilities contained in your collective bargaining agreement will control over those stated in this handbook. The Police Department shall be exempt from the provisions contained in this handbook when written departmental policy exists.**

We look at our employees as members of a team and as such, you are encouraged to offer suggestions for improvement to this handbook, procedures, employment practices or working conditions. If you have any concerns regarding your employment or additional questions regarding these policies, or need further detail, please talk with your supervisor who can advise you or refer you to the appropriate resource. We want your experience and service to the City to be enjoyable and rewarding.

# TABLE OF CONTENTS

<b>I.</b>	<b>Equal Employment Opportunity (EEO) Policies</b>	
A.	No-Discrimination Policy.....	1
B.	No-Harassment Policy.....	1
	Sexual Harassment.....	1
	Other Forms of Prohibited Harassment.....	2
	Bullying.....	2
	Complaint Procedure.....	2
	Investigation.....	3
	Protection Against Retaliation.....	3
	Confidentiality.....	3
C.	Disability Accommodation Policy.....	3
	Accommodations.....	3
	Requesting an Accommodation.....	3
<b>II.</b>	<b>Employment Status</b>	
A.	Introductory Period of Employment (Probationary Period).....	4
B.	Anniversary Date.....	5
C.	Employee Classification.....	5
	FLSA Exempt or Non-Exempt.....	5
D.	The Workweek.....	5
	Schedules.....	5
	Reporting for Work.....	6
	Changes in Work Schedules and Hours.....	6
E.	Meal Periods and Rest Breaks (Including Nursing).....	6
	Rest Breaks for Nursing.....	7
F.	Overtime.....	7
	Assignment of Overtime Work.....	7
	Rate of Overtime Pay.....	7
	Limitation on Overtime Pay.....	7
	Supervisor Authorization.....	7
	Compensatory (Comp) Time.....	7
G.	Timekeeping Requirements.....	8
H.	Employee-Incurred Expenses and Reimbursements.....	8
I.	Employee Pay.....	8
	Classification and Pay Plan.....	8
	Payroll Deductions.....	9
J.	Reporting Changes to an Employee’s Personal Data.....	9
K.	Performance Reviews.....	10
	Job Description.....	10

	Promotions.....	10
L.	Other Employment Status Policies.....	11
	Transfers.....	11
	Temporary Assignment.....	11
	Layoffs.....	11
	Employment of Relatives.....	11
<b>III.</b>	<b>Time Off and Leaves of Absence</b>	
A.	Attendance, Punctuality and Reporting Absences Policy.....	12
B.	Vacation.....	12
	Vacation Scheduling.....	13
	Vacation Accumulation and Carryover.....	13
	Payment Upon Termination.....	13
	Payment for Vacation Time.....	13
C.	Sick Leave.....	13
	Accumulation and Payment of Unused Sick Leave.....	14
	Use of Sick Leave.....	14
	Payments of Sick Leave.....	14
	Leave Donation.....	14
	Payment Upon Termination.....	15
	Sick Leave Abuse and Verification.....	15
D.	Holidays and Floating Holidays.....	15
	Holidays.....	15
	Floating Holidays.....	16
E.	Family Medical Leave.....	16
	Statement of No FMLA/OFLA Coverage.....	16
	Family Medical Leave Policy.....	16
	Definitions.....	16
	Reasons for Taking Leave.....	17
	Length of Leave.....	18
	One-Year Calculation Period.....	18
	Intermittent Leave.....	18
	Employee Responsibilities – Notice.....	18
	Certification.....	19
	Fitness-for-Duty Certification.....	19
	Unpaid Personal Leave.....	19
	Substitution of Paid Leave for Unpaid Leave.....	19
	Holiday Pay While on Leave.....	20
	On-the-Job Injury or Illness.....	20
	Benefits While on Leave.....	20
	Job Protection.....	20

F.	Bereavement Leave.....	20
G.	Jury and Witness Duty.....	21
	Jury Duty.....	21
	Witness Duty.....	21
H.	Religious Observances Leave and Accommodation Policy.....	21
I.	Crime Victim Leave Policy.....	21
J.	Domestic Violence Leave and Accommodation Policy.....	22
K.	Military Leave.....	23
<b>IV.</b>	<b>Employee Benefits</b>	
A.	Healthcare Benefits.....	23
B.	Employee Assistance Program (EAP).....	23
C.	Workers' Compensation and Safety on the Job.....	23
	Steps to Take if You are Injured on the Job.....	24
	Return to Work.....	24
	Early Return-to-Work Program.....	24
	Overlap With Other Laws.....	25
D.	PERS (Public Employees' Retirement System) Benefits.....	25
E.	Life Insurance.....	25
F.	Other Benefits.....	25
	Conferences & Conventions.....	25
	Educational Aid and Training.....	25
<b>V.</b>	<b>Miscellaneous Policies</b>	
A.	Alcohol/Drug Use, Abuse and Testing.....	26
B.	Use of Organization Email and Electronic Equipment, Facilities and Services.....	27
	Ownership.....	27
	Use.....	27
	Inspection and Monitoring.....	28
	Personal Hardware and Software.....	28
	Unauthorized Access.....	28
	Security.....	28
	Inappropriate Web Sites.....	28
C.	Cell Phone/Smart Phone Usage.....	29
	Cell Phones in General.....	29
	Employee Use of City-Provided Cell Phones.....	29
	Cell Phones and Public Records .....	29
	Cell Phones Use While Driving.....	29
D.	Social Media.....	30
	Prohibited Postings.....	30

	Encouraged Conduct.....	30
	Request for Employee Social Media Passwords.....	31
E.	Workplace Privacy and Confidentiality.....	31
F.	Ethics.....	32
G.	Open-Door Policy.....	32
H.	Outside Employment.....	32
	Solicitation and Distribution.....	33
I.	Criminal Arrests and Convictions.....	33
J.	Political Activity.....	33
K.	Bad Weather/Emergency Closings.....	34
L.	Driving While on Business.....	34
M.	Workplace Violence.....	35
N.	Smoke-Free Workplace.....	35
O.	Appropriate Dress and Grooming.....	35
<b>VI.</b>	<b>Termination of Employment</b>	
A.	Workplace Rules and Prohibited Conduct.....	35
B.	Corrective Action and Discipline Policy.....	37
C.	Retirement or Resignation from Employment.....	37
D.	References.....	38
<b>VII.</b>	<b>Employee Acknowledgement.....</b>	<b>39</b>

## **I. Equal Employment Opportunity (EEO) Policies**

The following EEO policies apply to all employees of the City. Regardless of your rank or position, city employees are expected to adhere to and enforce the following EEO policies. Failure to do so may result in discipline, up to and including termination. Please discuss these policies with your immediate supervisor, any member of the management team, or the City Manager, any time, if you have questions relating to the issues of harassment, discrimination or bullying.

### **A. No-Discrimination Policy**

The City provides equal employment opportunity to all qualified employees and applicants without unlawful regard to race, color, religion, gender, sexual orientation, national origin, age, disability, genetic information, veteran's status, marital status, or any other status protected by applicable federal, Oregon, or local law. This EEO policy applies to all aspects of the employment relationship – including but not limited to, recruitment, hiring, compensation, promotion, demotion, transfer, disciplinary action, layoff, recall, and termination of employment.

### **B. No-Harassment Policy**

The City prohibits harassment of any kind in the workplace, or harassment outside of the workplace that violates its employees' right to work in a harassment-free workplace.

This policy applies to and prohibits sexual or other forms of harassment that occur during working hours, during organization-related or -sponsored trips (such as conferences or work-related travel), and during off-hours when that off-duty conduct creates an unlawful hostile work environment for any employee. This policy also provides protection to employees who are unlawfully harassed during working hours by individuals who are not employed by the City such as elected officials, members of the community, and vendors.

#### **Sexual Harassment**

Sexual harassment has been defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature (regardless of whether such conduct is "welcome"), when:

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

Some examples of conduct that could give rise to sexual harassment are unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; sexual jokes; flirtations; advances or propositions; verbal abuse of a sexual nature; graphic, verbal commentary about an individual's body, sexual prowess, or deficiency; leering, whistling, touching, assault, sexually suggestive, insulting, or obscene comments or gestures;

display in the workplace of sexually suggestive objects or pictures; or discriminatory treatment based on sex. This is not a complete list.

### **Other Forms of Prohibited Harassment**

Other forms of prohibited harassment under City policy and Federal and Oregon law include harassment against an individual based on the individual's race, color, religion, national origin, age, sexual orientation, marital status, disability, protected activity, and any other status protected by applicable law.

Such harassment may include verbal or physical conduct that denigrates or shows hostility towards an individual because of any protected status, such as jokes, pictures (including drawings), epithets, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to a protected class, or written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of the protected status.

### **Bullying**

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 individuals (or a group) directed towards an individual or a group of employees, which is intended to intimidate and that creates a risk to the health and safety of the employee(s). Examples of bullying include:

1. Verbal Bullying - slandering, ridiculing or maligning a person or his/her family; persistent name calling which is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks.
2. Physical Bullying - pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; damage to a person's work area or property.
3. Gesture Bullying - non-verbal threatening gestures, glances which can convey threatening messages.
4. Exclusion - socially or physically excluding or disregarding a person in work-related activities.

### **Complaint Procedure**

Each member of management is responsible for creating an atmosphere free of discrimination, harassment, and bullying. Further, all employees are responsible for respecting the rights of their coworkers and strictly adhering to the letter and spirit of this policy. We encourage you to discuss this policy with your immediate supervisor, any member of the management team, or the City Manager, at any time if you have questions relating to the issues of discrimination, harassment, or bullying.

If you believe that you have experienced any harassment, discrimination, or bullying, you are expected and required to bring the matter to the attention of your immediate supervisor as soon as possible. If you believe that it would be inappropriate to discuss the matter with your immediate supervisor or if you are uncomfortable discussing the issue with your supervisor, you

may bypass your immediate supervisor and report the matter directly to any manager or supervisor, including the City Manager.

In addition, any employee who observes any conduct that he or she believes constitutes harassment, discrimination, or bullying, or who receives information about these types of incidents that may have occurred, must immediately report the matter to their immediate supervisor, any member of the management team, or the City Manager.

### **Investigation**

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.

### **Protection Against Retaliation**

The City prohibits retaliation in any way against any employee because the employee has made a good-faith complaint pursuant to this policy, has reported (in good faith) harassing, discriminatory, or bullying conduct directed at others, or has participated in an investigation of such conduct. Any employee who is found to have retaliated against another employee in violation of this policy will be subject to disciplinary action up to and including termination of employment.

### **Confidentiality**

All complaints under this policy will be treated as confidentially as is possible under the circumstances and as is consistent with the City's need to investigate and respond to the complaint.

## **C. Disability Accommodation Policy**

The City is committed to complying fully with the Americans with Disabilities Act (ADA) and Oregon's disability accommodation and discrimination laws. We are also committed to ensuring equal opportunity in employment for qualified persons with disabilities.

### **Accommodations**

The City will make reasonable efforts to accommodate a qualified applicant or employee with a known disability, unless such accommodation creates an undue hardship on the operation of the City.

### **Requesting an Accommodation**

The ADA and Oregon's disability discrimination laws provide protections to people with disabilities in employment. In recognition of the barriers to full participation faced by this group, and in compliance with the ADA/Oregon law, accommodations may be implemented to the extent that they are not an undue hardship for the City.

A reasonable accommodation is any change or adjustment to a job or work environment that does not cause an undue hardship on the department or unit (or, in some cases, City) and which permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. For example, a reasonable accommodation may include providing or modifying equipment or devices, job restructuring, allowing part-time or modified work schedules, reassigning an individual, adjusting or modifying examinations, modifying training materials or policies, providing readers and interpreters or making the workplace readily accessible to and usable by people with disabilities.

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 a position or participate in the employment process. Requests for accommodation should be made to the employee's immediate 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. Decisions about reasonable accommodation will be made in consultation with the City Manager.

## **II. Employment Status**

### **A. Introductory Period of Employment (Probationary Period)**

All new employees, including current employees who are promoted or transferred are hired into an introductory training period which generally lasts no less than six (6) months. The introductory period is an extension of the employee selection process. During this period, you are considered to be in training and under observation and evaluation by your supervisor or department head. Evaluation of your adjustment to work tasks, conduct and other work rules, attendance and job responsibilities will be considered during the introductory period. This period gives you an opportunity to demonstrate satisfactory performance for the position, and also provides an opportunity to determine if your knowledge, skills and abilities and the requirements of the position match. It is also an opportunity for you to decide if the City meets your expectations as an employer.

At or before the end of the introductory period, a decision about your employment status will be made. The City will decide whether to: (1) extend your introductory period for a time not to exceed an additional three months; (2) move you to regular, full-time or regular, part-time status; or (3) terminate your employment.

Employees are not guaranteed any length of employment upon hire or transfer/promotion; both you and the City may terminate the employment relationship during the introductory period for any or no reason. Further, completion of the probationary period or continuation of employment after it 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.

## **B. Anniversary Date**

The anniversary date is the date an employee is appointed or hired, or is promoted, or is reclassified to a position of employment. This is the date the employee will be considered for a merit salary increase. If the actual appointment date is on or before the 15<sup>th</sup> calendar day of a month, the anniversary date shall be the first of that month. If the actual date is after the 15<sup>th</sup> calendar day, the anniversary date shall be the first day of the following month.

## **C. Employee Classification**

Organization classifies employees as follows:

1. Regular Full-time - employment in an established position requiring 40 hours or more of work per week and having completed his/her trial period. Full-time employees are eligible to participate in the City's benefit programs.
2. Regular Part-time - employment requiring less than 40 hours of work per week and completion of his/her trial period. Normally a part-time schedule, such as portions of days or weeks, will be established. Occasional workweeks of over 40 hours will not constitute a change in status from part-time to full-time. Regular, part-time employees may be eligible for benefits as specifically set forth in this handbook including paid time off, leaves or medical insurance, and those mandated by applicable law.
3. Temporary - employment in a job established for a specific purpose, for a specific period of time, or for the duration of a specific project or group of assignments. Participation in benefits programs for temporary employees is limited to eligibility for workers' compensation. Temporary employment can either be full-time or part-time and may be eligible for PERS.

### **FLSA Exempt or Non-Exempt**

Additionally, all employees are defined as either "exempt" or "nonexempt," which determines whether the employee is eligible for overtime. Non-exempt employees are those who work in positions for which an overtime premium must be paid under Oregon wage and hour law and the Fair Labor Standards Act (FLSA). 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 the provisions of this handbook and the City's employment procedures unless modified by a collective bargaining agreement.

## **D. The Workweek**

### **Schedules**

The workweek begins on Sunday and ends on Saturday. Employee work schedules are established on an individual basis. A normal workweek for full-time employees is 40 hours, or more, per week, excluding meal periods. If you have any questions about your work schedule or meal and break periods, ask your supervisor for clarifications. Exceptions may be granted by the City Manager.

## **Reporting for Work**

You are expected to report for work in sufficient time to begin working at the scheduled starting time. You are also expected to continue working during your regular work schedule, except meal periods, unless otherwise approved by your supervisor. If it is necessary for you to leave work during working time, be sure to obtain the prior approval of your supervisor.

## **Changes in Work Schedules and Hours**

The City needs to remain flexible in order to respond to the changing public needs. Consequently, we reserve the right to change the schedules and hours of all or any part of our work force to provide for efficient and uninterrupted service. Although we are interested in providing our employees with a stable work schedule, our ability to do so depends on our assessment of work needs and financial conditions. Nothing in this handbook is intended to be a guarantee of employment for a specified number of work hours per week or day. Employees may be reduced in hours if the City believes it is necessary due to a lack of work, interruptions in work flow or other business reasons.

## **E. Meal Periods and Rest Breaks (Including Nursing)**

The Police Department shall be exempt from this provision when written departmental policy exists.

Non-exempt employees are required to take a paid, uninterrupted 10-minute rest break for every four-hour segment or major portion thereof in the work period. The rest break should be taken in the middle of each segment, whenever possible. Whenever a segment exceeds two hours, the employee must take a rest break for that segment.

Non-exempt employees are required to take at least a 30-minute unpaid meal period when the work period is six hours or greater. The law requires an uninterrupted period in which the employee is relieved of all duties. No meal period is required if the work period is less than six hours. If, because of the nature or circumstances of the work, you are required to remain on duty or to perform any tasks during the meal period, you must inform your supervisor before the end of the shift so that you will be compensated 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 come in late or leave early. An employee who fails to abide by these policies and laws may be subjected to discipline, up to and including termination. Sample rest and meal break schedules are listed below. If you have questions about the rest or meal breaks available to you, please talk with your supervisor.

<b>Length of Work Period</b>	<b>Number of Rest Breaks Required</b>	<b>Number of Meal Periods Required</b>
2 hours or less	0	0
2 hrs., 1 min. to 5 hrs., 59 min.	1	0
6 hrs.	1	1
6 hrs., 1 min. to 10 hrs.	2	1

10 hrs., 1 min. to 13 hrs., 59 min.	3	1
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**Rest Breaks for Nursing**

The City will provide reasonable rest periods to accommodate an employee who needs to express milk for a child eighteen (18) months of age or younger. If feasible, the employee will take the rest periods to express milk at the same time as the rest breaks or meal periods that are otherwise provided to the employee. If not feasible, the employee is entitled to take reasonable time as needed to express breast milk. The City will treat rest breaks used for this purpose as paid rest breaks up to the amount of time required to provide as paid rest breaks and/or meal periods under applicable personnel rules or collective bargaining agreements. Additional time needed beyond the paid rest breaks and/or meal periods may be taken as unpaid time.

**F. Overtime**

**Assignment of Overtime Work**

You may be required to work overtime. When overtime work is required on a shift commencing on a day other than Saturday, Sunday, or a holiday, the non-exempt employee performing that job at the conclusion of his or her straight-time hours will normally be expected to continue to perform the job on an overtime basis.

When overtime is required on a Sunday or on a holiday, the City will endeavor to give the employees required to work notice of their assignment during their last shift worked prior to such Sunday or holiday. If the assignment of overtime work presents a hardship for you, discuss your concern with your supervisor. The City will consider particular employee needs and desires to the extent it is practical and fair to your co-workers.

**Rate of Overtime Pay**

Employees are classified as exempt or non-exempt for overtime purposes. Unless provided otherwise by the terms of a collective bargaining agreement, the City pays 1.5 times a non-exempt employee’s hourly rate for all hours worked over 40 in any workweek.

**Limitation on Overtime Pay**

Paid hours not actually worked (for example, vacation, holidays, etc.) will not be counted toward the 40 per workweek required to receive overtime pay.

**Supervisor Authorization**

No overtime may be worked by non-exempt employees unless specifically authorized by a supervisor or management, unless emergency circumstances prevent prior approval. Employees who work unauthorized overtime may be subject to discipline up to and including termination.

**Compensatory (Comp) Time**

In lieu of paid overtime, comp time will be computed at 1.5 times the overtime hours, with prior agreement. Employees are encouraged to work with their supervisor to schedule and use comp time within 60 days of when it is accrued. At the discretion of an employee’s supervisor, employees who have accrued less than 40 comp hours may be able to choose whether to be paid or accrue comp time. Employees with more than 40 hours of comp time may be “cashed out” for

hours greater than 40 within the City's budgetary limits. When an employee is separated from employment, any remaining comp time will be paid to the employee.

## **G. Timekeeping Requirements**

All non-exempt employees must accurately record time worked on a time card for payroll purposes. Employees are required to record their own time at the beginning and end of each work period, including before and after the meal period. Employees also must record their time whenever they leave the building for any reason other than city business. Filling out another employee's time card, allowing another employee to fill out your time card, or altering any time card will be grounds for discipline up to and including termination. An employee who fails to record his or her time may be subjected to discipline as well.

Salaried exempt employees also may be required to record their time on either a time card or time sheet. These employees will be instructed separately on this process.

## **H. Employee-Incurred Expenses and Reimbursements**

The City will pay actual and reasonable business-related expenses you incur in the performance of your job responsibilities if they are: (1) listed below or elsewhere in this handbook; and (2) pre-approved by your supervisor/manager before they are incurred. The City will not pay for or reimburse the costs incurred by a spouse, registered domestic partner or travel companion who accompanies the employee on City-approved travel. The City may establish the maximum amount to be expended for daily meals and lodging.

Employees must provide a completed and signed expense report and evidence of proof of purchase (with itemized receipts) within one month of the expense being incurred or the employee risks forfeiting their payment or reimbursement.

Some examples of actual and reasonable business-related expenses that the City will reimburse/pay for are:

- Conferences or Workshops
- Education
- Meals
- Mileage and Parking

Employees will be reimbursed for authorized use of their personal vehicles at the current rate established by the Internal Revenue Service. Reasonable parking costs are also reimbursed upon submission of receipts on an expense report. Any traffic citations or court-ordered fees relating to driving or parking offenses (including parking tickets) are the responsibility of the employee and will not be reimbursed by the City.

## **I. Employee Pay**

### **Classification and Pay Plan**

The City shall set forth a Classification Plan, which shall include titles, specific job descriptions and minimum qualifications for all City positions.

The City shall adopt a pay plan for all positions in the City. The pay plan shall include each classification, a minimum and maximum rate of pay, and such intermediate rates as are considered necessary and equitable. The pay plan will be presented to the Council at least every two years. The salary range/rate assigned to each classification shall equitably reflect the differences in the responsibilities and duties between it and other classifications, and shall take into account the above requirements, benefits paid and other relevant factors such as rates of pay for similar positions in cities in the surrounding geographical area.

Paychecks are issued on the 15<sup>th</sup> and the last working day of each month. When payday falls on a weekend or holiday, payroll will be made on the prior Friday. The City of Mt. Angel does not provide advance payments of salary, or loans from salary to be earned.

Net pay will be directly deposited into the employee's bank account, unless an employee requests otherwise. No paychecks will be personally delivered to any person other than the employee named on the paycheck unless the employee provides written permission for someone else to receive the check.

The City makes all efforts to comply with applicable state and federal wage and hour laws. In the event you believe that the City has made any improper deductions, has failed to pay you for all hours worked or for overtime, or has failed to properly calculate your wages in any way, you must immediately report the error to the Finance Director. The City will investigate all reports of improper pay practices and will reimburse employees for any improper deductions or omissions. No employee will suffer retaliation or discrimination because he or she has reported any errors or complaints regarding the City's pay practices.

If you want your paycheck released to your spouse or another person, you must sign a statement authorizing release.

### **Payroll Deductions**

Deductions from your paycheck fall into two categories: legally required deductions and voluntary deductions. Legally required deductions, such as FICA, federal and state taxes, etc. are automatically deducted. Other items you wish to have deducted from your paycheck, such as insurance contributions, union dues, etc. will be deducted only upon written authorization from you.

### **J. Reporting Changes to an Employee's Personal Data**

Because personnel records are used to administer pay and benefits, and other employment decisions, employees are responsible for keeping information current regarding changes in name, address, phone number, exemptions, dependents, beneficiary, etc. Keeping your personnel records current can be important to you with regard to pay, deductions, benefits and other matters. If you have changes in any of the following items, please notify the Finance Director to assure that the proper updates/paperwork are completed as quickly as possible:

- Name
- Marital status/Domestic Partnership (for purposes of benefit eligibility determination only)
- Address or telephone number
- Dependents
- Person to be notified in case of emergency
- Other information having a bearing on your employment
- Tax withholding
- Review of job description

## **K. Performance Reviews**

All City employees will receive periodic performance reviews. Performance reviews serve as one factor in decisions related to employment, such as training, merit pay increases, job assignments, employee development, promotions, retention and termination. Any employee who fails to satisfactorily perform the duties of their position is subject to disciplinary action.

An employee's first formal performance evaluation occurs six months following hire or promotion. After the initial evaluation, the City will strive to provide a formal performance review on an annual basis.

Reviews will generally include the following:

- An evaluation of the employee's quality and quantity of work
- A review of exceptional employee accomplishments
- Establishment of goals for career development and job enrichment
- A review of areas needing improvement
- Setting of performance goals for the employee for the following year

Employees who disagree with a performance evaluation may submit a written response with reasons for disagreement. The employee's response shall be filed with the employee's performance evaluation in the employee's personnel file. Such response must be filed not later than thirty days following the date the performance evaluation was received.

Supervisors and managers are encouraged to provide employees with informal evaluations of their employees' work on an as-needed basis.

### **Job Description**

A job description has been developed for each position at the City, including the duties, functions of the position and required qualifications. A list of specific duties may be assigned in addition to responsibilities in the basic job description.

### **Promotions**

To be eligible for promotion, an employee must meet the minimum requirements of the higher level position and must have a current satisfactory performance rating in the present position. Final decisions whether to promote a current employee or hire outside the City Services to fill vacant positions, resides with the City Manager.

## **L. Other Employment Status Policies**

### **Transfers**

Employees may be transferred from one position to another with approval of the City Manager in consultation with the affected Department Heads. Employees may be transferred, provided such transfer is at the same salary level, and minimum qualifications for the new position are met.

### **Temporary Assignment**

The City has the right to temporarily assign an employee to any position, in any department, when it is deemed to be in the best interest of the City, provided the employee being transferred meets the minimum qualifications for the position.

### **Layoffs**

It is our goal to provide stable employment to our employees by operating the City effectively and efficiently. However, changes of duties in the organization, lack of work, lack of funds, or other changes may affect our employment needs. In the event we decide that it is necessary to eliminate or consolidate jobs or otherwise curtail staff, layoffs may be necessary. The decision of individuals to be laid off will be made by the City based on our evaluation of the comparative work performance of the employees affected, as well as the skills and abilities of those employees to perform the work remaining. In the event we feel the performance, skills, and abilities of the employees we are considering for layoff are relatively equal, preference will be given to the employee with the longest length of service with the City.

In the event the position from which the employee was laid off becomes available within twelve (12) months after the effective date of the layoff, the employee who was laid off will be rehired, if he or she is available and accepts the position within five (5) days' notice by the City that the position is available. Notice of the position vacancy shall be sent to the employee's last known address by certified mail, return receipt requested.

### **Employment of Relatives**

The City will not refuse to employ or will not discriminate against an individual in terms, conditions, or privileges of employment because another member of the individual's family is an employee of the City. The City will not employ family members where an employee would be in a supervisory relationship over a member of that individual's family, or where there are other bona fide business reasons not to employ a member of an employee's family. The employment of relatives will be considered on a case-by-case basis according to the facts which arise in each situation, and will be submitted to the City Manager for approval by the Department Head, prior to a commitment to hire. Whenever family members are employed, neither will be responsible for conducting performance evaluations for the other.

For the purposes of this section, "a member of an individual's family" includes the spouse (including registered, same-sex domestic partners), parent (biological, adoptive, step, foster, or *in loco parentis*), parent of a registered, same-sex domestic partner, parent-in-law, grandparent, grandchild, son-in-law, daughter-in-law, uncle, aunt, niece, nephew, the biological, adopted, foster or stepchild, the child of a registered, same-sex domestic partner, or a child with whom the

employee is in a relationship of *in loco parentis*, brothers and sisters (biological, adoptive, step, foster), and any person residing in the same household with the individual.

### **III. Time Off and Leaves of Absence**

#### **A. Attendance, Punctuality and Reporting Absences Policy**

Employees are expected to report to work as scheduled, on time and be prepared to start work. Employees are also expected to remain at work for their entire work schedule, except for unpaid break periods or when required to leave on authorized City business, and perform the work assigned to or requested of them. Late arrivals, early departures, or other absences from scheduled hours are disruptive and must be avoided. If it is necessary for you to leave work during working time, be sure to obtain the prior approval of your supervisor.

Unless specified otherwise in a policy below, employees who will be unexpectedly absent from work for any reason or who will not show up for work on time must inform their supervisor as soon as possible before the start of the employee's shift/work day. Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter. The first instance of a no call/no show will result in a final written warning. The second separate offense may result in termination of employment with no additional disciplinary steps. A no call/no show lasting three days may be considered job abandonment and may be deemed an employee's voluntary resignation of employment.

#### **B. Vacation**

It is the policy of the City of Mt. Angel to provide each full-time and part time employee with vacation time on a periodic basis. Introductory period employees earn vacation pay during their trial service, but are not entitled to begin using vacation until successful completion of their trial service. Temporary employees are not entitled to vacation pay. The amount of vacation to which an employee becomes entitled is determined by the employee's length of service as of his or her employment anniversary date. For regular, full-time employees, vacation accrues as follows:

LENGTH OF CONTINUOUS SERVICE	VACATION BENEFIT - Amount of Time Off:
1 through 5 years of service	80 hours
6 through 10 years of service	120 hours
11 through 15 years of service	160 hours
16 or more years of service	Add 8 hours per year (not to exceed 240 hours total)

Regular, part-time employees earn vacation on their employment anniversary date by pro-rating the above vacation benefit by the actual number of hours worked during each anniversary year divided by 2080 hours, times the amount of time off eligible for, based on length of continuous employment.

Employees are not allowed to take paid vacation that has not been accrued. Likewise, employees are not paid for vacations in lieu of taking vacation time off. We believe that it is important for you to use your vacation time to relax or engage in recreational activities. At least forty (40) consecutive hours of vacation leave must be taken annually.

### **Vacation Scheduling**

Vacations must be scheduled in a way that allows us to meet the needs of our operation. Consequently, requests for vacation time must be approved in advance by your supervisor and/or City Manager.

If vacation time is requested by two or more employees and it is determined by the Department Head or City Manager that approving the time off will result in under staffing, the employee with the most seniority will be given preference. The seniority preference shall only be used once per year. The City reserves the right to deny any requests for vacation time if it is determined that time off will be disruptive to the operations.

### **Vacation Accumulation and Carryover**

Employees may carry over from year to year two years of accumulated vacation time, but the total accumulation may not exceed the maximum (240 hours). After an employee accumulates 240 hours of vacation pay, they will stop earning and accruing vacation pay. Consequently, it is important for employees to take vacation time off to avoid reaching a maximum.

### **Payment Upon Termination**

When an employee is discharged, resigns, or the employment relationship is otherwise terminated, the employee will be paid for all vacation benefits earned and accrued that have not been used or forfeited. Introductory employees who did not achieve regular status will not be paid for vacation benefits.

### **Payment for Vacation Time**

The City Manager may authorize payment for vacation time earned in special circumstances and within budget up to a maximum of forty (40) hours per year.

## **C. Sick Leave**

The City recognizes that an employee's inability to work because of illness or injury may cause economic hardship. For this reason, the City provides paid sick days to regular full-time and part-time employees, after the first full month of employment. Sick leave may be used in the case of emergency or sudden illness without prior scheduling. Sick leave must also be used whenever an employee needs time off to attend a routine medical appointment.

Sick leave shall accrue at the rate of eight (8) hours for each full month of service for full time employees and at a prorate number of hours for part time employees, depending on the fraction of full time hours that such an employee works each month, to a maximum accrual of 960 hours. Trial period employees will accrue sick leave during their trial period, but will not be able to use the sick leave until they have completed the introductory period and become a regular employee.

### **Accumulation and Payment of Unused Sick Leave**

Sick leave benefits accumulate to a maximum accrual of 960 hours and are carried forward from one calendar year to the next. However, after an employee accumulates 960 hours of sick leave, they will stop earning and accruing any sick pay.

### **Use of Sick Leave**

Sick days may be used after they are earned, following the City's regular call-in policy. Any more than three consecutive days of absence due to illness must be supported by a doctor's statement and a release to allow the employee to return to work.

Sick leave will be used in amounts of not less than one 1/2 hour increments. An employee may use accrued sick leave when unable to perform his/her work by reason of:

- Personal illness or injury.
- Personal medical or dental care.
- Exposure to contagious disease under circumstances by which the health of the public or fellow employees would be endangered.
- Caring for an injured or ill immediate family member.

Certain unforeseen circumstances may require additional unpaid leave time. In these cases the Supervisor, after conferring with the City Manager, may grant the additional leave.

If an employee is receiving compensation from the State Compensation Board, and is on sick leave from the City, the pay that the employee receives from the City shall be the difference, if any, between the disability payments and his/her regular rate of pay. This will continue until the employee's accrued sick leave is depleted, at which time the City will discontinue any additional compensation.

### **Payments of Sick Leave**

Sick leave benefits are paid only for the hours when an employee would normally be scheduled to work. Employees who are unable to report for work after depleting all accrued sick leave may be eligible for a medical leave of absence. For further information, refer to the Leaves of Absence section for his Handbook.

Sick leave is not accumulated while an employee is on a leave of absence without pay. In the case of a work-related accident or injury, you may use sick time to offset any hours not paid through Workers' Compensation, or to offset the reduction in regular pay until accumulated sick time is used. At no time, however, can the combination of these exceed normal earnings, nor can you use more sick time than what you have accumulated.

### **Leave Donation**

The purpose of donated leave is to assist any eligible employee with additional sick leave through the donations of eligible co-workers. All donations are kept confidential and donors will remain anonymous. Leave donation requests will be processed by the Finance Director under the following conditions:

- Employees are eligible to request donations if they have completed one year of continuous employment with the City of Mt. Angel.

- Employees requesting leave donation must have exhausted all sick, vacation, and comp time accruals.
- Employees donating leave must maintain at least eighty hours of leave time in the accrual from which they are donating. Comp time may be exhausted completely.
- Employees are limited to donating vacation, holiday or comp time accruals.
- Donated time is paid at the regular hourly rate of the person the hours were donated to.
- Donated time will have no cash value. Any donated time not used will be returned to the donating employee's accrual account.
- An employee who is receiving, or is eligible to receive, any type of retirement disability, short-term or long-term disability insurance, or other supplemental income is not eligible to receive donated leave in excess of their normal earnings.
- Donated hours will not be processed in an amount greater than that which is needed to cover the employee's next occurring pay period.
- Donated leave may not be used to extend employment beyond the point that it would otherwise end by operation of law, rule, policy, or regulation. For example, if an employee would have otherwise been terminated due to layoff or other reasons, donated leave may not be used to extend employment.

The City Manager may adopt additional rules concerning this policy and its implementation as needed.

**Payment Upon Termination**

Sick leave benefits are not vested. Employees are not entitled to be paid for earned but unused sick days, either before or when their employment is terminated for any reason. However, under PERS rules, in some circumstances a percentage of sick leave may be contributed to a PERS account.

**Sick Leave Abuse and Verification**

Employees who abuse sick leave or violate this policy will be subject to discipline, up to and including termination. Abuse of sick leave is a serious matter. If we have questions or concerns about employee's absentee patterns or use of sick leave, verification of illness or injury may be required as a condition of payment.

In some circumstances, a medical fitness for duty report may be required before an employee is allowed to return to work from an absence of due to injury or illness.

**D. Holidays and Floating Holidays**

**Holidays**

The City of Mt. Angel recognizes the following holidays each year:

- |                          |                          |
|--------------------------|--------------------------|
| • ½ New Year's Eve       | • Labor Day              |
| • New Year's Day         | • Veterans Day           |
| • Martin Luther King Day | • Thanksgiving Day       |
| • Presidents' Day        | • Day after Thanksgiving |
| • Memorial Day           | • ½ Day Christmas Eve    |
| • Independence Day       | • Christmas Day          |

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

All full-time employees will receive their regular straight-time compensation for each holiday. Regular part-time employees receive pay for each designated holiday in the proportion that their normally scheduled number of hours equals 40 hours per week.

To be eligible for holiday pay, an employee must have worked his or her regularly scheduled hours the workday before and the workday after the holiday, or have been on an approved vacation day or any other excused absence under the City's policy. If an employee is on vacation when a holiday is observed, the employee will be paid for the holiday and will be granted an alternate day of vacation at a later date. Employees on leaves of absence are not eligible for holiday pay.

Any hourly, non-exempt employee required to work on a holiday will receive double-time payment for the hours worked.

### **Floating Holidays**

Employees may select an additional day of pay (known as a "floating holiday") during the calendar year. A floating holiday may be used in ½ day increments. Employees must coordinate requests for a floating holiday with their manager.

## **E. Family Medical Leave**

### **Statement of No FMLA/OFLA Coverage**

City of Mt. Angel employees are not eligible for leaves of absence under the Oregon Family Leave Act (OFLA) or the federal Family Medical Leave Act (FMLA) because the City has less than 25 employees; however as much as possible the City will try to accommodate requests for family leave.

### **Family Medical Leave Policy**

The City of Mt. Angel does not have any "eligible employees" for purposes of the federal Family Medical Leave Act or the Oregon Family Leave Act. The City, however, wishes to provide certain family medical leave benefits in the appropriate circumstances. If you are a member of one of the bargaining units or an unrepresented employee, you should be advised that these benefits are provided at the sole discretion of the City. For purposes of collective bargaining, the granting of these benefits is not meant to imply an ongoing guarantee by the City that such benefits will be carried over from year to year. Employees seeking further information should contact the Finance Director.

### **Definitions**

*Family Member:* A spouse (including registered, same-sex domestic partners), parent (biological, adoptive, step, foster, or *in loco parentis*), parent of a registered, same-sex domestic partner, parent-in-law, grandparent, grandchild, sibling or "child" (see definition below).

*Child:* Includes a biological, adopted, foster or stepchild, the child of a registered, same-sex domestic partner, or a child with whom the employee is in a relationship of *in loco parentis*. For purposes of Serious Health Condition Leave, the “child” can be any age; for all other types of leave under this policy, the “child” must be under the age of 18 or over 18 if incapable of self-care.

*Eligible Employee:* To qualify for the City’s Family Medical Leave for a Serious Health Condition or Sick Child Leave, an employee must have been employed for at least 180 days and worked an average of at least 25 hours per week. To qualify for Parental Leave, an employee must have been employed for at least 180 days (no per-week hourly minimum is required). For purposes of Oregon Military Family Leave Act leave, an employee becomes eligible after having worked only 20 hours per week (no minimum length of employment required).

*Serious Health Condition:* An illness, injury, impairment, or physical or mental condition that, for example: requires inpatient care in a medical care facility such as a hospital, hospice or residential facility such as a nursing home; requires constant or continuing care such as home care administered by a health care professional; or involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities.

Other conditions may qualify as “serious health conditions”; please see the Finance Director for more information. The common cold, flu, earaches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, and cosmetic treatments (without complications), are examples of conditions that are not generally defined as serious health conditions.

### **Reasons for Taking Leave**

Family Medical Leave is defined to include and may be taken under any of the following circumstances:

1. Employee’s Serious Health Condition Leave: To recover from or seek treatment for an employee’s serious health condition, including pregnancy-related conditions and prenatal care.
2. Family Member’s Serious Health Condition Leave: To care for a Family Member with a serious health condition.
3. Parental Leave: For the birth of a child or for the placement of a child under 18 years of age for adoption or foster care. Parental leave must be completed within 12 months of the birth of a newborn or placement of an adopted or foster child.
4. Pregnancy Disability Leave: For incapacity due to pregnancy, prenatal medical care or birth.
5. Sick Child Leave: To care for a child who suffers from an illness or injury that does not qualify as a Serious Health Condition but that requires home care. This type of leave does not provide for routine medical and dental appointments or issues surrounding the availability of childcare when the child is not ill or injured. Sick Child Leave is not available if another family member is able and willing to care for the child.

## **Length of Leave**

In any One-Year Calculation Period, eligible employees may take:

- Up to twelve (12) weeks of Parental Leave, Serious Health Condition Leave (employee's own or family member), or Sick Child Leave;
- In some cases, an additional twelve (12) weeks of leave may be available to an eligible employee for an illness, injury or condition related to pregnancy or childbirth that disables the employee ("Pregnancy Disability Leave"); and
- In some cases, employees who take the entire twelve (12) weeks of Parental Leave will be entitled to an additional twelve (12) weeks of Sick Child Leave.

## **One-Year Calculation Period**

The "twelve month period" during which leave is available (also referred to as the "One-Year Calculation Period") will be determined by a rolling twelve-month period measured backward from the date an employee uses any family medical leave. Each time an employee takes Family Medical Leave, the remaining leave entitlement would be any balance of the twelve weeks which has not been used during the immediately preceding twelve months.

## **Intermittent Leave**

Intermittent or reduced schedule leave may be taken when medically necessary due to the serious health condition of a covered family member or the employee. Employees must make reasonable efforts to schedule planned medical treatments so as to minimize disruption of City operations, including consulting management prior to the scheduling of treatment in order to work out a treatment schedule which best suits the needs of both Organization and the employee. Intermittent leave for Parental Leave is not available.

## **Employee Responsibilities – Notice**

Employees must provide at least 30 days' notice before Family Medical Leave is to begin if the reason for leave is foreseeable based on an expected birth, placement for adoption or foster care, or for planned medical treatment for a serious health condition of the employee or of a family member. If 30 days' notice is not practicable, such as because of a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, notice must be given as soon as practicable.

Whether leave is to be continuous or is to be taken intermittently or on a reduced schedule basis, notice need only be given one time, but the employee shall advise the City Manager or the appropriate Department Head as soon as practicable if dates of scheduled leave change or are extended, or were initially unknown.

If circumstances change during the leave and the leave period differs from the original request, the employee must notify the City Manager or the appropriate department head within three business days, or as soon as possible.

Regardless of the reason for leave, or whether the need for leave is foreseeable, employees will be expected to comply with the City's normal call-in procedures. Employees who fail to comply with the City's call-in procedures may be disciplined, or may have their period of Family Medical Leave leave reduced.

### **Certification**

Generally speaking, employees must provide sufficient information for the City to determine if the leave may qualify for Family Medical Leave protection, under the City's policy, and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, or the need for hospitalization or continuing treatment by a health care provider.

Additionally:

1. Employees requesting Serious Health Condition leave for themselves or to care for a family member will be required to provide certification from the health care provider of the employee or the covered family member to support the request.
2. Employees requesting Sick Child Leave may be required to submit, at a minimum, a note from a doctor or health care provider if the employee has requested to use more than three days (*i.e.*, one three-day occurrence or three separate instances) of sick child leave within a One-Year Calculation Period.

Employees must furnish the City's requested medical certification information within 15 calendar days after such information is requested by the City. In some cases (except for leave to care for a sick child), the City may require a second or third opinion, at the City's expense. Employees also may be required to submit subsequent medical verification.

Employees will not be asked for, and they should not provide, any genetic information about themselves or a family member in connection with a medical certification.

### **Fitness-for-Duty Certification**

If family medical leave is for the employee's own serious health condition, the employee must furnish, prior to returning to work, medical certification (fitness-for-duty certification) from their health care provider stating that the employee is able to resume work.

### **Unpaid Personal Leave**

Employees may be granted an unpaid personal leave of absence for up to thirty (30) calendar days at the discretion of the City. The leave may be extended for a reasonable period of time due to special circumstances as determined on an individual basis by the City Manager. Requests for personal leaves of absence must specify a starting and ending date as well as the reason for the requested leave. There should be a compelling personal reason for the leave. A leave will not be granted to work another job or seek employment or career opportunities elsewhere.

Employees returning from personal leaves of absence are not guaranteed re-employment. Re-employment is subject to the availability of a position which the City determines is suited to an employee's skills, qualifications and experience.

### **Substitution of Paid Leave for Unpaid Leave**

Employees are required to use accrued paid leave, including the floating holiday, vacation, compensatory time, and sick leave prior to a period of unpaid leave of absence while on leave. Accrued leave must be used in that order. Use of accrued paid leaves will run concurrently with

the City's Family Medical leave. Represented employees may reserve accrued leave and compensatory time if provided by their collective bargaining agreement. If the employee has no accrued paid leave, floating holiday, vacation, compensatory time or sick leave available to use during a Family Medical leave, the leave will be unpaid.

### **Holiday Pay While on Leave**

Employees receiving short- or long-term disability will not qualify for holiday pay. Employees using vacation pay or sick pay during a portion of approved family medical leave in which a holiday occurs will qualify to receive holiday pay. Employees who are on unpaid leave during a holiday will not qualify to receive holiday pay.

### **On-the-Job Injury or Illness**

City granted family medical leave will not be reduced by and will not run concurrently with any period the employee is unable to work because of a disabling compensable on-the-job injury; however, if the injury or illness is a "serious health condition" and the employee has refused a bona fide offer of light-duty or modified employment, the City's provide family leave time will commence.

### **Benefits While on Leave**

The City will continue the employee's health coverage under any "group health plan" through the end of the month in which the City granted family medical leave began. Employees wishing to maintain health insurance during a period of approved City granted family medical leave will be responsible for bearing the cost of coverage he or she paid prior to the beginning of the leave. Please see the Finance Director for more information regarding health insurance coverage.

### **Job Protection**

Employees returning to work from Family Medical Leave will be reinstated to their former position. If the position has been eliminated, the employee may be reassigned to an available equivalent position. Reinstatement is not guaranteed.

Employees are expected to promptly return to work when the circumstances requiring Family Medical Leave have been resolved, even if leave was originally approved for a longer period. With the exception of employees on leave as the result of an on-the-job injury or illness or otherwise required by law, reinstatement shall not be considered if the leave period exceeds the maximum allowed. The use of Family Medical Leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Employees who work for other employers during a "serious health condition" leave may be subject to discipline up to and including termination. Additionally, all employees who use Family Medical Leave for reasons other than the reason for which leave had been granted may be subject to discipline up to and including termination.

## **F. Bereavement Leave**

In the event of a death in the employee's immediate family, an employee may be granted a leave of absence with pay not to exceed five (5) calendar days. "Immediate family" includes

employee's spouse, same-sex domestic partner, child, parent, parent-in-law, grandparent, or grandchild, or the same relations of an employee's same-sex domestic partner or spouse. When possible, the City will also grant vacation of sick leave or unpaid leave for funerals of other relatives or friends. Requests for bereavement leave should be directed to the City Manager or the appropriate department head as soon as possible.

## **G. Jury and Witness Duty**

### **Jury Duty**

The City of Mt. Angel will grant employees time off for mandatory jury duty and/or jury duty orientation. A copy of the court notice must be submitted to the employee's manager to verify the need for such leave. The City of Mt. Angel will pay the difference between your normal pay rate and the payments received for serving on jury duty, not to exceed ten (10) days. The employee may keep the jury duty pay he or she receives, and the employee may use any accrued vacation or sick leave during the stint of jury service. If you receive a jury duty summons, notify your supervisor as soon as possible.

The employee is expected to report for work when doing so does not conflict with court obligations. It is the employee's responsibility to keep his or her supervisor or manager informed about the amount of time required for jury duty.

### **Witness Duty**

Time spent serving as a witness in a work-related, legal proceeding will be treated as time worked for pay purposes, provided the time served occurs during regularly scheduled hours, the employee is subpoenaed to testify, and the employee submits witness fees to Payroll upon receipt.

Except for employee absences covered under the City's "Crime Victim Leave Policy" or "Domestic Violence Leave and Accommodation Policy," employees who are subpoenaed to testify in non-work-related legal proceedings must use any available vacation time to cover their absence from work. If the employee does not have any available vacation time, the employee's absences may be unexcused and may subject the employee to discipline, up to and including termination. Employees must present a copy of the subpoena served on them to their supervisor for scheduling and verification purposes no later than 24 hours after being served.

## **H. Religious Observances Leave and Accommodation Policy**

The City of Mt. Angel respects the religious beliefs and practices 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 City's business. Employees may use vacation or unpaid time for religious holy days or to participate in a religious observance or practice; if accrued leave is not available, then an employee may request to take unpaid leave or a floating holiday.

## **I. Crime Victim Leave Policy**

Any employee who has worked an average of at least 25 hours per week for 180 days is eligible for reasonable, unpaid leave to attend criminal proceedings if the employee or his or her immediate family member (defined below) has suffered financial, social, psychological or physical harm as a result of being a victim of certain felonies, such as kidnapping, rape, arson, and assault. “Immediate family member” includes a spouse, registered same-sex domestic partner, father, mother, sibling, child, stepchild or grandparent.

Employees who are eligible for crime victim leave must:

- Use any accrued, but unused vacation/sick leave during the leave period;
- Provide as much advance notice as is practicable of his/her intention to take leave (unless giving advance notice is not feasible); and
- Submit a request for the leave in writing to the City Manager or the appropriate Department Head 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 of 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.

## **J. 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 his or her minor dependents.

Reasons for taking leave include the employee’s (or the employee’s dependent’s) need to: (1) seek legal or law enforcement assistance or remedies; (2) secure medical treatment for or time off to recover from injuries; (3) seek counseling from a licensed mental health professional; (4) obtain services from a victim services provider; or (5) relocate or secure an existing home.

Leave is generally unpaid, but the employee may use any accrued vacation or similar paid time off while on this type of leave. When seeking this type of leave, the employee should provide as much advance notice as is practicable of his or her intention to take leave, unless giving advance notice is not feasible.

Notice of need to take leave should be provided by submitting a request for leave in writing to the City Manager or the appropriate Department Head as far in advance as possible, indicating the time needed, when the time will be needed, and the reason for the leave. The City of Mt. Angel will then generally require certification of the need for the leave, such as a police report, protective order or other evidence of a court proceeding, or documentation from a law enforcement officer, attorney, healthcare professional, member of the clergy, or victim services provider.

If more leave than originally authorized needs to be taken, the employee should give the City notice as soon as is practicable prior to the end of the authorized leave. When taking leave in an unanticipated or emergency situation, the employee must give oral or written notice as soon as is

practicable. When leave is unanticipated, this notice may be given by any other person on the employee's behalf.

Finally, employees 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 the City Manager or the appropriate department head immediately with requests for reasonable safety accommodations.

## **K. Military Leave**

Employees who wish to serve in the military and take military leave should contact the City Manager or the appropriate department head for information about their rights before and after such leave. You are entitled to reinstatement upon completion of military service, provided you return or apply for reinstatement within the time allowed by law.

## **IV. Employee Benefits**

### **A. Healthcare Benefits**

The City of Mt. Angel offers medical insurance for all of its regular employees of 30 hours or more. Part-time employees of 30 hours or more pay a prorated portion of the premium. Part time employees of than 30 hours are not eligible for health insurance coverage. Employees may be required to pay a portion of their health insurance benefits as budget dictates.

The group insurance policy and the summary plan description issued to employees set out the terms and conditions of the health insurance plan offered by the City. These documents govern all issues relating to employee health insurance. As other employee benefits are offered by the City, employees will be advised and provided with copies of relevant plan documents. Copies are available from the Finance Director.

### **B. Employee Assistance Program (EAP)**

This free, confidential service is provided to all employees covered by our medical insurance benefits, and their covered dependents who may be experiencing life problems. Information regarding this service can be obtained by contacting the Finance Director.

### **C. Workers' Compensation and Safety on the Job**

You are protected by Workers' 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.

### **Steps to Take if You are Injured on the Job**

To ensure that you receive any workers' compensation benefits to which you may be entitled, you must do all of the following:

1. Immediately report any work-related injury to your supervisor. You must report the injury at the time it happens, and no later than 24 hours after injury.
2. Seek medical treatment and follow-up care if required.
3. Promptly complete a written Employee's Claim Form (Form 801) and return it to the Finance Director.

*Failure to timely follow these steps may negatively affect your ability to receive benefits.*

### **Return to Work**

If you require workers' compensation leave, you will – under most circumstances – be reinstated to the same position that you held at the time your leave began, or to an equivalent position, if available. However, you must first submit an approved medical certificate demonstrating your ability to return to work.

When returning from a workers' compensation leave you have no greater right to reinstatement than if you had been continuously employed rather than on leave. For example, if you would have been laid off had you not been on leave, or if your position is eliminated, and no equivalent or comparable positions are available, then you may not be entitled to reinstatement. These are only examples and all reinstatement/reemployment decisions are guided by the terms of any applicable collective bargaining agreement. The City does not discriminate against employees who suffer a workplace injury or illness.

### **Early Return-to-Work Program**

Our Return-to-Work program provides guidelines for returning you to work at the earliest possible time after you have suffered an on-the-job injury or illness that results in time loss. This program is not intended as a substitute for reasonable accommodation when an injured employee also qualifies as an individual with a disability. The Return-to-Work Program is intended to be transitional work, to enable you to return to your regular job in a reasonable period of time.

The Return-to-Work program for job-related injuries consists of a team effort by the City of Mt. Angel's, injured employees and their treating physicians, and our workers' compensation insurance carrier claims staff. The goal is to return our employees to full employment at the earliest possible date that is consistent with their medical condition and the advice of the treating physician.

If your doctor determines that you are able to perform modified work, the City will attempt to provide you with such a job for a reasonable period of time (usually 6 months or less) until you can resume your regular duties (except where provided as an accommodation for a disability). If, due to a work related injury, you are offered a modified position that has been medically approved, failure to phone in or report at the designated time and place may affect your compensation. While you are on modified or transitional work, you are still subject to all other City rules and procedures.

### **Overlap With Other Laws**

The City will account for other leave and disability laws that might also apply to your situation, such as the ADA and FMLA or OFLA. If, after returning from a workers' compensation leave, it is determined that you are unable to perform the essential functions of your position because of a qualifying disability, you may be entitled to a reasonable accommodation, as governed by the Americans with Disabilities Act and/or applicable Oregon laws covering disabilities in the workplace.

### **D. PERS (Public Employees' Retirement System) Benefits**

The City of Mt. Angel participates in the Public Employees Retirement System (PERS); therefore, your designation as a Tier I, Tier II, or Oregon Public Service Retirement Plan (OPSRP) member will depend on your prior PERS service and PERS rules. An employee's designation and eligibility for participation in PERS or the OPSRP are determined by law. For more information about these plans, please contact PERS at 1-888-320-7377 or visit their website at [www.oregon.gov/PERS](http://www.oregon.gov/PERS). For information about the City's contributions to employee PERS or OPSRP plans, please see the Finance director for details.

### **E. Life Insurance**

The City provides basic life and accidental death and dismemberment for all employees who qualify for health insurance.

### **F. Other Benefits**

#### **Conferences & Conventions**

Decisions concerning employee attendance at conferences, conventions, or other meetings, at City expense shall be made by the City. Permission may be granted on the basis of an employee's required participation in the meeting. 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.

#### **Educational Aid and Training**

The City encourages 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 work hours. Overtime will be paid for hours beyond the employee's regularly scheduled work hours during training.

The City will pay 100% of an employee's tuition cost upon successful completion of a job related course, provided however written approval must be granted by the City prior to enrollment and the employee must be actively employed on the date reimbursement is made. Prepayment of tuition and training shall be made when appropriate.

### **V. Miscellaneous Policies**

## **A. Alcohol/Drug Use, Abuse and Testing**

The City of Mt. Angel works to maintain a safe and efficient work environment. Employees who misuse controlled substances, prescription or illegal drugs, or alcoholic beverages pose a risk both to themselves and to everyone who comes into contact with or depends upon them and risks damage to the City's reputation.

This policy applies to all employees (except where noted in this policy or where it is inconsistent with applicable law and/or collective bargaining agreement principles) and applicants for employment. This policy revises and supersedes all previous drug and alcohol testing policies and practices.

The following conduct is strictly prohibited and will result in disciplinary action up to and including termination:

1. Possession, sale and/or use of drugs on City premises, while in uniform or in City-provided clothes, while on City- or work-related travel, or while on City business;
2. Failure to notify the City of an arrest or conviction under any criminal drug or alcohol statute within two days of the arrest or conviction;
3. Possession and/or consumption of alcoholic beverages or being under the influence of alcohol during work hours, while in City-provided or identifying clothes or on City premises, while operating a City vehicle (or while operating a personal vehicle in connection with the performance of City business), or while performing job functions during the paid work day other than at the employee's home.
4. Being under the influence of drugs while on duty, on City premises, on City work time, while in City-provided clothes, while on City business, or while operating a City vehicle (or while operating a personal vehicle in connection with the performance of City business);
5. Refusing to cooperate with any and all tests required by this policy. 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 or anything other than the employee being tested.

An employee who uses prescription or over-the-counter drugs that may impair the employee's ability to safely perform the job, or that may affect the safety or well-being of others, must notify the City Manager or the appropriate Department Head of such use immediately before starting or resuming work.

Employees are asked to report when they observe or are informed, and have reasonable grounds to believe, that another employee is under the influence of alcohol or drugs while on duty, on City premises, on City time, while in City-provided clothes, while on City business, or while operating a City vehicle (or while operating a personal vehicle in connection with the performance of City business).

In order to implement this policy, the City reserves the right to:

- subject applicants who are given a conditional offer of employment in a safety-sensitive position to a drug and/or alcohol test;
- test employees reasonably suspected of using drugs or alcohol in violation of this policy;
- discipline or discharge employees who test positive or otherwise violate this policy; and
- test employees after an accident.

In order to enforce this policy, the City reserves the right to conduct searches of City property or employees and/or employees' personal property, and to implement other measures necessary to deter and detect abuse of this policy. Any employee who refuses to consent to such searches may be expelled from the property and subjected to discipline, up to and including termination. Failure to abide by any provision in this policy will result in disciplinary action up to and including termination.

## **B. Use of Email and Electronic Equipment, Facilities and Services**

The City of Mt. Angel uses multiple types of electronic equipment, facilities and services for producing documents, research and communication including, but not limited to, computers, software, e-mail, copiers, telephones, voicemail, fax machines, online services, cellular (including text messaging), the Internet and any new technologies used in the future. This policy governs the use of such City property.

### **Ownership**

All information and communications in any format, stored by any means on or received via the City's electronic equipment, facilities or services is the sole property of the City.

### **Use**

All of the City's electronic equipment, facilities and services are provided and intended for City business purposes only and not for personal matters, communications or entertainment. Access to the Internet, web sites and other electronic services paid for by the City are to be used for City business only. This means, for example, that employees may not use the City-provided Internet, electronic equipment, facilities and services to:

- Display or store any sexually explicit images or documents, or any images or documents that would violate the City's no-harassment and no-discrimination policies;
- Participate in social media games or technology supported games;
- Engage in any activity that violates the rights of any person or company protected by copyright, trade secrets, patent or other intellectual property (or similar laws or regulations);
- Engage in any activity that violates the rights to privacy of protected healthcare information or other City-specific confidential information;
- Engage in any activity that would introduce malicious software purposefully into a workstation or network (e.g., viruses, worms, Trojan horses).
- Download or view streaming video for personal use. Streaming video or audio during the workday is allowed, providing it does not contain explicit material, adversely affect network speed, or interfere with an employee's or others' ability to work.

Further, employees may not use City-provided email addresses to create or manage personal accounts (e.g., shopping websites, personal bank accounts, and social media accounts). City email addresses for professional-based social media accounts such as LinkedIn may be allowed with the approval of the employee's supervisor.

### **Inspection and Monitoring**

Employee communications, both business and personal, made using City electronic equipment, facilities, and services are not private. Any data created, received or transmitted using City equipment, facilities or services are the property of City and usually can be recovered even though deleted by the user.

All information and communications in any format, stored by any means on the City's electronic equipment, facilities or services, are subject to inspection at any time without notice. Personal passwords may be used for purposes of security, but the use of a personal password does not affect the City's ownership of the electronic information, electronic equipment, facilities, or services, or the City's right to inspect such information. The City reserves the right to access and review electronic files, documents, archived material, messages, email, voicemail and other such material to monitor the use of all of the City's electronic equipment, facilities and services, including all communications and internet usage and resources visited. The City will override all personal passwords if it becomes necessary to do so for any reason.

### **Personal Hardware and Software**

Employees may not install personal hardware or software on the City's computer systems without approval from the City Manager or the appropriate Department Head. All software installed on the City's computer systems must be licensed. Copying or transferring of City-owned software may be done only with the written authorization of the City Manager or the appropriate Department Head.

### **Unauthorized Access**

Employees are not permitted unauthorized access to the electronic communications of other employees or third parties unless directed to do so by the City's management. No employee can examine, change or use another person's files, output or user name unless they have explicit authorization from the City Manager or the appropriate Department Head to do so.

### **Security**

Many forms of electronic communication are not secure. Employees who use cell phones, cordless phones, fax communications or email sent over the Internet should be aware that such forms of communication are subject to interception and these methods of communicating should not be used for privileged, confidential, or sensitive information unless appropriate encryption measures are implemented.

### **Inappropriate Web Sites**

The City's electronic equipment, facilities or services must not be used to visit Internet sites that contain obscene, hateful or other objectionable materials, or that would otherwise violate the City's policies on harassment and discrimination.

## **C. Cell Phone/Smart Phone Usage**

This policy applies to employee use of cell phones, smart phones (including iPhones, Androids, Blackberries, and similar devices), PDAs, and similar telecommunication devices, all of which are referred to as “cell phones”.

### **Cell Phones in General (both City-provided and personal cell phones)**

Employees are allowed to bring personal cell phones 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, unless the use is for work-related purposes and the employee is receiving a monthly allowance for use of their personal cell phone.

Employees who use personal or City-provided cell phones may not violate the City’s policies against harassment and discrimination. Thus, employees who use a personal or City-provided cell phone to send a text or instant message to another employee (or to a citizen or someone not employed by the City) that is harassing or otherwise in violation of the City’s no-harassment and no-discrimination policies will be subject to discipline up to and including termination.

### **Employee Use of City-Provided Cell Phones**

Cell phones are made available to City employees on a limited basis to conduct City’s business. Determinations as to which employees receive City-provided cell phones will be made on a case-by-case basis; employees are not guaranteed a cell phone. In some cases, the City may provide a monthly cellular telephone allowance to employees who regularly make calls on behalf of the City away from the office – see the City Manager or the appropriate Department Head for more information.

Employees who receive a cell phone from the City must agree to not use the cell phone for personal use except in emergency situations and must abide by all aspects of the Cell Phone/Smart Phone Usage Policy (including those policies applicable to personal cell phone use). Further, employees who receive a cell phone from the City must acknowledge and understand that because the cell phone is paid for and provided by the City, or subsidized by the City, any communications (including text messages) received by or sent from the cell phone may be subject to inspection and review if the City has reasonable grounds to believe that the employee’s use of the cell phone violates any aspect of the Cell Phone/Smart Phone Usage Policy or any other City policy.

Employees may not use City-provided cell phones to call 1-900, 1-976 or similar “pay per minute” services.

### **Cell Phones and Public Records**

Keep in mind, City-related business conducted on City-provided or personal cell phones, may be subject to disclosure under Oregon’s Public Records laws.

### **Cell Phone Use While Driving**

The use of a cell phone while driving may present a hazard to the driver, other employees and the general public. Subject to a few narrow exceptions for emergency or public safety purposes,

Oregon law also prohibits the use of hand-held cell phones while driving, even if the driving is for work-related reasons. This policy is meant to ensure the safe operation of City vehicles and the operation of private vehicles while an employee is on work time. It applies equally to the usage of employee-owned cell phones and phones provided or subsidized by the City.

Employees are prohibited from using hand-held cell phones for any purpose while driving on City-authorized or City-related business. This policy also prohibits employees from using a cell phone or other device to send or receive text or “instant” messages while driving on City business. Should an employee need to make a business call while driving, the employee must locate a lawfully designated area to park and make the call. Employees may use hands-free cell phones or devices to make business calls. Such calls should be kept short and should the circumstances warrant (for example, heavy traffic, bad weather), the employee should locate a lawfully designated area to park to continue or make the call, even if the employee is using a hands-free device. Violation of this policy will subject the employee to discipline, up to and including termination.

#### **D. Social Media**

For purposes of this policy, “social media” includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else’s web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the City of Mt. Angel, as well as any other form of electronic communication.

Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of co-workers, or otherwise adversely affects our citizens or people who work on behalf of the City or the City’s legitimate business interests may result in disciplinary action up to and including termination.

##### **Prohibited Postings**

Employees will be subject to discipline, up to and including termination, if they create and post any text, images or other media that violate the City’s no-harassment and no-discrimination policies and that include discriminatory remarks, harassment, or threats of violence or similar inappropriate or unlawful conduct.

Do not create a link from your blog, website or other social networking site to a City-owned or -maintained website without identifying yourself as a City employee.

Express only your personal opinions. Never represent yourself as a spokesperson for the City. If the City is a subject of the content you are creating, be clear and open about the fact that you are a City employee, and make it clear that your views do not represent those of the City or its employees or elected officials.

##### **Encouraged Conduct**

Always be fair and courteous to co-workers, the citizens we serve, the City's employees and elected officials, and suppliers or other third parties who do business with the City. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our Open Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, 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, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or 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.

Maintain the confidentiality of the City's confidential information. Do not post internal reports, policies, procedures or other internal, City-related confidential communications or information. (See "Workplace Privacy and Confidentiality" policy, below.)

### **Request for Employee Social Media Passwords**

The City's supervisors and managers are prohibited by law from requiring or requesting an employee or an applicant for employment to disclose or to provide access through the employee's or applicant's user name and password, password or other means of authentication that provides access to a personal social media account. This includes, without limitation, a user name and password that would otherwise allow a supervisor/manager to access a private email account not provided by the City.

Nothing in this policy prohibits the City from requiring an employee to produce content from his or her social media or internet account in connection with a City-sponsored investigation into potential misconduct, unlawful or unethical behavior, or policy or rule violations.

## **E. Workplace Privacy and Confidentiality**

Employees must not access, use or disclose sensitive or confidential information or data except in accordance with the City of Mt. Angel's policies, practices and procedures, and as authorized by state or federal laws or regulations. Employees with access to confidential information, including but not limited to customer or employee financial, medical or personal information (including, without limitation, Social Security numbers), are responsible for the safekeeping and handling of that information to prevent unauthorized disclosure. Employees who access, use or release confidential information contrary to Oregon or federal laws may be subject to civil or criminal penalties under those laws, in addition to appropriate disciplinary action for violating this policy.

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 Manager or the appropriate Department Head. Additionally, the contents of records or information otherwise obtained in regard to the City's business may not be disclosed to anyone, except where required for a business purpose or when required by law.

## **F. Ethics**

At the City of Mt. Angel, we believe in treating people with respect and adhering to ethical and fair business practices. We expect employees to avoid situations that may compromise their reputation or integrity, or that might cause their personal interests to conflict with the interests of the City or the City's citizens.

We at the City of Mt. Angel are public employees, and as such, are also subject to the State of Oregon's ethics laws. In some cases, these laws provide additional limitations on employees, such as prohibitions on gifts and strict definitions of conflict of interest. If you are coming to the City from work in the private sector, you may find that some activities that are common business practices in the private sector are prohibited in the public sector. Information on these laws is available at the Oregon Government Ethics Commission website: <http://www.oregon.gov/OGEC>.

If you have questions about whether an activity meets the City's or Oregon's ethical standards, please talk with your manager. Employees who violate the Ethics Policy, or who violate Oregon ethics laws, may be subject to disciplinary action up to and including termination.

## **G. Open-Door Policy**

The City of Mt. Angel's Open Door Policy is based on our belief that employee suggestions for improving the City are welcome at any time. If you have a complaint, suggestion, or question about your job, working conditions, or the treatment you are receiving from anyone in the City, please raise them first with your immediate supervisor. If you are not satisfied with the response from your immediate supervisor, or if your issue involves your immediate supervisor, request to have the facts/situation reviewed by the City Manager or the appropriate department head.

## **H. Outside Employment**

Generally, employees may obtain employment with a private employer or engage in private income-producing activity of their own so long as that activity is not otherwise prohibited by these rules. Employees are responsible for assuring that their outside employment does not conflict with these rules.

An employee is prohibited from, directly or indirectly, soliciting or accepting the promise of future employment based on the understanding that the offer is influenced by the employee's official action.

Employees may not accept outside employment that involves:

- The use of City time (including the employee's work time), facilities, equipment and supplies, or the prestige or influence of the employee's position with the City. In other words, the employee may not engage in private business interests or other employment activities on the City's time or using the City's property;

- The performance of an act that may later be subject to control, inspection, review or audit by the department for whom the employee works; or
- Receipt of money or other consideration for performance of duties that the employee is required to perform for the City.

The City requires employees to report outside employment to their supervisor on an annual basis, or sooner if any changes in outside employment occurs.

### **Solicitation and Distribution**

Solicitation is verbal communication for the purpose of selling or political campaigning. Distribution is an exchange of printed materials such as handbills, letter, pamphlets for any sale, candidate or any cause. Solicitation by an employee is prohibited while either the person doing the solicitation or the person being solicited is on working time. Please limit solicitation to your meal and break periods. Also, employees may not distribute literature for any purpose during working time or in working areas.

## **I. Criminal Arrests and Convictions**

Employees must promptly and fully disclose to their supervisor on the next working day:

1. 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, or in a City vehicle;
2. All arrests, citations, convictions, guilty pleas, no contest pleas that result from crimes involving the theft or misappropriation of property, including money; or,
3. Any other violation of laws regulating the use of alcohol and controlled substances that adversely affects an employee's ability to perform major job functions, specifically to include loss or limitation of driving privileges when the employee's job is identified as requiring a valid driver's license.

Reporting an arrest or conviction will not automatically result in termination of employment. Situations will be evaluated on a case-by-case basis.

Employees who are unavailable to report for work because they have been sent to jail or prison may be subject to disciplinary action, including termination.

## **J. Political Activity**

Employees may engage in political activity except to the extent prohibited by Oregon law when on the job during working hours. This means that employees cannot:

- Be employed by the City and simultaneously hold an elective municipal office with the City of Mt. Angel.
- Be required to give money or services to aid any political committee or any political campaign;
- Solicit money or services (including signatures) to aid or oppose any political committee, nomination or election of a candidate, ballot measure or referendum, or political campaign

while on the job during working hours (this is not intended to restrict the right of City employees to express their personal political views.); or

- Be disciplined or rewarded in any manner for either giving or withholding money or services for any political committee or campaign.

## **K. Bad Weather/Emergency Closing**

Except for regularly scheduled holidays identified by the City of Mt. Angel (see “Holidays” section), the City is open for business on Mondays through Fridays during normal business hours. If there are circumstances beyond our control, such as inclement weather, a national crisis, or other emergencies that make one or more of our office locations inaccessible for all or part of a regularly scheduled workday, the City Manager (or his/her designee) will decide whether to and to what extent the City will close. Generally, notifications about inclement weather will be provided via e-mail, but also may be provided by phone call, text, or word of mouth.

In the event of extreme bad weather, we recognize that each employee’s ability to safely reach work may be different. If you cannot safely report to work in such circumstances, you should contact your manager or supervisor. If staff cannot reach the office and are able to serve the City from home, you should do so subject to approval by your manager or supervisor. Safety and a trustworthy approach are your guides.

## **L. Driving While on Business**

Employees using a private vehicle to conduct the City’s business must possess a valid driver’s license and must carry auto liability insurance. Employees who use their own vehicles for authorized City business use should make any necessary arrangements with their insurance carriers.

The City may verify the validity of your driver’s license and/or your driving record.

While on City business, drivers are expected to make every reasonable effort to operate their vehicle safely, with due regard for potential hazards, weather, and road conditions. Drivers are to obey all traffic laws, posted signs and signals, and requirements applicable to the vehicle being operated. Seatbelts are to be used in all vehicles while on business. Drivers are to ensure that the use of prescribed or over the counter drugs does not interfere with their ability to drive while on business; operating a vehicle under the influence of alcohol or controlled substances is prohibited. Employees are responsible for notifying their manager of any subsequent restrictions, limitations, or other change in their driving status within 72 hours of the change or new restrictions/limitations. See also, “Cell Phone Use While Driving” policy.

When travel by City-owned vehicle is authorized, employees should not use such vehicles for personal reasons. Travel between home and work using City-owned vehicles is prohibited unless approved by the Department Head or the City Manager.

## **M. Workplace Violence**

The City of Mt. Angel recognizes the importance of a safe workplace for employees, customers, vendors, contractors, and the general public. A work environment that is safe and comfortable enhances employee satisfaction as well as productivity. Therefore, threats and acts of violence made by an employee or member of the public against another person's life, health, well-being, family, or property will be dealt with in a zero tolerance manner by the City.

All employees have an obligation to report any incidents that pose a real or potential risk of harm to employees or others associated with the City, or that threaten the safety, security or financial interests of the City. Employees should make such reports directly to the City Manager or the appropriate Department Head.

The City also may conduct an investigation of a current employee where the employee's behavior raises concerns about work performance, reliability, honesty, or potentially threatens the safety of co-workers or others. An employee investigation may include, but is not limited to, investigation of criminal records; it may also include a search of desks, work areas, file cabinets, voice mail systems and computer systems.

All information related to the reports, including the name of the reporting employee(s), will be kept as confidential as possible under the circumstances. The City Manager, appropriate Department Head, or his/her designee will notify the reporting employee of any action taken in response to the report.

## **N. Smoke-Free Workplace**

The City of Mt. Angel provides a smoke-free environment for all employees and visitors. For purposes of this policy, this includes the smoking of any tobacco-based product, or smoking in any form (including, without limitation, cigars and e-cigarettes). This policy applies to employees, volunteers, and any visitors to City property, vehicles or facilities/buildings.

If you wish to smoke, you must do so outside of the City's facilities/buildings and not while using City vehicles, equipment or machinery. Oregon law prohibits smoking within 10 feet of building entrances and other openings, including second-story windows.

## **O. Appropriate Dress and Grooming**

As a City of Mt. Angel employee, you are a representative of the City and a role model to the public. Although we do not have a formal dress code, you are required to be neatly groomed and wear suitable, safe clothing for your work environment and activity. Clothing which is revealing in nature must be covered by under or over layers.

# **VI. Termination of Employment**

## **A. Workplace Rules and Prohibited Conduct**

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 of Mt. Angel's operations, some of which are described elsewhere in this Handbook, may also be grounds for discipline, up to and including termination.

- Falsification of employment or other City records.
- Recording of work time of another employee or allowing any other employee to record your work time, or allowing falsification of any time sheets (your own or another employee's).
- Theft or the deliberate or careless damage or destruction of any City property, or the property of any other employee, citizen, vendor or third party.
- Unauthorized use of City equipment, materials or facilities.
- Provoking a fight or fighting during work hours or on City property.
- Carrying firearms or any other dangerous weapon on City premises at any time, except for sworn police officers, unless approved by the City Manager.
- Engaging in criminal conduct while at work.
- Causing, creating or participating in a significant or substantial disruption of work during working hours on City property.
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward another City employee, customer or vendor.
- 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.
- 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.
- Sleeping or malingering on the job.
- Excessive personal telephone calls during working hours.
- Unprofessional appearance during normal business hours.
- Failing to attend scheduled work sessions and related activities at conferences, workshops, or educational events that are paid for by the City.
- 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 of Mt. Angel's name, logo, likeness, facilities, assets or other resources of the City for personal gain or private interests.
- Violations of this Ethics Policy or Oregon's Ethics laws.
- 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 Organization or outside regulatory or legislative bodies.
- Failing to timely pay water/sewer/tax accounts with the City on time, and/or whose City-provided services are disconnected. This includes, without limitation, situations where the employee writes a check to the City that is refused for payment due to non-sufficient funds.
- Harassment or discrimination that violates City policy.

This statement of prohibited conduct does not alter the City's policy of at-will employment. Either you or the City remains free to terminate the employment relationship at any time, with or without cause or notice.

## **B. Corrective Action/Discipline Policy**

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 endeavor, when it deems appropriate, to provide the employee a reasonable opportunity to correct the deficiency. This can be accomplished through forms of discipline short of termination, such as verbal warnings, written warnings, suspensions without pay, and demotions (in no particular order). The corrective action process will not always commence with a verbal counseling or include a sequence or steps. Some acts, particularly those that are intentional or serious, warrant more severe action (including termination) on the first or subsequent offense.

In lieu of terminating employment of an employee for serious violations of City policies, procedures and rules and for other inappropriate behavior or conduct, the City may choose to provide the employee a final opportunity to continue employment in the form of a last-chance agreement.

In all cases, the City retains sole discretion to determine the nature and extent of any discipline based upon the circumstances of each individual case. Accordingly, the City reserves the right to proceed directly to a written warning, demotion, last chance agreement, or termination for misconduct or performance deficiency, without any prior disciplinary steps, when the City deems such action appropriate. At all times, 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 prior disciplinary action.

## **C. Retirement or Resignation From Employment**

If you choose to resign or retire, it is anticipated that you will give the City of Mt. Angel as much notice as possible, preferably a minimum of two weeks. When giving your two-week' notice, vacation, personal, or sick days should not be used in lieu of notice. If you do not give two-week notice of your intent to leave the City, you will not be eligible for re-employment at a later date. Employees who miss three or more consecutive work days without contacting their immediate supervisor are typically considered to have resigned their employment.

If the employee's decision to resign is based on a situation that could be corrected, the employee is encouraged to discuss it with the City Manager or the appropriate Department Head before making a final decision.

Employees must return all City property in possession by the last day of employment. City property includes credit cards, keys, ID cards, cellular phones, pagers, tools, software, computer disks, this Handbook, and any other items belonging to the City.

## **D. References**

All requests for references or recommendations must be directed to the appropriate Department Head. 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. By policy, the City of Mt. Angel discloses only the dates of employment and position(s) held of former employees. Former employees who authorize additional disclosures must make a request to do so in writing.

## **VII. Employee Acknowledgement**

### **Acknowledgment of Receipt of Personnel Policies**

#### **The City of Mt. Angel's Employee Handbook 2015**

I acknowledge that I have received and will read a copy of the City of Mt. Angel's 2015 Employee Handbook. I also understand that a copy of the Employee Handbook is available to me at any time to review in City Hall or on the City's website.

I understand that the City has adopted the Employee Handbook only as a general guide about policies, work rules and the work environment, and that they are subject to change at any time in the City's sole discretion, unless otherwise required to bargain pursuant to ORS 243.698. I acknowledge that the Employee Handbook is not an employment contract and is not intended to give me any express or implied right to continued employment or to any other term or condition of employment.

I understand that either the City or I may terminate my employment relationship at any time, for any lawful reason, unless I am subject to a collective bargaining agreement or written contract of employment. Other than any promises that may exist in that collective bargaining agreement or a valid employment contract, I acknowledge that no promises have been made to me that are inconsistent with this "at will" statement.

I understand that the City complies with all applicable laws regarding equal employment opportunity and provides a workplace free of harassment and discrimination. I will bring any questions or concerns I have regarding equal employment opportunities, discrimination, retaliation or harassment to my supervisor, the City Manager, or any trusted manager or supervisor.

During my employment with the City I understand that it is my responsibility to remain informed about the policies as revisions, updates and new polices are issued, and to ask questions about any interpretation of any of the policies.

I have read this acknowledgement carefully before signing.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

The original of this document will be kept in the Employee's personnel file. A copy will be provided to the Employee upon request.