CITY OF CENTRAL POINT

Oregon

City Council Meeting Agenda
Thursday, October 8, 2020

Mayor
Hank Williams

Ward I
Neil Olsen

Ward II
Kelley Johnson

Ward III
Melody Thueson

Ward IV
Taneea Browning

At Large
Rob Hernandez

At Large
Michael Parsons

Next Res(1643) Ord (2069)

I. REGULAR MEETING CALLED TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. SPECIAL RECOGNITION

V. PUBLIC COMMENTS

Public comment is for non-agenda items. If you are here to make comments on a specific agenda item, you must speak at that time. Please limit your remarks to 3 minutes per individual, 5 minutes per group, with a maximum of 20 minutes per meeting being allotted for public comments. The council may ask questions but may take no action during the public comment section of the meeting, except to direct staff to prepare a report or place an item on a future agenda. Complaints against specific City employees should be resolved through the City's Personnel Complaint procedure. The right to address the Council does not exempt the speaker from any potential liability for defamation.

VI. CONSENT AGENDA

A. **Approval of September 17, 2020 City Council Minutes**

B. Planning Commission Chair Appointment

VII. ITEMS REMOVED FROM CONSENT AGENDA

VIII. PUBLIC HEARING

Public comments will be allowed on items under this part of the agenda following a brief staff report presenting the item and action requested. The presiding officer may limit testimony.

IX. ORDINANCES, AND RESOLUTIONS

A. Resolution No. _____, Resolution Extending Declaration of Emergency - Wildfire Relief (Dreyer)

B. Resolution No. _____, Resolution Ratifying Administrative Order - Temporary Housing (Dreyer)

C. Resolution No. _____, 2020 Personnel Policies & Procedures Manual (Simas)

D. Resolution No. _____, 2020-2021 Revised Classification Pay Plan (Simas)

E. First Reading: Ordinance Amending CPMC 9.68.020 Child Supervision (Clayton)

X. MAYOR'S REPORT

XI. CITY MANAGER'S REPORT

XII. COUNCIL REPORTS

XIII. DEPARTMENT REPORTS

XIV. EXECUTIVE SESSION under 192.660 (2) (h) Legal Counsel

The City Council will adjourn to executive session under the provisions of ORS 192.660. Under the provisions of the Oregon Public Meetings Law, the proceedings of an executive session are not for publication or broadcast.

XV. ADJOURNMENT

Individuals needing special accommodations such as sign language, foreign language interpreters or equipment for the hearing impaired must request such services at least 72 hours prior to the City Council meeting. To make your request, please contact the City Recorder at 541-423-1026 (voice), or by e-mail to Deanna.casey@centralpointoregon.gov.

Si necesita traductor en español o servicios de discapacidades (ADA) para asistir a una junta publica de la ciudad por favor llame con 72 horas de anticipación al 541-664-3321 ext. 201

CITY OF CENTRAL POINT
Oregon

City Council Meeting Minutes
Thursday, September 17, 2020

I. REGULAR MEETING CALLED TO ORDER

The meeting was called to order at 7:00 PM by Mayor Hank Williams

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Attendee Name	Title	Status	Arrived
Hank Williams	Mayor	Present	
Neil Olsen	Ward I	Present	
Kelley Johnson	Ward II	Present	
Melody Thueson	Ward III	Present	
Taneea Browning	Ward IV	Present	
Rob Hernandez	At Large	Present	
Michael Parsons	At Large	Present	

Staff members present: City Manager Chris Clayton; City Attorney Sydnee Dreyer (V); Finance Director Steve Weber; Police Chief Kris Allison (V); Parks and Public Works Director Matt Samitore; Principal Planner Stephanie Holtey; and City Recorder Deanna Casey.

IV. SPECIAL PRESENTATIONS - Mike Oliver

Community Development was to recognize Mike Oliver for his time on the Central Point Planning Commission. Mike Oliver was not present. We will reschedule this item for the next meeting.

V. PUBLIC COMMENTS

Gloria Schell, Madison Court Resident

Mrs. Schell spoke regarding the fire on the greenway last week. She is interested in how Central Point is going to deal with the fire situation that exists along the Greenway. Mayor Williams stated that the City Manager will be reporting on that during his report tonight.

VI. CONSENT AGENDA

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Rob Hernandez, At Large
SECONDER:	Taneea Browning, Ward IV
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

A. **Approval of August 13, 2020 City Council Minutes**

B. **Parks Commission Report August 2020**

VII. ORDINANCES, AND RESOLUTIONS

A. **Resolution No. _____, A Resolution Approving the Intergovernmental License Agreement for Ballot Box Placement and Authorizing the City Manager to Execute Same**

City Attorney Sydnee Dreyer explained that Jackson County recently quit claimed its joint ownership interest in the library property. By signing the Quitclaim Agreement the County no longer has the authority to retain the Ballot Box in its existing location without a grant of a license or easement by the City.

The agreement provides the County a revocable license to use the property for installing, operating, and maintaining the Ballot Box. The license term is for five years, unless otherwise terminated. The County will remain solely responsible for maintenance and repair of the box, and the city remains responsible for maintenance of the grounds surrounding the license area.

Kelley Johnson moved to approve Resolution No. 1637, A Resolution Approving the Intergovernmental License Agreement for Ballot Box Placement and Authorizing the City Manager to Execute Same.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Kelley Johnson, Ward II
SECONDER:	Melody Thueson, Ward III
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

B. **Resolution No. _____, A Resolution Declaring the Intention of the City of Central Point to Consider Transfer of Ownership of the Central Point Cemetery to City of Central Point and Authorizing City Manager to Take Such Action as Necessary to Initiate Such Transfer**

Mrs. Dreyer explained that at the August Study Session the City Council discussed the current conditions and ownership requirements for the Central Point Cemetery. Due to long-term neglect and community concerns, the city is considering ownership of the property. The current owner is the Restoration and Beautification Foundation. The facility is considered an “Operating Cemetery” under Oregon State Statute which means that internments are performed and that there are outstanding preneed service contracts for unperformed services.

The resolution allows staff to begin to move forward with municipal code amendments, develop cemetery rules, and complete state applications for certification and transfer of the existing cemetery license, along with developing other associated documents. The City Attorney recommends the city obtain a letter of intent to transfer property from the current owner to ensure the owner intends to move forward with this transfer prior to the city expending significant staff time and resources in pursuing such a transfer.

Melody Thueson moved to approve Resolution No. 1638, declaring the intention of the City to consider transfer of ownership of the Central Point

Cemetery to the City of Central Point and authorizing the City Manager or his designee to take such actions as necessary to initiate such transfer.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Melody Thueson, Ward III
SECONDER:	Rob Hernandez, At Large
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

C. **Resolution No. _____, A Resolution of the Central Point City Council Adopting the City of Central Point 2040 Strategic Plan**

City Manager Chris Clayton explained the history of the 2040 Strategic Plan over the last 18-months. There were three distinct phases:

- 2019 Citizen Survey was conducted in the first quarter of 2019.
- The City Executive Team began a series of workshops to provide a strategic framework for the City Council in late summer/early fall 2019.
- The City Council began a series of public meetings, including a community forum in late 2019.

He explained the financial analysis, and staff recommendation on approval. He noted that there is nothing in this plan in regards to emergency preparedness/emergency management. His recommendation is to add the statement:

> Responsible Governance Goal 6. Prepare as a resilient city with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk.

Melody Thueson moved to approve Resolution No. 1639, A Resolution of the Central Point City Council Adopting the City of Central Point 2040 Strategic Plan adding Responsible Governance Goal 6. Prepare as a resilient city with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Melody Thueson, Ward III
SECONDER:	Neil Olsen, Ward I
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

D. **Resolution No._____, A Resolution to provide Economic Support to the Central Point Community During the COVID-19 State of Emergency, Establishing the CARES Act Community Support Grant Program**

Finance Director Steve Weber explained that because of the economic hardship felt across the country as a result of the COVID-19 pandemic funds have been used to reimburse the City for eligible expenditures incurred for materials and services in responding to the public health and safety measures implemented at City facilities. City staff has identified the needed community assistance in the area of rent and

utility assistance, childcare program assistance, and food assistance. Recently staff met with organizations that have been providing needed services to the community that has been affected by the COVID-19 pandemic about possible partnerships utilizing the City's allocation of CARES Act funding. The proposed resolution establishes the CARES Act Community Support Program and designates the initial distribution of grant program funds to local organizations.

The City manager is authorized to allocate Grant Program funds, consistent with the Guidelines for allocation and the City's agreement with State of Oregon Department of Administrative Services.

A. Kid Time Children's Museum for the childcare;
B. YMCA for the childcare programs;
C. St. Vincent de Paul for rental and utility assistance for Central Point residents;
D. Family Nurturing Center for assistance to Central Point families in need;
E. City's Emergency Small Business Assistance Grant Program;
F. RVCOG for the Food & Friends/Senior Meals program;
G. Jackson County 4-H Junior Livestock Auction to support Central Point area 4-H members as a result of the cancellation of the Jackson County Fair;
H. Reimbursement funds for additional childcare programs.

To quickly and efficiently mitigate economic damage to the Central Point community, the City Manager may further allocate and distribute any Grant Program funding with the support and guidance of City staff to achieve the following goals:

A. Small business stabilization and support;
B. Rental and utility assistance to individuals;
C. Assistance and support to childcare organizations; and
D. Assistance and support to vulnerable populations through established nonprofit agencies.

Kelley Johnson moved to approve Resolution No. 1640, A Resolution to Provide Economic Support to the Central Point Community During the Covid-19 State of Emergency; Establishing the Cares Act Community Support Grant Program.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Kelley Johnson, Ward II
SECONDER:	Michael Parsons, At Large
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

E. **Resolution No. _____, A Resolution Authorizing Staff to Seek Debt Financing that will Finance the Construction of the New Parks and Public Works Operations Facility**

Mr. Weber explained that staff is asking Council direction to seek debt financing for the construction the new Parks and Public Works Operations Facility. City staff has been closely monitoring interest rates with a target fall/winter 2020 to complete financing. Rates have remained very low due to the COVID-19 pandemic. The project was budgeted for in the 2019-21 biennial budget, and debt service payments will be budgeted for in the corresponding future biennial budget.

The new facility will be located on property recently purchased by the City on South Haskell and Ash Street. The purchase closed July 2, 2019. S&B James was awarded the bid in June 2020 for the design of the facility.

Kelley Johnson moved to approve Resolution No. 1641, A Resolution Authorizing Staff to Seek Debt Financing that will Finance the Construction of the New Parks and Public Works Operations Facility.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Kelley Johnson, Ward II
SECONDER:	Taneea Browning, Ward IV
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

F. **Resolution No. _____, A Resolution Declaring an Emergency in the City of Central Point and Adopting Measures to Prevent, Minimize, Respond to or Recover from the Wildfire Emergency**

City Attorney Sydnee Dreyer explained that ORS and the Central Point Emergency Operations Plan (EOP) provide authority for the City to act as an emergency management agency. There are multiple active fires in Jackson County resulting in evacuation of a significant number of county residents. A State of Emergency declared by Governor Brown and a Federal Emergency disaster declaration for the State of Oregon was approved on September 10, 2020 due to continued wildfires.

These circumstances require a coordinated response beyond that which occurs routinely, and the required response can not be achieved solely with the added resources acquired through mutual aid or cooperative assistance agreements. The city can take steps to help mitigate and avoid some of the most drastic consequences of the fire and evacuations through actions that result in the assistance of sheltering evacuees and providing hygiene resources.

Approving the proposed resolution will allow the City to seek state and federal assistance for significant overtime expenditures to deal with the disasters. This declaration will also allow the city to work on temporary housing options and infrastructure. Thousands of homes were destroyed in the recent fires and those people need temporary housing options until they can rebuild.

Michael Parsons moved to approve Resolution No. 1642, declaring an Emergency in the City of Central Point and adopting measures to prevent, minimize, and respond to or recover from the wildfire emergency.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Michael Parsons, At Large
SECONDER:	Melody Thueson, Ward III
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

VIII. BUSINESS

A. **Planning Commission Appointment**

City Manager Chris Clayton explained there has been a vacancy on the Planning Commission. Staff and the Mayor reviewed the applications and interviewed Brad Cozza. This appointment is for the remainder of Position 1, and expires 12/31/2020. Mr. Cozza introduced himself. He works at the airport and has a history of community involvement in another state.

Mayor Williams moved to appoint Brad Cozza to complete the Position 1 Planning Commission term ending December 31, 2020.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Hank Williams, Mayor
SECONDER:	Michael Parsons, At Large
AYES:	Williams, Olsen, Johnson, Thueson, Browning, Hernandez, Parsons

IX. MAYOR'S REPORT

Mayor Williams reported that:

- He has been attending LOC virtual meetings.
- He attended a meeting with federal officials about the fire situation in the valley.
- He toured the Central Point Greenway fire area with the City Manager. This could turn into a major asset if we plan to manage it going forward.

X. CITY MANAGER'S REPORT

City Manager Chris Clayton reported:

- Fire Chief Bob Horton has joined us virtually tonight. He is available to answer any questions regarding the Greenway Fire. He will return in about a month with a full recap of the situation. He is very proud of the employees in Public Works and the Police Department for their hard work in saving life and property during the fires this week. There has been a lot of discussion regarding the notifications for the fire. He would not change the call to evacuate the entire City of Central Point. We did not know how the fire was going to go, and we wanted to give citizens a chance to prepare for what could happen. We are all looking forward to the after emergency process and reviewing how things went.
- We plan to thank our employees for helping during the fire on the greenway and the Alameda fire.

Fire Chief Bob Horton stated that he is very proud of Central Point staff and citizens for all they did during the fire. Chief Allison and PD did an amazing job getting people out of the danger zone quickly. We showed great teamwork between the Fire District and City employees.

- One employee lost their home in the Alameda Fire in Phoenix. We are working on a way to allow donations for employees who were affected by the fires.

- He updated the Council on deadlines for FEMA to receive initial reports from the city. We are working on locating properties that could hold temporary housing for people waiting to rebuild their home.
- Greenway maintenance is a shared regional and local responsibility. He explained the agreement and jurisdictional boundaries along the Greenway. Central Point is hiring a contractor to remove small trees that were damaged by the fire. We need to act independently to protect our Central Point section. We would like to see it more like a river walk, with little to no vegetation and more park like sections along Central Point. We hope that FEMA assistance will help us do this. We will be setting up an Adhoc Committee with Council and citizens.
- There are some budget considerations in regards to helping the other jurisdictions with recent emergencies. Our Finance Director will be working on reimbursements through FEMA.
- Long-time resident Libby Pfaff turned 100 years old this week. The Pfaff Family has been involved with the Community for many years.

XI. COUNCIL REPORTS

Council Member Kelley Johnson reported that she attended LOC Virtual meetings and toured the Greenway fire area.

Council Member Rob Hernandez reported he toured the greenway and likes the river walk idea. He would like to volunteer to be on the Greenway Adhoc Committee.

Council Member Taneea Browning reported that:

- she attended a Fire District Board Meeting
- she attended an RVCOG meeting.
- She wrote a letter thanking City Staff for the job they did during the fires, and would encourage council to sign it with her.

Council Member Michael Parsons reported that he attended:

- The Study Session
- An RVSS board meeting where they talked about the fire and future problems revolving around fires.
- The Parks and Rec Committee meeting.
- The Greenway tour and agrees with the river walk idea.

Council Member Neil Olsen reported that he:

- attended a Southern Oregon gathering in Rogue River.
- Toured the Expo and shelter.

- Took a tour of ESCO.

XII. DEPARTMENT REPORTS

Parks and Public Works Director Matt Samitore reported that:

- He would like to move immediately on the greenway clean up. He is willing to take the lead on this project. We will be working with FEMA to see what we can and cannot do at this point. Jackson County has shown interest in transferring jurisdiction of the properties located in the city limits to Central Point. Taneea Browning and Rob Hernandez volunteered to be on the Greenway Adhoc Committee.
- There have been some complaints on social media regarding waterbills this week. We will be digging in and looking at these concerns next week.
- The field on the south side of Beall Lane has been tilled under. We received several calls from concerned citizens regarding weeds in the field. With the help of staff and Fire District No. 3 we tracked down the owner, and helped facilitate the field being plowed under. Fire District No. 3 has asked us not to enforce weed abatement until the fire danger is over.

Finance Director Steve Weber stated that he has been working on the audit.

Police Chief Kris Allison reported that:

- She is proud of staff in Central Point for what she saw on September 8th during the fires. The partnership between FD3, CPPD, and Public Works was amazing. Police and PW were on the greenway 24/7 putting out hot spots.
- Josh Abbot has been recognized as one of the 10 Emerging Leaders in our Valley.
- The Police Department received a $65,000 School Resource grant.

Principle Planner Stephanie Holtey reported that:

- She has been supporting Public Works looking at FEMA implications on what we can and can't do in the greenway. They will be submitting a letter to FEMA supporting the need to take some of the green out of the greenway by managing the area instead of letting it grow wild.
- Regional planners are meeting about recovery efforts. All the regional cities are limited on areas within UGB's for interim housing. Central Point is very limited on vacant land large enough for interim housing needs. We will be approaching the State regarding other options.
- The Department received six building permit applications today for single-family housing.
- Our Natural Hazard Mitigation Plan is out of date. We have been working on the plan and hope to bring it before Council in October.

XIII. ADJOURNMENT

Taneea Browning moved to adjourn. Melody Thueson seconded and the meeting was adjourned at 8:43 p.m.

The foregoing minutes of the September 17, 2020, Council meeting were approved by the City Council at its meeting of _____, 2020.

Dated:

_____
Mayor Hank Williams

ATTEST:

_____
City Recorder

City of Central Point
Staff Report to Council

ISSUE SUMMARY

TO: City Council

DEPARTMENT: Administration

FROM: Deanna Casey, City Recorder

MEETING DATE: October 8, 2020

SUBJECT: Planning Commission Chair Appointment

ACTION REQUIRED:
Consent Agenda Item

RECOMMENDATION:

Planning Commission Chair Mike Oliver resigned from the commission in June 2020. CPMC 2.16.050 states that City Council is to appoint a chairperson and a vice-chairperson annually to the Planning Commission.

Tom Van Voorhees, the vice-chairperson, stepped in to cover the chair position. Mr. Van Voorhees has agreed to be the Planning Commission Chair.

Current Planning Commission Members:

Tom VanVoorhees	Kay Harrison	Amy Moore
Patrick Smith	Jim Mock	Chris Richey
Brad Cozza		

Staff recommends appointing Tom Van Voorhees as Planning Commission Chair, and Jim Mock as Planning Commission Vice-chair.

Recommended Motion:
Approve the Consent Agenda as presented.

City of Central Point
Staff Report to Council

ISSUE SUMMARY

TO:	City Council	**DEPARTMENT:** City Attorney	
FROM:	Sydnee Dreyer, City Attorney		
MEETING DATE:	October 8, 2020		
SUBJECT:	Resolution Extending Declaration of Emergency - Wildfire Relief		
ACTION REQUIRED: Motion Resolution		**RECOMMENDATION:** Approval	

BACKGROUND INFORMATION:

ORS 401.305 and Central Point Emergency Operations Plan ("EOP") provide authority for the City of Central Point to act as an emergency management agency, including authority to establish policies and protocols for defining and directing responsibilities during the time of emergency.

As a result of multiple fires in Jackson County, evacuation of a significant number of county residents has been required and the number of individuals displaced by the fires has been estimated at 15,000 people. While some have been or will be able to return to their homes, a substantial number of homes have either been destroyed or rendered uninhabitable.

As a result of the foregoing, on September 17, 2020, the City Council for the City of Central Point declared a local emergency to allow the City to take such steps as necessary and authorized by law to coordinate response and recovery from this emergency, including, but not limited to, requesting assistance and potential reimbursements from the State of Oregon and the appropriate federal and county agencies, emergency procurement of goods and services, entering into mutual aid agreements and other actions necessary for the protection of health and safety of its citizens and to efficiently conduct activities that minimize or mitigate the effect of the wildfire emergency.

The City Council's local declaration of emergency was originally set to expire on October 1, 2020. However, given the number of displaced individuals, the damage to public and private property, and the need to coordinate with local, state and federal agencies to resolve these issues, the City Council finds that the foregoing circumstances require a coordinated response beyond that which occurs routinely, and the required response cannot be achieved solely with the added resources acquired through mutual aid or cooperative assistance agreements.

The foregoing circumstances have the potential to affect all of the territory within the City limits and are anticipated to remain in effect until at least the end of the calendar year, and will likely extend into 2021.

FINANCIAL ANALYSIS:

Extending the local state of emergency through December 31, 2020 will allow the City to seek state/federal assistance for significant overtime expenditures to deal with fires and recovery efforts and allow the City to continue to seek financial support for the ongoing effects of wildfires such as repair to property damage, temporary housing, etc.

LEGAL ANALYSIS:

The City Council has legal authority to declare that a local emergency exists under Chapter 401, and as acknowledged in the City's Emergency Operations Plan.

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Not applicable.

STAFF RECOMMENDATION:

Approve resolution declaring an extension to local emergency due to wildfires.

RECOMMENDED MOTION:

I move to approve Resolution No. _____, a resolution extending a declaration of emergency in the City of Central Point to prevent, minimize, respond to or recover from the wildfire emergency.

ATTACHMENTS:

1. RESO - Extension of Declaration of Emergency Wildfires

RESOLUTION NO. _____

A RESOLUTION EXTENDING A DECLARATION OF EMERGENCY IN THE CITY OF CENTRAL POINT TO PREVENT, MINIMIZE, RESPOND TO OR RECOVER FROM THE WILDFIRE EMERGENCY

RECITALS:

A. ORS 401.305 and Central Point Emergency Operations Plan ("EOP") provide authority for the City of Central Point to act as an emergency management agency, including authority to establish policies and protocols for defining and directing responsibilities during the time of emergency.

B. As a result of multiple fires in Jackson County, evacuation of a significant number of county residents has been required and the number of individuals displaced by the fires has been estimated at 15,000 people. While some have been or will be able to return to their homes, a substantial number of homes have either been destroyed or rendered uninhabitable.

C. As a result of the foregoing, on September 17, 2020, the City Council for the City of Central Point declared a local emergency to allow the City to take such steps as necessary and authorized by law to coordinate response and recovery from this emergency, including, but not limited to, requesting assistance and potential reimbursements from the State of Oregon and the appropriate federal and county agencies, emergency procurement of goods and services, entering into mutual aid agreements and other actions necessary for the protection of health and safety of its citizens and to efficiently conduct activities that minimize or mitigate the effect of the wildfire emergency.

D. The City Council's local declaration of emergency was originally set to expire on October 1, 2020. However, given the number of displaced individuals, the damage to public and private property, and the need to coordinate with local, state and federal agencies to resolve these issues, the City Council finds that the foregoing circumstances require a coordinated response beyond that which occurs routinely, and the required response cannot be achieved solely with the added resources acquired through mutual aid or cooperative assistance agreements.

E. The City of Central Point can take steps to help mitigate and avoid some of the most drastic consequences of the fire, evacuations, displacement and property damage through actions that result in the assistance of sheltering evacuees, establishing temporary housing, providing hygiene resources, and other necessary health safety measures.

Attachment: RESO - Extension of Declaration of Emergency Wildfires (1322 : Resolution Extending Declaration of Emergency - Wildfire Relief)

F. The foregoing circumstances have the potential to affect all of the territory within the City limits.

G. The foregoing circumstances are anticipated to remain in effect for a significant period of time.

The City of Central Point resolves as follows:

Section 1. It is declared that a state of emergency continues to exist in the City of Central Point, encompassing all of the area within the City limits.

Section 2. This declaration of local emergency was initially effective on September 17, 2020 at 7:00 p.m. and shall remain in effect until December 31, 2020 unless superseded sooner.

Section 3. This declaration of emergency may be extended so long as wildfires, or the damage therefrom, continue to pose an on-going, immediate, and substantial threat to life, safety, health, or property in the City of Central Point.

Section 4. The City Council grants the City Manager authority to extend this declaration of emergency, to be ratified by Council at subsequent regularly scheduled Council meetings.

Passed by the Council and signed by me in authentication of its passage this 8th day of October, 2020.

_____
Mayor Hank Williams

ATTEST:

_____
City Recorder

City of Central Point
Staff Report to Council

ISSUE SUMMARY

TO:	City Council	**DEPARTMENT:** City Attorney	
FROM:	Sydnee Dreyer, City Attorney		
MEETING DATE:	October 8, 2020		
SUBJECT:	Resolution No. _____, Ratifying The City Manager's Administrative Order Dated September 24, 2020 Addressing The Temporary Use Of Occupied RV's Outside Of Mobile Home Parks		
ACTION REQUIRED: Motion Resolution		**RECOMMENDATION:** Approval	

BACKGROUND INFORMATION:

On September 8, 2020, the Almeda fire devastated significant portions of Phoenix and Talent, Oregon, destroying an as yet undetermined number of homes and businesses but initial estimates indicate over 2,300 dwellings were destroyed. The number of individuals displaced by the Almeda fire has been estimated at 15,000. While some have been or will be able to return to their homes once evacuation orders have been lifted, a substantial number of homes have either been destroyed or rendered uninhabitable. In addition, the South Obenchain fire in northern Jackson County is ongoing and poses similar risks to communities, towns and cities in northern Jackson County.

The City of Central Point already had a very low rental vacancy rate before these fires, and with the substantial number of displaced individuals, Central Point and Jackson County do not have adequate housing available to meet anticipated housing demand until new housing units are built.

Pursuant to Central Point Municipal Code (CPMC) 10.04.112 and CPMC 17.60, the City of Central Point does not allow occupancy of motor homes, travel trailers, campers or other similar vehicles outside of mobile home parks or other limited, specific circumstances, for a period in excess of two-weeks in any calendar year. Specifically, CPMC 10.04.112(b) provides: "No person shall reside in any motor vehicle, motor home, trailer or commercial vehicle except that persons may temporarily reside in a motor home, including specifically a camper, tent trailer, tent, or any other type of non-dwelling living structure, in any front, side or rear yard area of any residential property for a period not to exceed two weeks in any one calendar year." Additionally, CPMC 17.60(C) provides: "Motor homes, travel trailers, campers, and other similar vehicles normally used for recreational use may be stored on the premises of the owner for any length of time, provided it is not utilized for living purposes and is not parked or stored on the public street." Further 17.60(E) provides: "No motor homes, travel trailer, camper or similar recreational vehicle shall be used as a permanent guesthouse or for temporary or permanent occupancy by a member of the household occupying the premises on

which the vehicle is stored."

On September 17, 2020, the City Council for the City of Central Point declared a state of emergency on account of the Almeda fire via Resolution No. 1642. These acts specifically delegated to the City Manager the authority to exercise, via administrative order, any action set forth under ORS 401.305 and Central Point Emergency Operations Plan ("EOP"), including any actions necessary for the protection of health and safety and to efficiently conduct activities that minimize or mitigate the effect of the wildfire emergency.

Temporarily reducing restrictions on occupancy of motor homes, travel trailers, campers or other similar vehicles (collectively "RVs") with safeguards to mitigate impacts on surrounding neighborhoods, will allow for additional, temporary housing for displaced individuals until additional housing is available.

The Administrative Order authorizes such temporary housing through September 23, 2021, with the ability to grant a further extension should it be required at that time.

FINANCIAL ANALYSIS:

LEGAL ANALYSIS:

The City Manager has made reasonable efforts to inform the City Council and the Mayor of the need to provide temporary emergency housing for persons displaced by wildfires in Jackson County. Pursuant to EOP 1.7.2, 3.2.1.1 and 3.2.1.2, the City Council is required to consider ratification of the administrative order at its next regularly scheduled Council meeting, which is currently scheduled for April 9, 2020.

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

STAFF RECOMMENDATION:

Make a motion to approve the resolution ratifying the Administrative Order dated September 24, 2020.

RECOMMENDED MOTION:

I move to approve Resolution No. ____, a resolution of the City of Central Point ratifying the City Manager's Administrative Order dated September 24, 2020 addressing the temporary use of occupied RV's outside of mobile home parks.

ATTACHMENTS:

1. Admin Order Temp Housing EXEC
2. RESO Ratifying Emergency Temporary Housing

ADMINISTRATIVE ORDER DATED SEPTEMBER 24, 2020

of the City Manager of the City of Central Point

Addressing the Temporary Use of Occupied RVs outside of Mobile Home Parks

THE CITY MANAGER OF THE CITY OF CENTRAL POINT FINDS THAT:

A. On September 8, 2020, the Almeda fire devastated significant portions of Phoenix and Talent, Oregon, destroying a significant, and as yet undetermined number of homes and businesses.

B. The number of individuals displaced by the Almeda fire has been estimated at 15,000 people. While some have been or will be able to return to their homes once evacuation orders have been lifted, a substantial number of homes have either been destroyed or rendered uninhabitable.

C. The South Obenchain fire in northern Jackson County is ongoing and poses similar risks to communities, towns, and cities in northern Jackson County.

D. The City of Central Point already had a very low rental vacancy rate before these fires, and with the substantial number of displaced individuals, Central Point and Jackson County do not have adequate housing available to meet anticipated housing demand until new housing units are built.

E. Pursuant to Central Point Municipal Code (CPMC) 10.04.112 and CPMC 17.60, the City of Central Point does not allow occupancy of motor homes, travel trailers, campers, or other similar vehicles outside of mobile home parks or other limited, specific circumstances, for a period in excess of two-weeks in any calendar year. Specifically, CPMC 10.04.112(b) provides: "No person shall reside in any motor vehicle, motor home, trailer or commercial vehicle except that persons may temporarily reside in a motor home, including specifically a camper, tent trailer, tent, or any other type of nondwelling living structure, in any front, side or rear yard area of any residential property for a period not to exceed two weeks in any one calendar year." Additionally, CPMC 17.60(C) provides: "Motor homes, travel trailers, campers, and other similar vehicles normally used for recreational use may be stored on the premises of the owner for any length of time, provided it is not utilized for living purposes and is not parked or stored on the public street." Further 17.60(E) provides: "No motor homes, travel trailer, camper or similar recreational vehicle shall be used as a permanent

Attachment: Admin Order Temp Housing EXEC (1320 : Resolution Ratifying Administrative Order - Temporary Housing)

guesthouse or for temporary or permanent occupancy by a member of the household occupying the premises on which the vehicle is stored."

F. On September 17, 2020, the City Council for the City of Central Point declared a state of emergency on account of the Almeda fire via Resolution 2020-___. These acts specifically delegated to the City Manager the authority to exercise, via administrative order, any action set forth under ORS 401.305 and Central Point Emergency Operations Plan ("EOP"), including any actions necessary for the protection of health and safety and to efficiently conduct activities that minimize or mitigate the effect of the wildfire emergency.

G. Temporarily reducing restrictions on occupancy of motor homes, travel trailers, campers, or other similar vehicles (collectively "RVs") with safeguards to mitigate impacts on surrounding neighborhoods, will allow for additional, temporary housing for displaced individuals until additional housing is available.

Now therefore, based on the above findings, THE CITY MANAGER OF THE CITY OF CENTRAL POINT ORDERS THAT:

1. Owners of residentially zoned properties, or properties containing a residential use, larger than 0.5 acres, or commercial or industrial zoned parcels of any size, may apply to the City Manager for permission to have one or more RVs parked on a single parcel for purposes of occupancy of persons displaced by wildfires. City Manager approval, or approval by the City Manager's delegee, is discretionary and depends on a satisfactory site plan, appropriate sanitation, impact on surrounding properties, evidence that the use is limited to housing for displaced persons from wildfires, and affordability of the temporary housing provided.

2. This Order shall remain in full force and effect until September 23, 2021, unless it is earlier terminated by the City Council or Administrative Order of the City Manager. This Order may be extended to a later date by action of the City Council or Administrative Order of the City Manager.

Attachment: Admin Order Temp Housing EXEC (1320 : Resolution Ratifying Administrative Order - Temporary Housing)

PASSED by the City Manager and signed by me in authentication of its passage this 24th day of September, 2020.

Chris Clayton, City Manager

Approved:

Mayor Hank Williams

Ratified by City Council action on _____, 2020.

ATTEST:

City Recorder

Attachment: Admin Order Temp Housing EXEC (1320 : Resolution Ratifying Administrative Order - Temporary Housing)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF CENTRAL POINT RATIFYING THE CITY MANAGER'S ADMINISTRATIVE ORDER DATED SEPTEMBER 24, 2020 ADDRESSING THE TEMPORARY USE OF OCCUPIED RV'S OUTSIDE OF MOBILE HOME PARKS

RECITALS:

A. On September 17, 2020 the City Council for the City of Central Point declared a local state of emergency due to the wildfires burning in Jackson County.

B. On September 24, 2020, the City Manager signed an Administrative Order addressing the temporary use of occupied RV's outside of mobile home parks pursuant to the authority granted to him under the City's emergency declaration subject to ratification by the City Council.

C. The City Council of the City of Central Point is in full agreement with the Administrative Order dated September 24, 2020 and all the contents thereof.

The City of Central Point resolves as follows:

Section 1. The City Manager's Administrative Order dated September 24, 2020 addressing the temporary use of occupied RV's outside of mobile home parks, attached hereto as Exhibit "A", is ratified.

Passed by the Council and signed by me in authentication of its passage this 8th day of October, 2020.

_____
Mayor Hank Williams

ATTEST:

_____
City Recorder

Attachment: RESO Ratifying Emergency Temporary Housing (1320 : Resolution Ratifying Administrative Order - Temporary Housing)

City of Central Point
Staff Report to Council

ISSUE SUMMARY

TO: City Council

DEPARTMENT: Human Resources

FROM: Elizabeth Simas, Human Resources Director

MEETING DATE: October 8, 2020

SUBJECT: Resolution No. _____, A Resolution to Approve the 2020 Personnel Policies & Procedures Manual

ACTION REQUIRED:

RECOMMENDATION:

BACKGROUND/HISTORY:

In October 2018, the council adopted The City of Central Point's new Personnel Policies and Procedures which was a rewrite of the 2005 version. The Personnel Policies and Procedures manual will need periodic updates and be brought to Council as those changes are to be incorporated into it. Changes that are required by law or are needed but do not have a significant impact on the workplace will be changed as needed. Substantive changes will be brought before Council for adoption prior to implementation, whereas minor changes will be implemented and then brought to Council periodically or along with substantive changes.

There are some minor changes also but here is a list of areas that have been updated.
1.02 Organization Chart per the Biennial Budget 2019/2021
2.00 Equal Employment Opportunity Policies (rewrite due to Oregon Workplace Fairness Act)
3.05.8 Breaks for Expression of Milk (update due to 2020 amendment to Oregon law)
3.05.12 Telecommuting (comprehensive policy update due to the City's use of Telecommuting during COVID-19)
4.03 Use of City Resources (GPS tracking of cellular devices)
4.04 Social Media and E-mail Policy (CIS recommended rewrite of policy)
6.04 External Complaint Process
7.03.8 Replacement of Sick Leave Donation program with Short-Term Wage Replacement Plan
7.07 Other Benefits - clarifies what is part of our compensation package to comply with Oregon Government Ethics rules
9.02.5 Drug & Alcohol Testing Policy for CDL holders (Drug & Alcohol Clearinghouse)

RECOMMENDATION:

Motion to approve Resolution _____, A Resolution Adopting the City of Central Point's 2020 Personnel Policies & Procedures Manual.

ATTACHMENTS:

1. Resolution 2020 Personnel Policies
2. Policy Manual October 2020

RESOLUTION NO. _____

A RESOLUTION TO APPROVE THE 2020 PERSONNEL POLICIES & PROCEDURES MANUAL

RECITALS:

1. Chapter 2.48 of the Central Point Code authorizes and directs the City Council to adopt rules relating to personnel matters.

The City of Central Point resolves as follows:

Section 1. The City of Central Point 2020 Personnel Policies & Procedures Manual supersedes and amends the 2018 Personnel Policies & Procedures Manual.

Section 2. The 2020 Personnel Policies and Procedures Manual which applies to all City employees, volunteers, appointed positions, interns, part-time, seasonal, contracted, or temporary employees, is hereby ratified and adopted.

Section 3. The 2020 Personnel Policies and Procedures Manual shall be effective October 8, 2020.

Passed by the Council and signed by me in authentication of its passage this _____ day of October, 2020.

_____
Mayor Hank Williams

ATTEST:

_____
City Recorder

CITY OF CENTRAL POINT

Personnel Policies & Procedures

Revised October 2020

Attachment: Policy Manual October 2020 (1321 : 2020 Personnel Policies & Procedures Manual)

Attachment: Policy Manual October 2020 (1321 : 2020 Personnel Policies & Procedures Manual)

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Acknowledgement of Receipt of Policy Manual

Attachment: Policy Manual October 2020 (1321 : 2020 Personnel Policies & Procedures Manual)

1.00 Introduction

Introduction
1.01 Mission & Core Values
1.02 Organizational Chart
1.03 About These Policies

This manual contains policies and procedures only and is not a contract.
City policies and procedures may be changed or discontinued at any time.

Attachment: Policy Manual October 2020 (1321 : 2020 Personnel Policies & Procedures Manual)

1.00 Introduction

This Personnel Policy Manual describes policies and procedures that govern the employment relationship between the City of Central Point and its employees. The policies stated in this manual are subject to change at any time at the sole discretion of the City, with or without prior notice. This policy manual supersedes any prior handbooks, policy manuals, written or unwritten policies of the City that are inconsistent with this manual's provisions. It does not, however, substitute for collective bargaining agreement provisions. You may receive updated information concerning changes in policy from time to time and those updates should be kept with your copy of the manual. If you have any questions about any of the provisions in this manual, or any policies issued after you receive this manual, please see Human Resources.

This manual does not create a contract of employment between the City of Central Point and its employees. All employment at the City of Central Point is "at will." That means that either you or the City may terminate this relationship at any time, for any reason, with or without cause or notice (unless you are subject to a collective bargaining agreement or written employment contract). No supervisor, manager, or representative of the City other than the City Manager has the authority to enter into any agreement with you regarding the terms of your employment that changes our at-will relationship, or deviates from the provisions in this manual, unless the change or deviation is put in writing and signed by the City Manager, or is included in a current, applicable collective bargaining agreement.

1.01 Mission & Core Values

Our Mission It is the Mission of the City of Central Point to build and maintain a highly livable community by working in harmony and being a catalyst for partnership with all the members of the community, public and private.

Vision Statement

A better experience for those living in, working in, or doing business with, the City of Central Point.

Values

1. **Be Owners** – We own the work that is produced at the City of Central Point. To that end, we only allow quality products, documents and services to be delivered from our organization. Furthermore, when we fail to meet expectations, we accept responsibility, apply what we have learned, and move forward in a positive direction.

2. **Be Real** – Simply stated, be authentic/genuine in your communications with the public and with your colleagues.

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3. **Be Bold** – Take appropriate "risks" and make compelling/constructive arguments; don't take unnecessary "risks" or be argumentative.

4. **Be Better** - Know your strengths and weaknesses and constantly seek ways to improve self, perspective, and performance. To "Be Better" requires being self-aware which promotes pluralism, allows us to be open to new ideas/solutions, and find long-term positive outcomes via our short-term failures.

Expectations

1. **Embrace the concept and ideals of "public service."** The City of Central Point was incorporated in 1889 in order to serve the community and citizens. It is essential that those employed by, or volunteering for, the City of Central Point never lose sight of the fact that we exist to serve the Central Point community. The concept of commitment to the principles of civic duty should be at the heart of everything the City of Central Point does each and every day.

2. **Place an emphasis on excellent customer service.** It is essential that we serve the public in a courteous and professional manner. It is also important for the Central Point staff to be perceived as fair and equitable. Of course, as an organization we will not be able to say "yes" to every request or inquiry. However, in those instances when we must say "no," it is important to deliver this message in a professional manner and to constantly seek alternate solutions for the public.

3. **Maintain the highest ethical standards**. It is essential that the City of Central Point staff earn and maintain the trust and respect of the organization and community. Consequently, it is essential that the City of Central Point establish and maintain a positive culture that is based on honesty and integrity. Each and every member of the city organization should always lead by example. We do the right thing, for the right reason, regardless of circumstance.

4. **Value cooperation, teamwork coordination, and partnership.** It remains essential that the City's various departments and divisions work together to improve our community. The City of Central Point is an organization increasing in size and complexity. A primary component of our success depends on the willingness of every employee and volunteer to work in concert and have a unified organization mind-set.

   It is also essential for the Central Point management team to work with various stakeholders in the community and the community itself to solve the challenges and problems that face Central Point. The City of Central Point has earned the reputation as a "partner" to business, development and citizens, and we must do all we can to foster this well-deserved reputation.

5. **Hold ourselves accountable to the community for our actions.** It is appropriate to tout organizational accomplishments; however, it is also just as important to take

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responsibility for our failures and shortcomings, and work as a group to solve problems and minimize our shortcomings. This approach will help the entire organization earn the trust and respect of the community.

6. **Be innovative and results-oriented.** Each and every member of the Central Point staff should continuously seek out new strategies, ideas and solutions to improve the organization. The organization should continually strive for excellence and consistently question the "status quo."

7. **Genuinely listen and treat each other with respect**. The quality of our employees dictates how well the City of Central Point is able to serve the community. Therefore, it is essential that we value each other and provide support needed in order to be successful. In addition, it is important to empower each other via communication so our decisions are well informed. Finally, the City's management team and City's labor organizations must work well together and embrace common goals and objectives. If differences arise, we must solve them in a professional and productive manner.

8. **Maintain a strong financial position.** It is imperative Central Point staff manage fiscal resources in a responsible and conservative manner. The City of Central Point's taxpayer and ratepayers deserve nothing less than this level of care. Likewise, it is necessary for all employees to ensure that the City operates in an efficient and economical manner.

9. **Communicate very well, both within the organization and with the community**. It is essential that staff communicate in an honest and straightforward manner with each other and with the community as a whole. The City of Central Point should be candid and forthright, regardless if the news is positive or negative. It is also essential to maintain good lines of communication within the organization. We should actively listen to employees and follow up on ideas and suggestions. Finally, staff should always be open to new ideas, approaches, and solutions.

10. **Maintain a strong work ethic.** Regardless of circumstance, we should always do our best.

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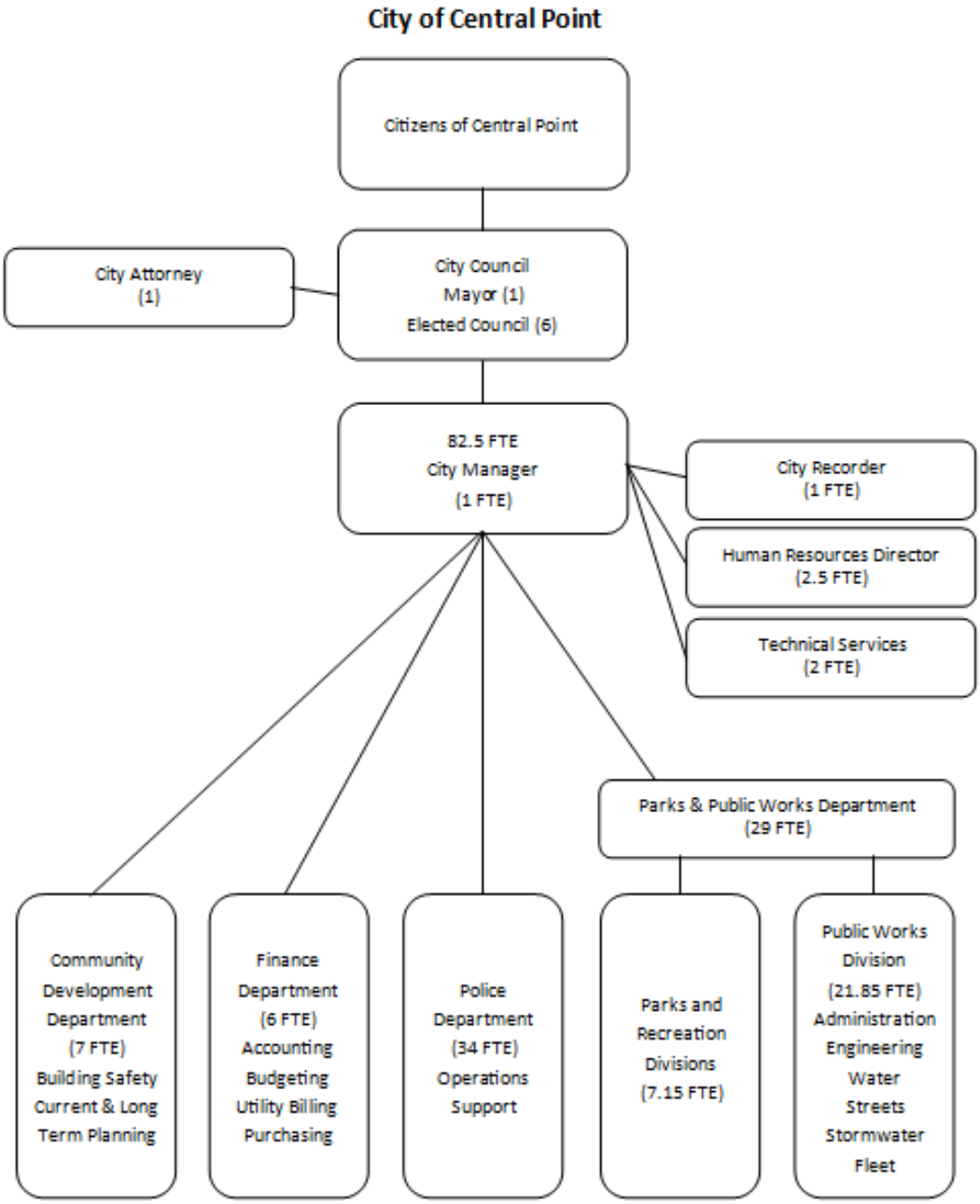
1.02 Organizational Chart



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1.03 About These Policies

The purpose of this policy manual is to codify broad and uniform personnel policies for City of Central Point employees. This manual is a guide to the City's employment provisions and expectations. It outlines many of the programs and benefits that affect employees of the City of Central Point. Nothing in this manual is meant to limit the discretion of the City in managing and supervising employees.

1.03.1 Changes The City may add to, modify, or revoke policies in this manual from time to time. The City will try to keep the manual current, but there may be times when policy will change before the manual can be revised. Significant changes to the manual will be communicated to employees as soon as possible. Employees should be aware that any oral statements or representations cannot change or alter the provisions of the Personnel Policy Manual. This manual shall supersede all previously issued personnel policies, procedures, memos, benefit statements, and verbal or written agreements that are in conflict with its provisions, except for current, applicable collective bargaining agreements, or legally binding contracts or agreements.

1.03.2 Limitation The individual policies contained herein and the collective body of these policies, as well as any policies or procedures that may be added or changed, are not a contract or promise of benefits. Nothing in this document shall be construed as to prevent the City of Central Point from changing policy, or changing, deleting, or adding to the personnel policies.

In the event of a conflict between the provisions of this manual and specific, clear language in a current, applicable collective bargaining agreement affecting City employees, the specific provisions of the collective bargaining agreement shall control.

1.03.3 Application This manual is provided to, and shall apply to, all employees of the City of Central Point. For the purpose of these policies, employee shall mean anyone performing work for or at the direction of the City, regardless of pay status. Meeting the definition of "employee" for the purpose of application of these policies does not create an employment agreement or determine employment status for any other purposes. Certain policies and practices may be different for, or may not apply to, those working in exempt management positions, bargaining unit positions; appointed positions such as City Attorney, volunteer, intern; or in part-time, seasonal, substitute, contracted or temporary positions.

This manual contains only general information and guidelines. It is not intended to address all the possible applications or exceptions to the operations of the City of Central Point. The information provided in this manual is based on the belief that common sense, good judgment, respect and consideration for the rights of others are paramount to the ability to serve our citizens and ourselves. Because this manual may not cover every situation, employees having any questions concerning the applicability of a policy or eligibility for a benefit should ask their supervisor or Human Resources.

1.03.4 Procedures Separate procedures may contain more detailed information about the application of some of the personnel policies in this manual.

1.03.5 Appeals If an employee feels they have suffered because a City policy has been violated or applied inappropriately or unfairly, an attempt will be made by the employee and the immediate supervisor to

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informally resolve the issue. A question or controversy which cannot be resolved informally may be processed as an appeal. The employee may file an appeal using the following Appeal Procedure. Bargaining unit employees must use the grievance process set forth in a collective bargaining agreement to appeal any disciplinary action or union contract provision.

1.03.5.1 Step 1 Within 15 calendar days after the occurrence of the cause of complaint, the employee will reduce the appeal to writing stating the reason there for and the relief requested and will present it to the immediate supervisor. Within ten business days after the appeal is received by the supervisor, the supervisor will respond in writing and will discuss the appeal with the employee involved and attempt to resolve it.

1.03.5.2 Step 2 If the employee is not satisfied with the decision concerning the appeal made by the supervisor, the employee may, within ten business days of receipt of such decision, forward the appeal to the department director. Within ten business days, the department director will render a decision in writing and provide a copy to the employee.

1.03.5.3 Step 3 If the employee is not satisfied with the disposition of the appeal made by the department director, the employee may, within ten business days of receipt of the decision forward a written appeal to the City Manager. At the City Manager's discretion, may confer with the employee, department director, and/or supervisor to discuss the appeal. Within ten business days, the City Manager will render a decision in writing and provide a copy to the employee, supervisor, and department director. The decision of the City Manager shall be final and binding on the employee.

1.03.5.4 Time limits If the appeal procedures are not initiated within the time limits established by this section, the right to appeal shall be waived. Any appeal not taken to the next step of the appeal procedure shall be considered settled on the basis of the last reply made and received in accordance with the provisions in this section. The time limits prescribed in this section for the initiation and completion of the steps of the appeal procedure may be extended by mutual consent of the parties so involved. Likewise, any step in the appeal procedure may be eliminated by mutual consent. Mutual consent shall be indicated in writing and shall be signed by all parties involved.

1.03.6 Variances The City Manager shall have the power to vary or modify the strict application of the provisions of this document in any case in which the strict application of said provisions would result in practical difficulties or unnecessary hardships. Any such variance shall be documented in writing. A waiver in one instance shall not be deemed a waiver in all future instances.

1.03.7 Additional Information Some subjects addressed in this manual, such as benefit plan information, are covered in detail in official plan or policy documents. Employees should refer to those plan documents for specific information. In the event this manual conflicts with insurance plan documents, the terms of written insurance policies are controlling.

In addition to the personnel policies in this manual, the City of Central Point has city ordinances (available on the Internet at www.centralpointoregon.gov), administrative policies, financial policies, safety policies, and departmental policies. All employees should familiarize themselves with City policies, procedures and City ordinances that pertain to their employment generally or their job specifically.

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1.03.8 Expectations Employees are expected to read through this manual carefully so that they will understand the work environment at the City of Central Point. This manual will be made available electronically, and will also be available in print form upon request. All regular employees will be required to acknowledge receipt and understanding of the Personnel Policies and Procedures manual.

Employees who have additional questions, or need further detail, should talk with their supervisor who can advise them or refer them to an appropriate resource. Employees are welcome to offer suggestions for improvement to this manual, City procedures, employment practices, or working conditions.

NOT A CONTRACT ***This manual, nor any other organizational document, confers any contractual right, either express or implied, to remain employed by the City of Central Point. It does not guarantee any fixed terms or conditions of your employment. Your employment is not for any specific time and, except as otherwise provided for in a collective bargaining agreement or individual employment agreement, may be terminated by the City, or you may resign, with or without reason or notice at any time.***

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2.00 Equal Employment & Privacy

2.01 Equal Employment Opportunity Policies
2.02 Workplace Privacy & Confidentiality

This manual contains policies and procedures only and is not a contract.
City policies and procedures may be changed or discontinued at any time.

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2.01 Equal Employment Opportunity (EEO) Policies

The following EEO Policies apply to all employees. Members of management, elected officials and employees alike are expected to adhere to and enforce the following EEO Policies. Any employee's failure to do so may result in discipline, up to and including termination.

All employees are encouraged to discuss these EEO Policies with the Human Resources Director, Elizabeth Simas at any time if they have questions relating to the issues of harassment, discrimination or bullying, or what it means to work in a respectful workplace.

2.01.1 No-Discrimination, No-Retaliation Policy The City of Central Point provides equal employment opportunity to all qualified employees and applicants without unlawful regard to race, color, religion, sex, gender identity, pregnancy (including childbirth and related medical conditions), sexual orientation, national origin, age, disability, genetic information, veteran status, domestic violence victim status, or any other status protected by applicable federal, Oregon, or local law. The City of Central Point also recognizes an employee's right to engage in protected activity under Oregon and federal law, as discussed in various policies below, and will not retaliate against an employee for engaging in protected activity.

The City of Central Point's commitment to equal opportunity 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.

2.01.2 No-Harassment Policy The City of Central Point prohibits harassment of any kind or sexual assault in the workplace, or harassment or sexual assault outside of the workplace that violates its employees, volunteers and interns' right to work in a harassment-free workplace. Specifically, City of Central Point prohibits harassment or conduct related to an individual's race, color, religion, sex, pregnancy, sexual orientation, gender identity, national origin, age, disability, genetic information, veteran status, domestic violence victim status, or any other protected status or activity recognized under Oregon, federal or local law.

Each member of management is responsible for creating an atmosphere free of discrimination, harassment, and sexual assault. Further, all employees are responsible for respecting the rights of other employees and to refrain from engaging in conduct prohibited by this policy, regardless of the circumstances, and regardless of whether others participate in the conduct or did not appear to be offended. All employees are encouraged to discuss this policy with their immediate supervisor, any member of the management team, or with Elizabeth Simas, Human Resources Director, at any time if they have questions relating to the issues of discrimination or harassment.

This policy applies to and prohibits sexual or other forms of harassment that occur during working hours, during City of Central Point–related or –sponsored trips (such as conferences or work-related travel), and during non-working hours when that off-duty conduct creates an unlawful hostile work environment for any of City of Central Point's employees. *Such harassment is prohibited whether committed by City of Central Point employees or by non-employees (including elected officials, members of the community, volunteers, interns and vendors).*

2.01.3 Sexual Harassment Sexual harassment includes 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:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of employment;

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2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. 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; comments about an individual's body, sexual prowess, or deficiency; talking about your sex life or asking others questions about theirs; leering or whistling; unwelcome touching or assault; sexually suggestive, insulting, or obscene comments or gestures; displays of sexually suggestive objects, pictures, or videos; making derogatory remarks about individual's sexual orientation or gender expression; or discriminatory treatment based on sex. This is not a complete list of prohibited activities.

2.01.4 Other Forms of Prohibited Harassment The City of Central Point policy also prohibits harassment against an individual based on the individual's race, color, religion, sex, pregnancy, sexual orientation, gender identity, national origin, age, disability, genetic information, veteran status, domestic violence victim status, or any other protected status or activity recognized under Oregon, federal or local law.

Such harassment may include verbal, written or physical conduct that denigrates, makes fun of, or shows hostility towards an individual because of that individual's protected class or protected activity, and can include:

- Jokes, pictures (including drawings or videos), epithets, or slurs;
- Negative stereotyping;
- Displaying racist symbols anywhere on City of Central Point property;
- "Teasing" or mimicking the characteristics of someone with a physical or mental disability;
- Criticizing or making fun of another person's religious beliefs, or "pushing" your religious beliefs on someone who doesn't have them;
- Threatening, intimidating, or hostile acts that relate to a protected class or protected activity; or
- Written, graphic, or video material that denigrates or shows hostility or aversion toward an individual or group because of the protected status.

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

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

2.01.6 Investigation and Confidentiality All complaints and reports will be promptly and impartially investigated and will be kept confidential to the extent possible, consistent with 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 of Central Point will take prompt, appropriate corrective action, and any employee found to have violated this policy will be subject to disciplinary action, up to and including termination of employment.

Employees who have been subjected to harassment, sexual assault, or discrimination are encouraged to use the City of Central Point's complaint-reporting procedure, described above, to ensure a timely, thorough

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

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

2.01.7.1 False Claims. An employee knowingly making false claims against another employee or manager is prohibited and may be grounds for disciplinary action up to and including termination.

Employees who believe they have been retaliated against in violation of this policy should immediately report it to the Human Resources Director, Elizabeth Simas or City Manager, Chris Clayton or any supervisor or member of management. 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.

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

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

2.01.9 No-Bullying Policy City of Central Point strives to promote a positive, professional work environment free of physical or verbal harassment, "bullying," or discriminatory conduct of any kind. City of Central Point, 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:

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1. Verbal Bullying: Slandering, ridiculing or maligning a person or his/her family; persistent name calling that 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 that can convey threatening messages.
4. Exclusion Bullying: Socially or physically excluding or disregarding a person in work-related activities. In some cases, failing to be cooperative and working well with co-workers may be viewed as bullying.
5. Cyber Bullying: Bullying that takes place using electronic technology, which includes devices and equipment such as cell phones, computers, and tablets as well as communication tools including social media sites, text messages, chat, and websites. Examples of cyberbullying include transmitting or showing mean-spirited text messages, emails, embarrassing pictures, videos or graphics, rumors sent by email or posted on social networking sites, or creating fake profiles on websites for co-workers, managers or supervisors or elected officials.

   This is not a complete list of prohibited activities.

Employees who have experienced bullying in violation of this policy, who has witnessed an incident of bullying, or who have credible information about an incident, are expected and should bring the matter to the attention of their supervisor or a member of management as soon as possible. If conduct in violation of this policy is found to have occurred City of Central Point will take prompt, appropriate action, and any employee found to have violated this policy will be subject to disciplinary action, up to and including termination of employment.

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

2.01.11 Disability Accommodation Policy City of Central Point is committed to complying fully with the Americans with Disabilities Act (ADA) and Oregon's disability accommodation and anti-discrimination laws. We are also committed to ensuring equal opportunity in employment for qualified persons with disabilities.

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

2.01.11.2 Requesting an Accommodation 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 of Central Point) and that 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.

2.01.11.3 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. All requests for accommodation should be made with the Human Resources Director 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/her need for a reasonable accommodation. Both the City of Central Point and employee must monitor the employee's accommodation situation and make adjustments as needed.

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

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

2.01.12.1 Requesting a Pregnancy-Related Accommodation Employees who are concerned that their pregnancy, childbirth or a related medical condition will limit their ability to perform their duties should request an accommodation as soon as it becomes apparent that a reasonable accommodation may be necessary to enable the employee to work. All requests for accommodation should be made with the Human Resources Director and should specify which essential functions of the employee's job cannot be performed without a reasonable accommodation. In most cases, information from the employee's doctor may be needed to assist the City of Central Point and the employee find an effective accommodation, or to verify the employee's need for an accommodation. Both the City of Central Point and employee must monitor the employee's accommodation situation and make adjustments as needed.

2.01.12.2 No Discrimination, No Retaliation The City of Central Point prohibits retaliation or discrimination against any employee who, under this policy: (1) asked for information about or requested accommodations; (2) used accommodations provided by the City of Central Point; or (3) needed an accommodation.

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

2.01.12.3 Leave of Absence Options for Pregnant Employees Employees who are pregnant or experiencing pregnancy-related medical conditions should also be aware of their leave of absence options under [Oregon's sick leave law], [the Oregon Family Leave Act] [and the Family Medical Leave Act]. See 7.04 Family & Medical Leave or speak with the Human Resources Director .

2.01.13 Religious Accommodation The City of Central Point may provide reasonable accommodation for sincere religious observances or practices of employees, unless providing the accommodation would impose an undue hardship on the City. With management approval, an employee may use vacation or other available leave for religious activities, if accrued leave is not available, the employee may request to take unpaid leave.

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2.01.14 Reporting Improper or Unlawful Conduct — No Retaliation Employees may report reasonable concerns about the City of Central Point 's compliance with any law, regulation or policy, using one of the methods identified in this policy. The City of Central Point will not retaliate against employees who disclose information that the employee reasonably believes is evidence of:

- A violation of any federal, Oregon, or local law, rules or regulations by the City of Central Point;
- Mismanagement, gross waste of funds, abuse of authority;
- A substantial and specific danger to public health and safety resulting from actions of the City of Central Point; or
- The fact that a recipient of government services is subject to a felony or misdemeanor arrest warrant.

Further, in accordance with Oregon law, the City of Central Point will not prohibit an employee from discussing the activities of a public body or a person authorized to act on behalf of a public body with a member of the Legislative Assembly, legislative committee staff acting under the direction of a member of the Legislative Assembly, any member of the elected governing body of a political subdivision, or an elected auditor of a city, county or metropolitan service district.

2.01.14.1 Employee Reporting Options In addition to the City of Central Point's 3.01 Open Door Policy employees who wish to report improper or unlawful conduct should first talk to his/her supervisor. If you are not comfortable speaking with your supervisor, or you are not satisfied with your supervisor's response, you are encouraged to speak with the Human Resources Director. Supervisors and managers are required to inform the Human Resources Director about reports of improper or unlawful conduct they receive from employees.

Reports of unlawful or improper conduct will be kept confidential to the extent allowed by law and consistent with the need to conduct an impartial and efficient investigation.

If the City of Central Point were to prohibit, discipline, or threaten to discipline an employee for engaging in an activity described above, the employee may file a complaint with the Oregon Bureau of Labor and Industries or bring a civil action in court to secure all remedies provided for under Oregon law.

2.01.14.2 Additional Protection for Reporting Employees Oregon law provides that, in some circumstances, an employee who discloses a good faith and objectively reasonable belief of the City of Central Point's violation of law will have an "affirmative defense" to any civil or criminal charges related to the disclosure. For this defense to apply, the employee's disclosure must relate to the conduct of his/her coworker or supervisor acting within the course and scope of his/her employment. The disclosure must have been made to: (1) a state or federal regulatory agency; (2) a law enforcement agency; (3) a manager with the City of Central Point; or (4) an Oregon-licensed attorney who represents the employee making the report/disclosure. The defense also only applies in situations where the information disclosed was lawfully accessed by the reporting employee.

2.01.14.3 Policy Against Retaliation The City of Central Point will not retaliate against employees who make reports or disclosures of information of the type described above when the employee reasonably believes he/she is disclosing information about conduct that is improper or unlawful, and who lawfully accessed information related to the violation (including information that is exempt from disclosure as provided in Oregon law or by City of Central Point policy).

In addition, the City of Central Point prohibits retaliation against an employee for participating in good faith in any investigation or proceeding resulting from a report made pursuant to this policy. Further, no City of Central Point employee will be adversely affected because he/she refused to carry out a directive that constitutes fraud or is a violation of local, Oregon, federal or other applicable laws and

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regulations. The City of Central Point may take disciplinary action (up to and including termination of employment) against an employee who has engaged in retaliatory conduct in violation of this policy.

This policy is not intended to protect an employee from the consequences of his/her own misconduct or inadequate performance simply by reporting the misconduct or inadequate performance. Furthermore, an employee is not entitled to protections under this policy if the City of Central Point determines that the report was known to be false, or information was disclosed with reckless disregard for its truth or falsity. If such a determination is made, an employee may be subject to discipline up to and including termination of employment.

2.01.15 Other Resources Available to Employees The City of Central Point provides an Employee Assistance Program (EAP) see 7.01.11 Employee Assistance Program (EAP). The EAP program provides confidential counseling services and educational tools such as resources relating to eldercare, childcare, legal consultation, financial coaching, identity theft, and others.

The City of Central Point cannot provide legal resources to its employees or referrals to specific attorneys. Employees may contact the Oregon State Bar for more information: https://www.osbar.org/public/.

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2.02 Workplace Privacy & Confidentiality

The City of Central Point is a public entity and subject to public records disclosure and transparency in our governance of the City. The City is also an employer, and recognizes its employees' right to privacy within the scope and limitations of being a public entity.

2.02.1 Public Information Oregon law provides that "every person has a right to inspect any public record of a public body in this state." "Public body" includes cities and counties and other public entities. Although there are some exceptions (such as some information in personnel files), most records of a public body are available to the public for inspection. It is the intent of the City of Central Point to be responsive to requests for public records. Employees are to forward requests for public information to the City Recorder.

2.02.2 Access and Retention It is the responsibility of each employee to familiarize themselves with the records requirements of documents associated with their position, with the City and to follow federal and state law with regards to maintaining records, including archiving, destruction, and access. Employees who are unclear as to what the requirements are should ask their supervisor, the City Recorder, or refer to the state archives website at http://arcweb.sos.state.or.us.

2.02.3 Guiding Principles The City adopts these basic principles for the protection of our employees. All employees are required to follow these principles, as well as any other City of Central Point policy or practice related to confidential information. Violations may result in corrective action, up to and including termination.

2.02.3.1 The collection of employee information typically is limited to information the City needs for business and legal purposes.

2.03.3.2 Personal information and information in confidential records will not be disclosed, except as permitted or required by law, or as authorized by the employee. Verifications of employment dates, job title, and wages may be provided without written approval.

2.03.3.3 All employees have a responsibility to not accidentally disclose information about employees through overheard conversations; e-mails, faxes, and/or hard copies of correspondence sent to a wrong or inappropriate destination; or documents left unattended, or mislaid. Unauthorized communication of confidential information is regarded as a serious matter.

2.03.3.4 The City's Information Technology Department shall maintain reasonable safeguards to ensure the security, confidentiality, and integrity of personal identifying information stored in the City's systems.

2.02.4 Personnel Files A personnel file will be maintained for each employee in the service of the City in accordance with state and federal laws. The personnel file shall contain documentation relevant to the employee's employment with the City including, but not limited to, employment application and associated documents, personnel action forms, performance evaluations, changes in employment status, training records, certifications, disciplinary action, commendations and awards, and such other information as may be considered pertinent or otherwise required by law.

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Access to personnel records is on a need-to-know basis and is restricted to authorized persons only. Authorized persons include the following:

(a) The employee;
(b) Human Resources personnel;
(c) Selected City officers and employees authorized by the City Manager with just reason and for legitimate City purposes only (i.e., supervisor);
(d) Others, provided express written authorization is provided by the employee whose record is being accessed;
(e) Upon order of a lawfully issued subpoena.

An employee shall have the right of reasonable inspection of his or her personnel record during business hours. Any employee requesting to view his or her personnel file should make arrangements with Human Resources. An employee who feels information in his or her file is incorrect or should be removed shall have the right to pursue his or her complaint through established appeal procedures.

2.02.5 Employment Verification and Reference Information All requests for employment verification are to be forwarded to Human Resources. Only legitimate reference requests accompanied by a proper release will be responded to. When a release signed by the subject of the reference inquiry is provided, information specifically identified in the release may be released. Absent a signed release, Human Resources will only verify whether an individual is currently or was previously employed by the City, dates of employment, job title(s), and salary.

Any reference information provided about a current or past City employee must be honest and relevant and fall within the scope of the signed release.

2.02.6 Change in Personal Data Employees are responsible for keeping information current regarding changes in name, address, phone number, exemptions, dependents, beneficiary, etc. Keeping one's personnel records current can be important with regard to benefits, deductions, and other matters. If an employee experiences change(s) in any of the following, they are to notify Human Resources as quickly as possible to ensure that the proper updates/paperwork are completed in a timely manner:

- Name
- Dependents
- Marital status (for benefit eligibility)
- Telephone number
- Address
- Person to be notified in case of emergency
- Other information having a bearing on employment

2.02.7 Workplace Privacy As a public employer, City of Central Point offices, worksites, computers, etc. are all public property. Employees do not have a reasonable expectation of privacy at their worksites. With few exceptions, all correspondence and documents, whether work-related or personal in nature, electronic or paper, or on computers, in file cabinets, or pinned to an office cork board, are subject to public records requests, and the City may inspect or search City property or equipment at any time, with or without prior notice to employees. Additional information about workplace searches, use of City technology equipment, and privacy can be found in 4.03 Use of City Resources and 5.03 Substance Abuse.

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3.00 Employment Relationship

3.01 "Open Door" Policy
3.02 Filling Vacancies
3.03 Positions & Job Classifications
3.04 Employment Classifications
3.05 Hours of Work & Work Schedules
3.06 Compensation
3.07 Separation from Employment

This manual contains policies and procedures only and is not a contract.
City policies and procedures may be changed or discontinued at any time.

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3.01 "Open Door" Policy

The City of Central Point's "Open Door" policy is based on our belief that employee suggestions for improving the organization 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 organization, 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 your department director. If you are not satisfied with the response from your department director, or if your issue involves your department director, request to have the facts/situation reviewed by the City Manager.

3.02 Filling Vacancies

It is the goal of the City of Central Point to fill vacancies with the most qualified person for each available job opening.

3.02.1 Vacancies In the event a vacancy occurs in any position, the City may elect to fill the vacant position in the manner determined by the City Manager to be in the best interest of the City. The City may elect to hire or promote utilizing concurrent internal and external recruitment efforts, utilize only internal or external recruitment efforts, or without a competitive process. When appropriate, job vacancies may be filled by promoting qualified employees within the City service. The City Manager, or his or her designee, will be the sole judge of qualifications for promotion. If a recall list exists for a classification, it will be exhausted in compliance with any collective bargaining provisions or recall rights within City policy, if applicable. No person shall be employed by the City without written authorization of the City Manager.

3.02.2 Recruitment The Human Resources Director is responsible for the oversight and implementation of City recruitment and selection process. The Human Resources Director will determine when a recruitment period will be opened for application and will work with the hiring Department to determine methods of recruiting to be utilized.

Competitively posted vacancies will be posted for a specified period or application limit, during which time applications will be accepted. The Human Resources Director will develop a recruitment plan to ensure that a fair and valid method of selection is utilized. Recruitment practices will include a process whereby all applicants are aware of the requirements of the position and applicable deadlines. The Human Resources Director will determine the application requirements. All application materials will become City property.

3.02.3 Selection The Human Resources Director will be responsible for overseeing each phase of the selection process. The selection process may consist of any combination of the following: application review, oral interview, written examination, skills assessment, practical test, typing test, fitness testing, or any other assessment that can assist with the selection of qualified applicants.

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Job applicants will be considered on an equal basis for all positions without regard to race, color, religion, sex, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, need for reasonable accommodation; veteran's status, medical condition, sexual orientation, gender identity, genetics, or membership in any other protected class.

3.02.3.1 Criminal convictions Sworn police applicants will be asked about criminal convictions during application process; all other applicants who are interviewed will be asked about criminal convictions after the first interview.

3.02.3.1 Veterans Preference Veterans, as defined in ORS 408.225, who wish to receive veteran's preference must provide the required documentation as specified in the job recruitment. Preference is provided during hiring and promotional selection processes. For those veterans that meet the minimum qualifications and any special qualifications for the position will have Veteran's Preference applied at every decision point of the selection process. Veteran's with "transferrable skills" that are substantially related to the position will be offered an interview provided they have successfully completed the initial application screening and examinations, and have provided documentation that shows sufficient evidence of the transferrable skills. We comply with national and state preferences for eligible veterans.

3.02.4 Eligibility/Hiring Lists The Human Resources Director may establish an eligibility/hiring list of qualified applicants that may be used to fill other anticipated vacancies. The Human Resources Director will determine the duration of the hiring list. The Human Resources Director may extend or discontinue the use of an established list at any time; however all applicants on the list will be notified if the list is discontinued prior to the originally established expiration date.

3.02.5 Employment of Relatives Relatives or individuals involved in a business or romantic relationship with a current City employee are eligible for hire at the City of Central Point, and will be subject to and evaluated by the same selection process and job requirements as any other applicant.

3.02.5.1 Conflicting Relationships Persons will not be hired or promoted into positions in which one family member (as defined by Oregon ORS 244.020.16 (a-e), or person involved in a business or romantic relationship, would fall under the direct line of supervision of or occupy a position with grievance or complaint adjustment authority of one another. This provision shall apply to promotions, demotions, transfers, reinstatements, and new appointments. City employees are prohibited from participating in, contributing to, or recommending promotions, assignments, performance evaluations, transfers, or other personnel decisions affecting a person who is a relative or with whom they are involved in a business or romantic relationship. In the event two current employees are or become family members, have a business relationship or romantically involved, the City Manager shall, at his or her sole discretion, determine the appropriate course of action, which may include a transfer or reassignment. Employees shall be required to disclose such relationship only if such reporting conditions arise. (ORS 244.175 – 244.179 addresses prohibited activities)

3.02.6 Job Offers All job offers for City employment are contingent on a review of the applicant's criminal background check, employment history, reference checks, driving record, City employee's personnel file, and

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any other specific requirements of the position, including physical/functional examinations, psychological test, credit check and pre-employment drug screen. Applicants for Police Department positions that fail the background process are ineligible for employment consideration with the Police Department for three years.

3.02.7 Confidentiality All application, testing, interview background, and other associated documents will be deemed confidential and will not be open to inspection by the applicant, other applicants, or the public except as otherwise required by law or legal process.

3.02.8 Probationary Period New employees serve a trial service/probationary period of at least one year or as specified in an applicable collective bargaining agreement. An employee may be discharged without cause during the trial service/probationary period and such discharge shall not be subject to grievance or appeals procedures.

The trial service/probationary period is an extension of the employee selection process. During this period, employees are considered to be in training and under observation and evaluation by the supervisor. The ability to learn assigned work tasks, performance of job responsibilities, compliance with work rules, conduct, and attendance (not including use of protected leaves), will be evaluated during the trial service/probationary period. This period provides the employee an opportunity to demonstrate satisfactory performance for the position and provides an opportunity for the City to verify that the employee's abilities meet the requirements of the position. It also provides the employee an opportunity to determine if the City meets their expectations as an employer.

3.02.8.1 Probationary Evaluation Employee performance will be evaluated at regular intervals during the trial service/probationary period and any deficiencies will be noted and discussed with the employee. The use of the probationary evaluation does not in any way reduce or eliminate the employer's right to terminate a probationary employee for any reason during the probationary period.

3.02.8.2 End of Probationary Period At or before the end of the probationary period, a decision will be made about the probationary employee's employment status. Unless prohibited by the collective bargaining agreement, the decision will be to (1) move the employee from probationary to regular status; (2) extend the probationary period; or (3) terminate employment.

3.02.8.3 Promotional Probationary Period Promotional appointments shall be tentative, subject to a six-month trial service/probationary period or as outlined in the applicable collective bargaining agreement. A promoted employee may be demoted at any time during the trial service/probationary period, at the discretion of the City Manager, and without appeal, provided that the employee is reinstated to the same position from which he or she was promoted, even if this necessitates the layoff of an employee occupying the position. Nothing in this policy prevents the City from terminating the employment of an employee who is in a promotional probationary period.

3.02.9 Transfer The City Manager shall have the right to authorize the transfer of any employee to a different position or department. Transfers may be temporary or ongoing. Transfers may be based on a request from an employee, at the direction of the City Manager for budget or other considerations, to reassign an employee

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who has an illness or disability that requires a modified job duty, as part of a reorganization, as a resolution to a reporting relationship as addressed in 3.02.5.1 Conflicting Relationships, or for any reason when it is deemed in the best interest of the City and/or the employee. Any reassignments shall be limited to positions for which the transferred employee is qualified based on his or her individual skills. Transfers due to illness or disability will be made in compliance with City Policy, collective bargaining agreements, and applicable laws.

3.02.10 Demotion The City Manager shall have the right to authorize the demotion of an employee when an employee has failed to successfully demonstrate a satisfactory level of performance, such performance has been adequately documented, and the employee has been given a reasonable opportunity to improve their performance; or as part of corrective action or discipline. Any adjustments to pay and benefits will be made in accordance with policy or applicable collective bargaining agreement.

3.02.11 Temporary/Seasonal/Part-time Employees Supervisors may hire temporary and/or part-time employees for positions which are seasonal, project oriented, designed to cover work for an absent employee, manage a temporary shift in workload, or for other business reasons. Temporary/seasonal employees will typically be utilized only when the need for the position is originally estimated to be 180 days or less in any 12 month period. Part-time employees shall work less than 80 hours in a calendar month, regardless of the duration of the assignment. Supervisors shall seek consultation with Human Resources prior to recruiting for temporary, part-time and/or seasonal positions.

3.03 Positions & Job Classifications

No new positions shall be created, nor shall any person be employed to fill a new position without the written authorization of the City Manager. A written position description reviewed by Human Resources, a pay rate determination, and an explanation of funding are required prior to creating and/or filling any new position. Any new position for which funding is not sufficiently budgeted shall require prior approval of the City Council.

3.03.1 Classification of Positions New positions shall be assigned a classification level based on the duties, responsibilities and qualifications set forth in the position description. In addition to assignment of a classification level within the City, each position shall be assessed and classified as exempt or non-exempt from the Fair Labor Standards Act's (FLSA) requirement for overtime compensation.

3.03.2 Classification Pay Plan At least once each year the Human Resources Director shall prepare and present to the City Council for approval a Classification Pay Plan listing each regular full- and part-time position and the associated pay rate or range of the position. The Classification Pay Plan shall be maintained by Human Resources and made available to employees, prospective job applicants, and the general public.

The approved Classification Pay Plan may be amended by the addition, division, consolidation, renaming, or abolishment of positions or classifications, reclassification of a position, or ratification of approved changes to a collective bargaining agreement, management compensation plan, or other employment agreement.

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3.03.3 Changes to Current Positions (Reclassification) Positions will experience some change as technology and service needs change. If a position's duties change substantially, an employee, supervisor, or department director, may initiate a request for review.

3.04 Employment Classifications

Employment Relationship Employees of the City of Central Point are engaged in an "at will" employment relationship. This means that either the employee or the City may terminate the employment relationship at any time with or without reason or notice. The City's at-will provision extends to all employees unless otherwise exempted by a collective bargaining agreement. Other policies contained in this document, or procedures are subordinate to this employment at-will policy.

3.04.1 Authority No one other than the City Manager has the authority to enter into any employment agreement on behalf of the City. The City of Central Point is not bound by any verbal promises concerning length of employment, or any verbal or written promise or agreement contrary to the provisions outlined in this manual that have not been specifically authorized in writing and signed by the City Manager.

3.04.2 Employment Classifications Employee status is categorized to make distinctions in benefits and other employment conditions, and to provide a better understanding of employment relationships within the City of Central Point. Employment classifications include full time equivalency of the position, Fair Labor Standards Act (FLSA) exemption status, bargaining unit classification, and benefit level within the employment classification. Employees should refer to applicable collective bargaining agreements for information specific to bargaining unit positions.

The following terms shall define and describe employment status:

1. **Probationary Employment -** Newly hired or promoted employees within the probationary period.
2. **Benefits-eligible -** Qualified employees who are hired into regular full-time or regular part-time (as defined below) positions. Temporary, Interns, On-Call employees do not receive benefits or compensation other than wages and sick leave as provided by state/federal law.
3. **Regular Full-time -** An employee who has successfully completed the probationary period and is regularly scheduled to work at least 40 hours per week. Benefits-eligible.
4. **Regular Part-time** - An employee who is regularly scheduled to work less than 40 hours per week. Any benefits provided are based on the insurance carriers' eligibility requirements, state/federal law, and position classification. Employee may qualify to participate in the Oregon Public Employees Retirement System.
5. **Interns** – An individual performing closely monitored work in order to further their knowledge of a particular subject or career path as it pertains to their course of study in an educational institution. May be paid or unpaid. Unpaid interns are not eligible for any benefits.

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6. **Temporary** - An employee who is hired for a specified period of time or for a specific project or purpose that is temporary in nature, normally 180 days or less in duration. Temporary employees may be hired by the City or through a temporary staffing agency. Generally, temporary employees hired by the City will not work more than 1020 hours during a calendar year. No benefits except sick leave as provided by law.
7. **On-Call** - An employee who does not have a set schedule and works only when called upon. Generally, On-Call employees will not work more than 900 hours during a calendar year. No benefits except sick leave as provided by state law.
8. **Volunteer** – An individual approved to donate their time and/or services to the City without pay or reimbursement, or expectation of pay or reimbursement, for that time or services other than for approved incidental expenses or accident/workers compensation insurance coverage where appropriate. Refer to 8.01 Volunteers.

For the purpose of this policy, "regularly scheduled" hours shall be determined by calculating the average number of hours per week in a calendar quarter.

Positions are further classified according to federal and state wage and hour laws into two additional categories of exempt and non-exempt, as defined in the paragraphs below. Human Resources will make the appropriate designation regarding the status of a new position or a position that has changed substantially. Employees who are uncertain as to their status should ask their supervisor or Human Resources.

Exempt - An employee who is exempt from the overtime pay requirements under federal and state laws. Exempt employees generally include managers, supervisors, and professional staff who are paid a salary and whose duties and responsibilities allow them to be exempt under federal and state law.

Non-exempt - An employee whose job duties do not meet federal/state definitions for "Exempt" status.

3.04.3 Workers Not Considered City Employees Individuals in any of the following categories are not City employees and shall not receive any City benefits or remuneration directly from the City of Central Point via the payroll process, nor shall they be entitled to any right of employment or continued working relationship other than that specifically and expressly contained in a properly signed and executed agreement.

a) employed through a temporary staffing agency;
b) individuals legitimately meeting the criteria of/serving as independent contractors;
c) participants in any work program such as Experience Works, high school or college cooperative work experience programs, Living Opportunities, etc., whether funded by a government or private agency;
d) volunteers;
e) individuals working under the auspices of any agency, school, or program; and
f) participants in a community corrections program.

Individuals performing work for the City of Central Point under any such "non-City employee" arrangement are required to abide by the work rules and conduct expectations set forth in this policy manual, other applicable policies, administrative procedures, department rules, and state and federal laws.

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3.05 Hours of Work and Work Schedules

The City of Central Point's singular purpose is to provide services to the citizens of Central Point. To adequately provide such services, the City will strive to have sufficient staffing during such times that the City Manager has determined appropriate.

3.05.1 City of Central Point Hours The City Manager shall establish the hours of operation for City Hall. Departments may, with the approval of the City Manager, adjust their hours of operation to accommodate business needs and/or staffing limitations.

3.05.2 Workday and Workweek Department Directors and Managers shall assign to each employee regular work duties and responsibilities that can normally be accomplished within the established workday and workweek. Specific workday and workweek schedules for each employee will be determined from time to time by the appropriate manager based on the needs of the City of Central Point and the department. Whenever possible, employees will be notified of any changes in work schedules as provided in the Collective Bargaining Agreement for covered employees and for all others notice as soon as practicable prior to the effective date of change. Management reserves the right to modify schedules consistent with the needs of the City.

3.05.2.1 Workweek A normal workweek for non-exempt employees is forty (40) hours in a seven (7) day period beginning at 12:01 a.m. Sunday through midnight Saturday, unless this conflicts with the applicable collective bargaining agreement (CBA), then the CBA applies. Non-exempt employees shall not begin work before the established starting time nor continue working beyond the scheduled quitting time without advance approval from their supervisor.

3.05.2.2 Pay increments/Time Rounding Employees shall be paid in quarter hour increments. The City rounds time to the nearest quarter hour.

3.05.3 Attendance 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 schedule hours are disruptive and must be avoided.

3.05.3.1 Time off Request Employees are to request time off using the City's Employee Leave Request (ELR) Form, as soon as the employee is aware of the need to take time off. An absence is not approved until the ELR form has been signed and approved by the supervisor. The City may deny a request for time off due to operational/staffing needs. If an employee needs to call in for an unanticipated absence for any reason, the employee shall complete an ELR Form when they return to work. An unanticipated absence may be considered unexcused and the employee may be subject to discipline. All absences shall be documented on an Employee Leave Request Form for absences referred to under Section 7.02-7.04 Benefits.

3.05.3.2 Call-in Procedure Unless specified otherwise in City policy, 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 via a

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telephone call no later than one hour before the start of the employee's shift/workday. 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. Also see 4.01 Work Rules.

3.05.4 Overtime Employees may occasionally be required to work overtime. Except as otherwise defined in an applicable collective bargaining agreement, overtime work is defined as work in excess of forty (40) hours in a workweek. Paid time off will not be considered in computing the total hours actually worked in determining when overtime is due. Overtime work shall be compensated by either cash payment at the rate of one and one-half times the basic straight time hourly rate, or by the accumulation of compensatory time at the rate of one and one-half times the overtime hours worked.

Employees shall not work overtime without prior direction or approval expressly granted by a supervisor. All overtime hours worked shall be compensated as required by law; however, employees working unauthorized overtime will be subject to disciplinary action.
Positions designated as exempt under the Fair Labor Standards Act do not receive overtime compensation for hours worked in excess of 40 in a workweek. The following positions are deemed exempt under the Fair Labor Standards Act:

a) City Manager
b) Department Directors
c) Managers
d) Any other position, including supervisor that qualifies and is designated as exempt under the Federal Fair Labor Standards Act.

3.05.5 Compensatory Time Off Accruing compensatory time off in lieu of overtime pay is allowed at the City of Central Point's discretion. However, the City cannot require that non-exempt employees take compensatory time off in lieu of receiving overtime pay. The use of accrued compensatory time off must be arranged by mutual agreement between the employee and supervisor. Compensatory time may accumulate to a maximum of eighty (80) hours unless otherwise allowed in a collective bargaining agreement. Any hours over the maximum will be paid as overtime.

3.05.6 Meal Periods Meal periods will be provided for employees according to federal and state law and in accordance with relevant collective bargaining agreements. Where appropriate, supervisors will establish schedules for unpaid meal periods. Sworn police officers who are expected to remain available for work during meal periods will receive paid meal periods. Except for sworn police officers or other positions expressly allowed by the Department of Labor or the Bureau of Labor and Industries, non-exempt employees are not permitted to work through a meal period unless express, situation-specific, prior approval from a supervisor is obtained, and only on a limited, case-by-case basis. Meal periods may be taken at a location of the employees' choice however the meal period may not be extended for travel time and travel time is not on City paid time.

3.05.7 Rest Breaks A paid rest period shall be permitted for all employees during each four-hour work segment (half shift) which shall be provided in accordance with the operating requirements of each employee's duties. Break periods may be taken at a location of the employee's choice however any travel time is included

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in the break period and the break periods shall not be extended for travel time. The general parameters for rest breaks are as follows:

When the work assignment involves standing, sitting, walking, kneeling, crouching, lifting, pushing, pulling, balancing, etc.; the use of a vehicle, equipment, machine or tool; or working in any adverse conditions such as hot, cold, rain, snow, ice, wind, sun, fumes, noise, vibration, poor lighting, etc. for a prolonged period of time (generally 2 or more hours but depending on the conditions may be less than 2 hours), and the work assignment is dependent of on more than one person, rest breaks will be scheduled by the manager, lead, or person in charge and employees will be required to stop working for the break period:

Depending on individual circumstances, the actual time the break is taken may be at the discretion of the employee or the person in charge, but the break should be offered as close to the middle of the work period as possible (i.e., if working 7 a.m. to noon, the break should be sometime between 9 and 10 a.m.). The break period cannot be "tacked on" to the beginning or the end of the work shift (i.e., if the work period is 1 p.m. to 5 p.m., the break cannot be scheduled, or allowed, to be taken at 4:45 p.m.) or added to a meal period.

When the work assignment involves working in an office setting, at the corporation yard, in a shop, or in a park or any facility where restroom facilities are available; none of the conditions listed on the "prolonged period" list in this section are present; if working as a crew, all of the employees working on the crew are in agreement, and no employee will be put in a hazardous or uncomfortable position if a specific break time is not scheduled, and the employee has the opportunity to "take a break" when needed; then rest breaks may be scheduled, or taken in the form of the employee "taking a break" when, or if, needed.

3.05.8 Breaks for Expression of Milk An employee, with a child 18 months or younger, may take reasonable rest periods to express milk each time the employee has the need to express milk. If feasible, an employee will take the rest periods to express milk at the same time as the rest periods or meal periods that are otherwise provided to the employee. . Beyond regular paid rest periods, full-time employees may receive up to 15 additional minutes of paid break time per four-hour work period for the sole purpose of milk expression or breastfeeding which may be added to the beginning or end of meal periods or paid rest breaks, however such request may be dependent upon operational needs. Rest periods of greater than 15 minutes for hourly (part-time, seasonal and temporary) employees shall not be paid time. Reasonable rest period means no less than 30 minutes total during each four-hour work period, or major part of a four-hour work period, to be taken by the employee approximately in the middle of each work period. Employees will be provided a private location within close proximity to the employee's work area to express milk. The private location shall be a place, other than a public restroom or toilet stall, for the employee to express milk concealed from view and without intrusion by other employees or the public. Examples of private locations for expressing milk or breastfeeding a child include, but are not limited to employee's work area, room connected to a public restroom, which as a lounge, employee's or unused office, conference room, or a storage space, so long as there is a door that closes and any windows can be covered, and there is a sign that can be placed on the door or handle of the door indicating that the room is in use. An employee may bring a cooler or other insulated container to work to store the expressed milk. The employee may use City refrigerators that are located in employee break rooms. When possible, an employee who intends to express milk or breastfeed during work hours shall provide reasonable notice to the employee's affected department of her intention, in order to allow the City time to make the necessary preparations. Failure to give notice is not grounds for discipline. If, due to the nature of the work or other factors, the City is unable to accommodate the employee's request to express milk during

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work hours, the City will contact the Oregon Bureau of Labor and Industries for recommendations to enable compliance with State law, or obtain the required State hardship waiver.

3.05.9 Use of Work Time Employees are expected to put in a full day's work with minimal interruptions or non-work-related distractions. Work time shall be spent doing work as assigned and for the benefit of the City of Central Point unless otherwise expressly permitted by the department director. Although this section is not intended to preclude occasional visits to the workplace by family or friends of employees**, i**t is inappropriate for employees to bring children, other relatives, or pets (excluding properly trained and certified service animals) to work.

3.05.10 Social and Recreational Activities Participation in off-duty social or recreational activities such as City-sponsored picnics or holiday parties is entirely voluntary. Participation or nonparticipation will not affect an employee's wages, hours, working conditions, or employment opportunities, except that employees participating in such events are required to abide by City policies and conduct expectations.

3.05.11 Emergency Closing Except for established, scheduled holidays, City of Central Point offices will be open for business Monday through Friday during normal business hours. There may be circumstances beyond the City's control, such as inclement weather, national crises, or other emergencies that affect hours of operation. On these occasions, the City offices may close for all or part of a regularly scheduled workday.

Due to the nature of services provided by the City, if there is a question as to whether the offices will be open, employees should contact their supervisor. Barring any official notification of office closure, employees should assume that the office is open on a normal schedule. As providers of public services, some employees may be required to work whether City offices are open or closed. If the offices are open, employees are expected to report to work as scheduled. If offices are closed for reasons other than inclement weather, employees should confirm with their supervisor whether or not they are to report to work.

3.05.11.1 Inclement Weather Employees are encouraged to prepare for inclement weather conditions early in the season by weatherizing automobiles; purchasing new tires or chains and footwear intended for use on snow or ice; riding public transportation; or arranging car pools or other alternate means of transportation. This policy is not intended to suggest employees should risk danger or possible injury in order to get to and from work, and employees must use their own judgment in determining their ability to get to work safely.

Essential Services During periods of inclement weather, the public depends on essential services provided by the Police Department and the Public Works Operations division. Employees working for the Police Department and Public Works are entrusted to make every effort to be at work to provide services to the community.

Support Services The City of Central Point will make every effort to maintain normal City Hall hours for the public even during inclement weather. The City may however find it necessary to reduce City Hall hours.

Most City Hall employees work hours beyond the hours City Hall is open to the public, so a reduction in City Hall hours does not change an employee's work schedule. During inclement weather, employees are expected to make a reasonable effort to get to work. All employees who are unable to

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report to work should call their department supervisor and report their absence as soon as practicable or it may be considered an unexcused absence. Employees unable to arrive for work, arrive late, or leave work early due to worsening weather conditions, may use vacation, floating holiday, or comp time to cover hours the employee was unable to be at work. If the employee does not have these leaves available, the employee may take the time off without pay. Another option is for the employee to "flex" their hours provided the hours "flexed" are within the same workweek and they receive prior approval from their supervisor.

Paid time off for Inclement Weather Department directors and managers do not have the ability to provide "paid time-off due to inclement weather." The City Manager or authorized designee may only pre-approve paid time-off due to inclement weather. In the event paid time-off due to inclement weather is authorized and an employee is already absent due to scheduled vacation or other paid leave, that employee will continue to have his/her absence charged against such leave accrual.

3.05.11.2 Disasters In the case of a disaster, all employees may be required to report to work unless authorized to remain at home on leave by the department director under the direction of the City Manager. Employees may be directed to respond to a local emergency operation center if the disaster prevents them from reporting to work at the City of Central Point.

FLSA non-exempt employees who work during a full or partial office closure will be paid for all hours actually worked. Employees who are scheduled to work but do not because they are notified of a full or partial office closure during which they are not required to report to work may choose to use accrued leave (with the exception of sick leave), may elect to take time as unpaid, or utilize flextime if that option is permitted. Employees that elect to take time as unpaid are eligible to apply for unemployment. Unemployment payments are determined by the Oregon Employment Department. FLSA exempt employees who are scheduled to work but does not report to work must charge their missed time to accrued leave.

3.05.12 Telecommuting Telecommuting allows employees to work at home, on the road, or in a designated area outside the office for part of their workweek. The City of Central Point recognizes telecommuting to be a viable, flexible work option that may be an effective management tool to provide increased productivity, support work and families, energy conservation, disaster preparedness, and sustain hiring and retention of a highly qualified workforce when the employee and the job are suited to such an arrangement.

Telecommuting can be informal, such as working from home for a short-term project, during inclement weather, on the road during business travel, or a formal, set schedule of working away from the office. Telecommuting is a cooperative arrangement which is mutually beneficial to the City, department, supervisor, and employee. This policy applies citywide for eligible positions and is approved for high performing employees in those positions. Either an employee or a supervisor can request telecommuting as a possible work arrangement. Some employees may not be eligible due to specific job requirements, impact on a team, or performance concerns. Telecommuting does not change the terms and conditions of employment with the City of Central Point.

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3.05.12.1 Eligibility Individuals requesting formal telecommuting arrangements must be employed with the City of Central Point for a minimum of 12 months of continuous, regular employment and must have a satisfactory performance record.

If the employee, supervisor, department director agree, and the Human Resources Director concurs, a telecommuting agreement will be prepared and signed by all parties. Prior to entering into any telecommuting agreement, the employee and supervisor, with the assistance of the Human Resources Director, will evaluate the suitability of such an arrangement, reviewing the following areas:

Note: Supervisors of employees requesting to telecommute as the result of a medical condition are to contact the Human Resources Director for assistance.

- **Employee suitability** The employee and supervisor will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
    - Demonstrated dependability and responsibility;
    - Effective communication with supervisors and coworkers;
    - Demonstrated motivation;
    - Ability to work independently;
    - Consistently high rate of productivity;
    - High level of skill and knowledge of the job;
    - Ability to prioritize work effectively; and
    - Good organizational and time management skills.
- **Job responsibilities** The employee and supervisor will discuss the job duties and determine if the job is appropriate for a telecommuting arrangement.
    - Are independent in nature;
    - Are primarily knowledge-based;
    - Does not require frequent interaction at the regular worksite with supervisors, colleagues, and the public, in person or by phone.
    - Does not require the employee to have immediate presence at the regular worksite to address unscheduled events, unless alternative arrangements for coverage are possible.
- **Equipment needs** The employee and supervisor will review the physical workspace needs and the appropriate location for the telecommuting. With the exception of IT approved and installed software and security, the City is not required to provide telecommuting employees with materials or supplies needed to establish an alternate worksite (desk, chair, cell phone, fax, copier, etc.), and assumes no responsibility for set-up or operating costs at an alternate worksite (telephone or internet services, etc.). Any provision of these materials or supplies must be requested by the department and approved as part of the application process. Employees must contact their supervisor if equipment connectivity or other supply problems prevent them from working while telecommuting. Refer to 3.05.12.5 Equipment.
- **Worksite** A telecommuting employee must establish a work area suitable and conducive for performing official business. Requirements for the designated work area will vary depending on the nature of the work and the equipment needed, and may be determined by the department. The City will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space.

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Employees are responsible to maintain their remote work area in a manner that allows them to perform their duties safely and efficiently. The City and/or department may request photographs of the employee's designated work area to determine compliance with health and safety rules.

Employees are covered by workers' compensation laws when performing work duties at their designated and approved remote locations during regular work hours. The City is only responsible for illness, injury and damages that result directly from official job duties. It will be the burden of the employee to provide clear evidence that workers compensation applies under these conditions. Employees who suffer a work-related injury or illness while telecommuting must notify their supervisor and complete any required forms immediately.

The City is not liable for damages to an employee's personal or real property while the employee is working at an alternate worksite.

3.05.12.2 Expectations Telecommuting employees must comply with all City rules, policies, practices, and instructions. Employees not complying with the provisions of the Telecommuting Policy or violating other City policies may have telecommuting privileges revoked and the employee subject to discipline to an extent equivalent to those working from their normal worksite.

- **Personal Business** Telecommuting is not intended to permit employees to attend to personal business or performing outside employment. Employees telecommuting may not engage in outside employment during hours in which they are being paid by the City. Telecommuting employees may take care of personal business during breaks or unpaid meal periods, as they would at the regular worksite.
- **Dependent Care** Employees may not engage in activities while telecommuting that would not be permitted at the regular worksite, such as child, elder, or other dependent care. Telecommuting is not designed to be a replacement for appropriate child care. Although an individual employee's schedule may be modified, with pre-approval, to accommodate child care needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective telecommuters are encouraged to discuss expectations of telecommuting with family members prior to entering into the Telecommuting Agreement. Should the employee need to provide care, they must request leave in advance and use appropriate accrued leave.
- **Fit** It is expected that each employee telecommuting be fit to respond which means the employee must refrain from using drugs, alcohol, intoxicants or substances, of any kind, that would interfere with the employee's ability to perform their job or to report to work if they are called upon to do so.
- **Available** Employees must remain accessible and available through reasonable means of communication to include email, phone, or video conferencing throughout the employee's work shift. During the employee workday, the employee must carry, at all times, a City-issued cell phone, their personal cellphone, or be near their landline and answer calls received. The employee is responsible for ensuring that the phone is in working condition, which includes, but is not limited to being charged, within the service area and volume set at a sufficient level. Employees are to remain available to come on-site immediately if requested by a supervisor. One round trip from your home/off-site work location to the City facility each workday you are scheduled to work from home would be considered your regular commute time and is not compensable.

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- **Work Hours** Telecommuting employees must perform work during scheduled business hours. Employees are expected to be available and responsive during the agreed upon scheduled shifts. During telecommuting hours you may not be the primary caregiver to someone that requires adult supervision (e.g. children under the age of ten). Weekend work is not appropriate or permitted for non-exempt employees. Employees may only work overtime with pre-approval of their supervisor.
- **Time Off** Employees who telecommute are required to report their inability to work as they would on a non-telecommute day. If over a period of time there is a pattern of unscheduled absences in connection with telecommuting days and the City suspects abuse, the supervisor must address the situation immediately with the employee. If the situation is not resolved to the supervisor's or City's satisfaction, the telecommuting agreement may be revoked and the employee could be subject to discipline.

3.05.12.3 Trial Period A trial period can be a valuable tool to assess the feasibility of a proposed telecommute arrangement. Depending on the length of the agreement, a trial period of 30 to 60 days may be sufficient. Evaluation of telecommuter performance during the trial period will include regular interaction by phone and e-mail between the employee and the supervisor, and weekly face-to-face meetings to discuss work progress and problems. At the end of the trial period, the employee and supervisor will each complete an evaluation of the arrangement and make recommendations for continuance or modifications. Evaluation of telecommuter performance beyond the trial period will be consistent with that received by employees working at the office in both content and frequency but will focus on work output and completion of objectives rather than on time-based performance.

3.05.12.4 Evaluation Because telecommuting does not lend itself to in-person observation, supervisors are expected to review the employee's work performance and focus on results-based assessments. The supervisor may do this through a variety of ways such as require employees to complete a work log to document work completed and/or regular check-ins in which the supervisor and employee review completed work product and status of items in progress.

Regardless of how work is documented, regular feedback is vital to the success of the employment relationship, including telecommuting employees. This is especially true when problems arise. Problems should be addressed and resolved quickly before they escalate to the detriment of the agreement. Supervisors should give feedback as with any other employee. The feedback should be direct and offer objective examples illustrating where the employee is meeting or failing to meet expectations. While the supervisor is giving feedback, the employee should have an opportunity to seek clarification.

3.05.12.5 Equipment The City of Central Point will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, modems, phone and data lines and other office equipment) for each telecommuting arrangement. The Human Resources and Information Technology Departments will serve as resources in this matter. Equipment supplied by the organization will be maintained by the organization. Equipment supplied by the employee, if deemed appropriate by the organization, will be maintained by the employee. The City of Central Point accepts no responsibility for damage or repairs to employee-owned equipment. The City reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the organization is to be used for business

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purposes only. The telecommuter must sign an inventory of all City property received and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all company property will be returned to the City, unless other arrangements have been made.

3.05.12.6 Time Worked Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked, in quarter hour increments. Employees are to use applicable accrued leave, if available, or be in an unpaid status if the employee does not work the full scheduled shift. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the telecommuter's supervisor. Failure to comply with this requirement may result in the immediate termination of the telecommuting agreement and/or additional disciplinary action.

3.05.12.7 Security All files, records, papers, or other materials created while telecommuting are City property. Telecommuting employees and their supervisors shall identify any confidential, private, or personal information and records to be accessed and ensure appropriate safeguards are used to protect them. A department may require employees to work in private locations when handling confidential or sensitive material. Departments may prohibit employees from taking confidential documents off-site and printing confidential information in telecommuting locations to avoid breaches of confidentiality.

Employees may not disclose confidential or private files, records, materials, or information, and may not allow access to City networks or databases to anyone who is not authorized to have access.

Employees may not sanitize or encrypt files. File sanitization is the process of erasing data from electronic file storage and renders it unrecoverable. File encryption is the process of taking a data file and converting it into an unreadable form. Any encryption of files must only be done with prior approval and support from Information Technology staff.

Failure to ensure and enforce the highest standard of confidentiality and protection of private and sensitive information will result in loss of telecommuting privileges and could result in disciplinary action.

3.05.12.8 Third party meetings Meetings with the public, contractors, other employees, or anyone else during the course of telecommuting will not take place at the employee's home. Arrangements to meet on site at a City building or off site at a public place are appropriate.

3.05.12.9 Public Records Laws Public records include any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by the City regardless of physical form or characteristic. Public information means the contents of a public record. Upon receipt of an appropriate request, and subject to authorized exemptions, a telecommuting employee must permit inspection and examination of any public record or public information in the employee's custody, or any portion of a public record, within required time limits. In order to comply with public records law and/or to investigate productivity concerns, the City is entitled to, and may access, any personal equipment used while telecommuting, including a personal computer, telephone, cellphone, fax machine and any monthly bills or internet records documenting such use. This

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requirement exists regardless of where the public record is located. The City strongly encourages employees to only use City equipment while telecommuting due to public records requirements.

Employees may not take original public records off-site unless the City Recorder has been notified. It is strongly encouraged that only copies are taken off-site.

3.05.12.10 Request and Approval Process Employees must complete the following steps before telecommuting:

1. Talk with a supervisor and/or Department Director to determine eligibility;
2. Read and agree to comply with the Telecommuting Policy;
3. Complete the Telecommuting Agreement form, and;
4. Receive approval of the Telecommuting Agreement in accordance with the City's approval process.

3.05.12.11 Agreement Approval Telecommuting agreements are a responsibility and commitment made by the department and the employee. The performance expectations, location and equipment and security of information should be periodically reviewed and monitored. Once an agreement confirms that the policy will be honored as written by the supervisor and employee, Department Director and Human Resources Director will grant final approval for an agreement to be in place.

3.05.12.12 Denial or Discontinuance of Telecommuting The City may discontinue the City's telecommuting program at any time in its entirety, for all employees, a department, or an individual employee. The City's telecommuting program is not subject to the grievance procedures or appeal procedure, except if an employee who believes the telecommuting application has been denied or discontinued for an arbitrary or capricious reason may appeal the decision to the City Manager or designee. The decision of the City Manager or designee is final.

3.06 Compensation

The City of Central Point values quality employees and is committed to compensating employees fairly. It is our intent to provide a competitive compensation package that will attract, retain, and motivate employees. It is also our intent that policies and pay practices are administered consistently throughout the City in compliance with state and federal laws and applicable collective bargaining agreements.

3.06.1 Paydays Employees shall be paid twice each month on established pay dates. If a pay date falls on a Saturday, Sunday or a holiday, employees shall be paid on the last City Hall business day preceding payday. Employees are responsible for submitting a timely, complete and accurate record of time worked or leave used for each pay period according to the schedule specified by Payroll. Failure to submit a properly recorded timesheet may result in any overtime earned, or leave taken, being paid/adjusted on the following pay date.

3.06.2 Pay Rates The rate or range of pay for each position or classification shall equitably reflect the duties and responsibilities of the position and take into consideration comparable positions with comparable employers. Pay rates for positions covered by a collective bargaining agreement shall be negotiated and set

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forth in the applicable bargaining agreement. The monthly pay rates prescribed in the Classification Pay Plan shall be fixed on the basis of full-time service in full-time positions unless otherwise designated with full time being 40 hours per week. In the event an employee serves in a capacity of less than full time (less than 40 hours per week), the pay for such service shall be prorated accordingly.

The rates of pay prescribed on the Classification Pay Plan shall be approved through resolution by the City Council, including any pay rates established in a management compensation plan and/or ratified in a collective bargaining agreement. The Classification Pay Plan is the base salary range, any additional pay is allowed only as provided for in this policy manual, Management Compensation Plan, or in an applicable collective bargaining agreement.

3.06.3 Compensation at Initial Appointment Upon initial appointment to a position, an employee shall receive the minimum pay for the class to which the position is allocated. At the sole discretion of the City Manager, initial appointment above the minimum, but not more than the maximum of the approved pay scale for the position may be authorized. This shall be limited to cases such as where unusual difficulty in filling a vacancy is experienced, or when an appointee is found to possess extraordinary qualifications for a position through former training and/or experience.

3.06.4 Change in Pay All changes in pay require a properly executed Personnel Action Form and, except as otherwise set forth in City policies or a current and applicable collective bargaining agreement or management compensation plan, all pay changes shall be effective on the first day of a pay period.

Where an approved pay scale denotes steps in a pay range, and except as otherwise provided for in an applicable collective bargaining agreement or individual employment agreement, advancement of steps on the pay scale shall require twelve (12) full calendar months of continuous full time service in the lower step and written recommendation of the department director or City Manager. Step increases shall be effective on the first day of the pay period following completion of the full 12-month period. Where no steps are indicated on a pay range, the City Manager will set the salary or pay rate based on job duties and employee qualifications. Once an employee reaches the top step or maximum pay amount in a pay range their pay shall not change except as provided for in a collective bargaining agreement or management compensation plan.

3.06.5 Change to Higher Pay Rate When a reclassification, promotion, or reassignment results in a change to a job with a higher rate of pay, such change shall be governed by the applicable collective bargaining agreement or management compensation plan. Individuals in positions not covered by the management compensation plan or collective bargaining agreement will be placed on the pay scale according to 3.06.3, Compensation at Initial Appointment.

3.06.6 Change to Lower Pay Rate When a reclassification, demotion, “bumping,” or reassignment results in a change to a job with a lower rate of pay, such change shall be governed by the applicable collective bargaining agreement or management compensation plan. Individuals in positions not covered by the management compensation plan or collective bargaining agreement will be treated as new employees and placed on the pay scale accordingly.

3.06.7 Effects of Change in Position on Accruals When an employee’s position changes from one pay grade to another, accruals shall be affected as follows:

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When an employee changes from one bargaining unit to another or from a non-exempt position to an exempt position, all accrued compensatory time and leaves not also accrued in the new position may be paid out at the previous hourly rate. At any given time, an employee shall only have accrued time "on the books" that other employees in the same employee group accrue. By way of example, an employee in the general service bargaining unit who changes to an exempt, management position shall have all accrued comp time paid out at their bargaining unit position's hourly rate because exempt, management employees do not accrue comp time.

3.06.8 Payroll Deductions Certain mandatory and elective deductions are made from employee pay, and are noted on the paycheck stub. Only deductions that are mandated by law or authorized, in writing, by the employee, will be made, provided such deductions are not otherwise prohibited by state regulations.

3.06.9 Salary Advances Advance payments of salary or wages are not permitted by the City of Central Point.

3.06.10 Delivery of Paychecks Employee paychecks or direct deposit notices will be delivered in sealed envelopes to each employee or department representative prior to 5 p.m. on or before each scheduled payday. Paycheck/notice envelopes will not be given to anyone except the employee or department representative without the employee's written request/permission.

3.06.11 Method of Payment Employees are paid by check or direct deposit. A statement showing gross earnings, deductions, and net salary will accompany each paycheck or notice of direct deposit.

3.06.12 Direct Deposit All employees shall have available to them the opportunity to have their paycheck directly deposited into the financial institution of their choice, provided the financial institution meets any requirements or standards required for direct deposit of funds. Employees are encouraged to take advantage of direct deposit for cost effectiveness and efficiency.

3.06.13 Employee Withholding Allowance Certificates (Form W-4) Employees are to furnish the City of Central Point with an Employee Withholding Exemption Certificate (W-4) at the time of hire. New W-4 forms should be filed when tax status, such as the number of exemptions, changes. Employees may increase withholding by claiming fewer exemptions than entitled or by requesting additional withholdings be made if insufficient tax has been withheld to meet the year-end tax liability. Failure to provide an initial W-4 in a timely manner will result in the City withholding at the "Single-0" rate. It is the employee's responsibility to comply with IRS rules regarding the claiming of exemptions.

3.06.14 Time Reporting All employees are required to keep an accurate record of their time worked and/or leave taken each pay period. Time reports shall be timely submitted to the department director or his/her authorized designee in accordance with department procedures for approval. All time reports shall bear the signature and date of signature of both the employee and the department director or authorized manager, attesting to the accuracy of the report. Knowingly providing false information or omissions on time records shall constitute a serious breach of trust. Any employee or authorized signer who provides or attests to a knowingly inaccurate, incomplete, or falsified time report will be subject to disciplinary action up to and including immediate termination.

> 3.06.14.1 Time Records for Non-exempt Employees The time card/timesheet is a record of time worked and should be filled out daily. It provides a permanent record of the actual time worked. While the employee designates hours worked, leave taken and overtime hours on the timesheet,

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Payroll will make a determination of appropriate payment of overtime for hours worked based on current laws, City policies and any current, applicable collective bargaining agreement. Payroll will make an effort to resolve any discrepancies prior to processing payroll. When discrepancies cannot be resolved prior to processing payroll, the employee will be paid in a manner that is most advantageous to the employee, except that any corrections or adjustments determined to be appropriate will be made in the next payroll process and any overpayment will be deducted accordingly.

The timesheet should be reviewed for completeness and accuracy prior to being submitted for approval and any exceptions to the regular work schedule should be clearly explained on the back of the form. The department director or authorized manager will review and sign timesheets each pay period. Timesheets must be completed legibly, in ink. Any corrections or changes must be reviewed, and initialed by both the employee and the department director or other appropriate management member. The employee's signature on the timesheet each pay period certifies that the times and dates are true and accurate to the best of the employee's knowledge. An employee should never allow someone else to make entries on his/her timesheet.

3.06.14.2 Time Records for Exempt Employees Employees classified as exempt from overtime under the Fair Labor Standards Act shall submit leave reports, rather than timesheets, documenting the use of paid leaves (sick, vacation, etc.) during each pay period. Failure to submit required leave documentation in a timely manner, or willfully falsifying a leave report, shall be grounds for corrective action up to and including termination.

3.06.15 Correcting Errors Employees should review each pay stub/advice upon receipt and notify Payroll immediately if they notice any errors—whether the discrepancy is in the favor of the employee or the City. Upon learning of an error, Payroll will investigate and correct the error as quickly as practical and in accordance with state and federal law. When an underpayment is less than 5% of the gross earnings, Payroll may elect to make the correction on the next scheduled payroll. Overpayments will be corrected through payroll deductions. Overages of more than $200 may be corrected over multiple pay periods, with the approval of the Finance Director, but shall not exceed 6 payrolls (3 months). In most circumstances, all corrections and repayments must be made within the calendar and fiscal years in which the error occurred.

3.07 Separation from Employment

Separation from employment with the City of Central Point occurs when the employment relationship ends for any reason, including voluntary resignation, retirement, involuntary resignation, lay off, or discharge by the City. Employees voluntarily leaving employment, *in order to leave in good standing*, must give the City a minimum of two week's written notice and must work the entire notice period; the City may agree to a shorter notice period in extenuating circumstances.

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3.07.1 Resignation When an employee elects to separate from employment, their separation will be considered a resignation. Employees are expected to provide as much notice as possible – at a minimum, two weeks -- prior to resignation. If an employee's decision to resign is based on a situation that could be corrected, the employee is encouraged to discuss the situation with their supervisor or human resources prior to making a final decision.

3.07.2 Retirement Employees who meet eligibility criteria for retirement with PERS at the time of separation, and separate with the intent to retire from public service, may designate their separation as a retirement.

3.07.3 Lay off An employee shall be deemed laid off when they are separated from employment due to job elimination, reduction in work hours or reduction in staffing levels.

3.07.4 Discharge Employees are expected to perform to the best of their abilities at all times. When performance or conduct does not meet City standards discharge may be warranted. When discharge is being considered, the decision will be based on the seriousness of the current performance or conduct infraction, as well as the individual's overall performance record, prior disciplinary or corrective action, and length of service.

3.07.5 Exit Interview Separating employees will be offered an exit interview to provide them with an opportunity to address unresolved issues before leaving the City of Central Point and to allow the City to solicit the separating employee's opinions about the City and any suggestions for improvement.

3.07.6 Return of City Property Upon separation from employment, all City of Central Point property in the employee's possession is to be returned prior to the end of the day on the last day of employment. City property includes, but is not limited to: credit cards, purchasing cards, vehicles, keys, ID cards, cell phones, tools, software, passwords and other access codes, computer storage devices, uniforms, clothing, equipment, any printed versions of City policies, files, manuals, and any other items that belong to the City of Central Point.

3.07.7 Re-employment Employees who voluntarily resign from the City may be eligible for re-employment consideration. Applications received from former employees will be considered and processed using the same procedures and standards that govern all other applicants. If a former employee is being considered for a position, the hiring manager/supervisor will review the former employee's performance record and the circumstances surrounding his/her departure from the City as part of the background/reference check process. Except as provided for in a current and applicable collective bargaining agreement or state or federal law, the City is not obligated to interview or rehire former employees. Police employees may be subject to a three-year waiting period before being eligible for re-employment in a police position.

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4.00 Conduct Expectations

4.01 Work Rules
4.02 Ethics
4.03 Use of City Resources
4.04 E-Mail and Social Media Policy

This manual contains policies and procedures only and is not a contract.
City policies and procedures may be changed or discontinued at any time.

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4.01 Work Rules

The City of Central Point believes policies and procedures are essential for orderly and efficient operation and for the protection and fair treatment of all employees. As a result, performance expectations have been identified so that everyone may conduct themselves in accordance with established workplace standards. Courtesy and common sense should always prevail. The following work rules are not all-inclusive, but serve as guidelines to demonstrate work behaviors considered important to the City of Central Point.

4.01.1 General Rules All employees are expected to abide by these general rules:

4.01.1.1 Performance

a) Complete all work tasks as assigned and in a manner that meets or exceeds job standards.
b) Use time efficiently and effectively to accomplish the work assignment.
c) Do the best job possible on each and every assignment.
d) Listen to and obey the requests of leads, supervisors and department directors and comply with such requests promptly and courteously.
e) Competently perform all the duties assigned and associated with the employee's position.

4.01.1.2 Attendance

a) Be at work as scheduled, ready and able to work. In addition to regular attendance, non-exempt employees shall be at their workstations at their scheduled starting time, comply with scheduled times for break and meal periods, and will not end the scheduled workday early unless authorized by their supervisor.
b) Be available for work as scheduled. Normally, the schedule will not be changed except in case of emergency or with prior notice.
c) Use leaves only in accordance with established City or department policy or as provided for in a current, applicable collective bargaining agreement.

4.01.1.3 Conduct

a) Conduct one's self in a professional manner, exhibiting a respectful, tolerant, pleasant, honest, positive, and cooperative working relationship with co-workers, other staff, supervisors, City officials, citizens and any others who do business with the City of Central Point.
b) Abide by all state and federal laws, City policies and procedures, and department rules, written or unwritten, including public employee ethics rules.
c) Keep personal interruptions and distractions to a minimum. Personal phone calls and/or visits should be made during scheduled breaks. Children or other guests should not accompany employees during work hours (visits are permitted on a limited basis). Pets are not allowed in the workplace. If the need to leave work even for short periods of time to run errands or attend to personal matters arises, permission from the supervisor must be obtained in advance.
d) Maintain a business/job-appropriate level of personal grooming and dress code. Employees who are required to wear uniforms or protective clothing or devices or use safety equipment will wear or use such items as directed.

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e) Fulfill one's responsibilities to the City of Central Point. No willful action which detracts from quality or quantity of work, service, safety and health or public image of the City of Central Point will be acceptable.
f) Be responsible for and take care of all City property and information that has been placed in their care and/or custody, including maintaining confidential or sensitive information.
g) Exercise cost consciousness in the discharge of their duties.
h) Report all work-related injuries, accidents, illnesses, acts of workplace violence, or other hazards to their supervisor or other authorized personnel as soon as practicable.
i) Promptly notify Human Resources of any change in dependent status (such as births, marriage, or divorce) or changes in personal status (such as name, address, telephone number).

This information regarding expected conduct/behavior is intended to provide guidance for employee actions. Employees are urged to use reasonable judgment and to seek supervisory advice in doubtful or unclear situations. If all employees do their best to meet both the spirit and intent of these guidelines, employee disciplinary issues should be minimal. It is our policy to address conduct and performance problems in the most positive manner possible under the circumstances. However, violations of workplace rules will result in corrective action, up to and including termination.

4.01.2 Department Rules and Regulations Each department director may establish department rules, regulations and procedures appropriate to the efficient and effective operation of the department that shall be binding upon the employee. Such rules, regulations and procedures shall not conflict with the provisions of these personnel policies, any applicable Collective Bargaining Agreement, or any state or federal law.

4.01.3 Consequences Normally, progressive discipline shall occur for the purpose of correcting misconduct, poor performance, or other violations of these general rules. Progressive discipline typically will consist of, at a minimum, a verbal warning or written reprimand prior to termination. However, in each situation, the totality of the circumstances shall be considered and disciplinary action shall be commensurate with the violation. Nothing in this policy shall preclude the City from issuing disciplinary action at any level deemed appropriate for the offense based on the totality of the circumstances, including termination of employment.

4.01.4 Immediate Termination The severity or circumstances of some offenses may warrant *immediate* termination.

4.01.5 Prohibited Conduct By way of example, engaging in the following types of behavior (listed in no particular order) is prohibited on work time or in the workplace and may result in corrective action up to and including termination. The list is not all inclusive and serves as an example of the types of conduct that is prohibited; similar behavior, even if not specifically included on the list, will be subject to disciplinary action commensurate with the conduct. The severity of the violation, compounding of violations, and totality of the circumstances will be considered in determining any disciplinary action taken. Repeated or frequent infractions, even minor ones, may, in the aggregate, be found to warrant disciplinary action.

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Examples of Prohibited Conduct:

- Violation of any individual policy, procedure, or work rule adopted by the City, including failure to adhere to and abide by the general rules of conduct, performance, and attendance.
- Insubordination. Refusing to follow a supervisor's or other authorized employee's lawful directions or instructions, neglecting job duties or responsibilities, refusing any assigned work or task that is within or related to the job responsibilities. Failure to perform a work assignment or follow instructions may be considered insubordination without a specific refusal of an order if the failure to perform the assignment is determined to be intended as an effective refusal. Failure to respect the "chain of command" and positions of authority. Making disrespectful, abusive, threatening, or derogatory language or comments to or about supervisors, City leaders, other employees, customers, or vendors.
- Failure to adequately and competently perform all the duties assigned and associated with the employee's position.
- Dishonesty, including lying, misrepresenting the truth, misrepresenting or omitting facts for the purpose of deceit. Includes, but is not limited to falsifying, misrepresenting, or tampering with any documents, including time records and personnel records; failing to respond truthfully in response to a workplace investigation or inquiry from a supervisor or manager; misuse of leaves such as calling in sick when not ill or not reporting time worked/not worked accurately. Falsification of employment or other organization records.
- Misrepresentation of the City policies, practices, procedures, or your status of authority to enter into agreements on behalf of or speak on behalf of the City. Employees may not use the City's name, logo, likeness, facilities, assets, or other resources of the City for personal gain or private interests.
- Engaging in conduct that directly or indirectly results in an actual or perceived conflict of interest, including inappropriate use of influence or benefit associated with holding a position as a public employee.
- Theft or misappropriation of City-owned or another person's property or resources.
- Failure to use work time for City business. Wasting time, excessive visiting, excessive personal use of phone, non-work-related computer use, caring for children in the workplace or on work time, bringing pets to work.
- Sharing or using information inappropriately, including information that is known as a result of one's position in the City service, information about others that is private or personal in nature, or sharing information without a business purpose for doing so.
- Audio recording of any conversations without prior approval of the department director and knowledge of each participant; not only is this against City policy it may be a violation of Oregon law.
- Disrespectful or discourteous treatment of others, including coworkers, the public, management, City officials, and vendors. This includes physically or verbally abusive, offensive, rude, or derogatory language or behavior directed at or about others, arguing, shouting, deliberately ignoring, shunning, bullying or intimidating others, and promoting or engaging in unproductive gossip, rumors, or belittling talk about others that serves no business purpose.

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- Interfering with the work of others, their ability to complete work assignments, or in the performance of their assigned duties. Causing, creating or participating in a significant or substantial disruption of work during work hours or on City property.
- Smoking/vaping/using chew products when or where it is not permitted.
- Not reporting for work as scheduled and/or approved. Being late, leaving early, or being absent repeatedly or without proper authorization (not withstanding such absences protected under Oregon and federal law), or failure to properly notify a supervisor of same.
- Working unscheduled hours or at unscheduled times without proper prior approval.
- Abusing time allowed for rest breaks and meal periods, or failing to take rest breaks or meal periods as required.
- Failing to attend scheduled work sessions and related activities at conferences, workshops, or other events that are paid for by the City.
- Unprofessional appearance during normal business hours.
- Improper use of City resources, including violations of the City's purchasing program, unauthorized use of City vehicles, equipment, materials, facilities or other resources; or any use of City resources in violation of public employee ethics rules.
- Unauthorized removal or use of any City of Central Point property, equipment, products, records or other materials, or property belonging to another employee or the City of Central Point.
- Destroying or damaging City of Central Point property, tools, or equipment.
- Failure to report damage to or loss of City property including equipment, vehicles, keys, City identification, cell phones, computers, purchasing cards, etc.
- Violating safety or health rules or practices. Engaging in conduct that creates an imminent safety or health hazard or behaving in an unsafe or careless manner in the performance of City business, during work time, or while on City premises, including not wearing personal protective equipment, not following safety rules, engaging in "horseplay," and knowingly and recklessly exposing others to contagious illnesses.
- Participating in, encouraging, or condoning any act of bullying, discrimination, harassment, or retaliation.
- Failing to deal with workplace conflict in a reasonable, appropriate, and timely manner.
- Fighting or intentionally causing or threatening to cause substantial physical harm to another person on City premises or during work hours.
- Striking out at or hitting another employee, regardless of the reason, or provoking another employee into striking or threatening another employee.
- Making knowingly false accusations against another employee.
- Falsely stating or making claims of injury or illness.

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- Failure to report a known violation of the law, state ethics rules, or safety rule, or work-related injury or illness.
- Storing, viewing, sending, opening, forwarding, etc. sexually explicit, discriminatory, derogatory, or otherwise inappropriate messages or files on or via the use of any City-owned electronic communications equipment.
- Unauthorized sleeping or malingering while on duty.
- Bringing a firearm or other dangerous weapon into the workplace, except as required or consistent with State and Federal law.
- Threatening or intimidating behavior involving a firearm or other dangerous weapon.
- Using alcohol or drugs or being under the influence of alcohol, drugs, or intoxicants of any type while at work or bringing unauthorized intoxicating beverages, drugs or chemicals not medically required onto work premises.
- Failure to cooperate with drug testing pursuant to the City's Substance Abuse and Drug Testing Policy. See 5.03 Substance Abuse Policy and 9.02 Drug and Alcohol Testing Policy for Commercial Driver's License Holders.
- Engaging in any criminal activity, including those involving alcohol or drugs while on work time.
- Abandoning the job. If an employee is absent for two consecutive workdays without notifying their supervisor, and fails to appear for work on the third day within one hour of the scheduled start time, that employee shall be considered to have voluntarily resigned. Additionally, if an employee fails to return from an authorized leave of absence, that employee shall be considered to have voluntarily resigned.
- Filing false claims. Knowingly making false accusations or claims.
- Retaliating against a subordinate, supervisor, or City employee because they were performing their duties within their City or legal authority, exercised their legal rights through the proper complaint process, or participated in an investigation.

This is not an all-inclusive list. Employees who are unclear as to whether certain actions are acceptable should discuss those concerns with their supervisor.

4.02 Ethics

It is the Policy of the City of Central Point to treat people with respect and adhere to ethical and fair business practices. All employees are expected to avoid situations that might cause their personal interests to conflict with the interests of the City of Central Point, or situations that may compromise their reputation or integrity. Employees who violate this Ethics Policy or who create an equally detrimental impact on the organization may be subject to disciplinary action up to and including termination.

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Employees of the City of Central Point are public officials, and as such, are subject to the State of Oregon's ethics laws. In some cases, these laws provide additional limitations on employees, such as prohibitions on gifts or strict definitions of conflict of interest. Information on these laws is available at the Oregon Government Ethics Commission website: www.oregon.gov/ogec. Employees must be willing to accept these limitations as a condition of employment as a public official.

Employees who have questions about whether an activity meets the City of Central Point's or Oregon's ethical standards should talk with their manager, the City Manager, or Human Resources Director.

4.02.1 Confidentiality Employees working at the City of Central Point have access to confidential, legally protected, and proprietary information. Confidential information includes all information acquired by an employee during the course of employment that is of economic or other value to the City of Central Point and not generally available to the public, including legally protected information. Financial data, developer plans, court and law enforcement records, formulas, business plans and personal employee information such as benefits enrollment data, disciplinary or medical information, are typical examples of information that the City of Central Point considers to be proprietary and confidential. City employees and constituents entrust the City of Central Point with confidential information. The unauthorized disclosure of such information could have a material adverse impact on the integrity of the City of Central Point and on the City's relationships with employees and constituents.

No records or information, including documents, files, records, computer files or similar materials, without limitation, containing protected personnel or medical data, may be removed from the work premises without permission from the City of Central Point (except in the ordinary course of performing duties on behalf of the City of Central Point). Additionally, the contents of records or information otherwise obtained in regard to City of Central Point business may not be disclosed to anyone, except where required for a business purpose. Employees are subject to disciplinary action, up to and including dismissal, for revealing information of a confidential nature. Since many times it is difficult to distinguish between common and confidential information, the best rule to follow is not to discuss business information with persons outside of work unless prior approval from management is granted.

Information acquired by an employee during the course of employment is to be used for the benefit of the City of Central Point and, through the City of Central Point, for the benefit of City constituents. The use of such information for personal advantage or disclosure to others is strictly prohibited. Likewise, materials developed by employees in the performance of their jobs are the property of the City of Central Point. Except with prior approval for the City Manager or his or her designee, employees may not take proprietary material with them when they leave City employment, remove it from City offices for non-work related reasons, or copy or distribute it to persons or companies other than as required in the course of business.

4.02.2 Misrepresentation City of Central Point employees should consider how they represent the City in business transactions and interactions. Employees must be careful not to misrepresent City policies, practices, procedures, ordinances, fees or prices; or misrepresent their status and/or authority. Employees may not use the City of Central Point's name, logo or logo likeness, facilities, records, databases, assets or other resources, or the authority or prestige of their position with the City of Central Point for personal gain or private interests.

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4.02.3 Off Duty Conduct As a general rule, the City of Central Point regards the off-duty activities of employees to be their own personal matter. However, there are certain types of off-duty activities that are of concern because of the potential negative impact on the City of Central Point's reputation within the community we serve. For that reason, employees who engage in or are associated with conduct, illegal or legal, that adversely affects the City of Central Point or their own ability or credibility to carry out their employment responsibilities, or when that conduct unlawfully affects the ability of other employees to work, may be subject to disciplinary action up to and including discharge.

4.02.3.1 Social Media and On-Line Activities For purposes of this section, off-duty activities also includes participation in online activities, including, but not limited to, forms of online publishing and discussions such as blogs, wikis, file-sharing, user-generated video and audio, virtual worlds, and social networks.

4.02.3.2 Representative of the City When an employee is at work, off work wearing clothing or operating a vehicle that identifies them as an employee of the City, or at an event as a City employee regardless of whether or not on paid time, the employee is expected to conduct them self in a manner consistent with City policies and procedures.

4.02.4 Conflict of Interest As public officials, City employees are required to avoid conflicts of interest associated with their employment. "Oregon Government Standards and Practices laws define actual conflict of interest [ORS 244.020(1)] and potential conflict of interest [ORS 244.020(14)]. The difference between an actual conflict of interest and a potential conflict of interest is determined by the words 'would' and 'could.' An actual conflict of interest occurs when an action taken by the official would directly and specifically affect the financial interest of the official, the official's relative or a business with which the official or a relative of the official is associated. A potential conflict of interest exists when an official takes action that could have a financial impact on that official, a relative of that official or a business with which the official or the relative of that official is associated." (GSPC advisory letter 07A-1001.)

ORS 244.040(1) states that, "… a public official may not use or attempt to use official position or office to obtain financial gain or avoidance of financial detriment for the public official, a relative or member of the household of the public official, or any business with which the public official or a relative or member of the household of the public official is associated, if the financial gain or avoidance of financial detriment would not otherwise be available but for the public official's holding of the official position or office." Financial gain does not include the employee's official compensation package.

It is the position of the City of Central Point that no employee shall be directly, or indirectly, a party to any contract with the City, or other arrangement in which the employee's influence or participation could result in a direct or indirect benefit to the employee. No employee shall participate as either an elected or appointed officer or board member of any outside governmental body or private organization in any capacity in which he or she would potentially make any decision that would be adverse to or conflict with the City's financial interests.

4.02.5 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 does not involve:

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- 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 of Central Point. 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 or resources, or use their City job title or the influence of holding their position with the City in connection with the private business interest or other employment activities;
- 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 or allowed to perform for the City.

In addition, does not:

- Create a conflict of interest;
- Discredit the prestige or influence of one's position;
- Otherwise detract from, or discredit, the City of Central Point; or
- Violate City policy or state law.

The City requires employees to request in writing and receive written approval from the City Manager/designee prior to engaging in outside employment. Employees are responsible for assuring that their outside employment does not conflict with these rules.

Furthermore, 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.

4.02.6 Criminal Arrests and Convictions Employees are required to promptly and fully disclose to their supervisor on the next working day:

4.02.6.1 All drug- or alcohol-related arrests, citations, convictions, guilty pleas, no contest pleas or diversions that result from conduct that occurred while on duty (including while traveling on City business), on City property, or in a City vehicle;

4.02.6.2 All arrests, citations, convictions, guilty pleas, no contest pleas that result from crimes involving the theft or misappropriation of property, including money; or,

4.02.6.3 Any other violation of laws regulating the use of alcohol and controlled substances that adversely affects an employee's ability to perform job duties, 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 of a crime will not automatically result in termination of employment. The City will review the underlying facts of the matter and any action taken will be on a case-by-case basis, taking into account the totality of the circumstances. Employment actions may range from no action to disciplinary action including discharge.

Failing to report an arrest or conviction under this policy constitutes grounds for discharge. Furthermore, misrepresentation of the circumstances of the events may serve as grounds for discharge. Employees who are unavailable to report for work due to incarceration may be subject to disciplinary action, including discharge.

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4.02.7 Prohibited Political Activity Oregon law provides that "No public employee shall solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views."

No employee shall engage in political activity of any nature during his or her hours of employment, and no employee shall engage in any political activity purporting to act in his or her official capacity or on behalf of the City of Central Point as stated in ORS 260.432. City employees are expressly prohibited from wearing City-issued clothing, including uniforms and other items identifying the individual as a City employee, while engaging in any off-duty political activity.

Nothing contained within this section shall affect the right of an employee to hold membership in and/or support a political party or opinion, vote as he or she chooses, express his or her opinions on all political subjects and candidates, maintain political neutrality, or attend political meetings or events, provided such activity is not on work time.

4.02.8 Use of Work Time As public officials, all City of Central Point employees are expected to use their paid work time to provide services to the citizens of Central Point. It is understood that occasionally an employee may need to conduct personal business on work time, such as scheduling a doctor's appointment or responding to a call from a child's school, but employees are to keep such activities to a minimum. Employees are not allowed to use City time or resources for personal gain. Soliciting, peddling, or sale for charitable or other purposes shall be avoided or kept to a minimum, but in any instance shall be limited to break times and non-work spaces such as breakrooms. See also, 4.01 Work Rules.

4.02.9 Honesty All employees, at all levels of the organization, are required to be honest.

4.03 Use of City Resources

The City recognizes the importance of various resources in the workplace, including vehicles, tools, equipment, facilities, computers, computer systems, telephone, cellular devices, Internet, documents, etc. In order to ensure effective and efficient operations, the City will provide employees with the resources necessary to fulfill the duties of their positions. The City also expects all employees to use these resources appropriately and within the scope of their job. There is no expectation of personal privacy when using City resources. An employee location may be tracked through GPS systems in vehicles, cellular devices, key cards, or other technology. Employees shall not use City resources for personal gain or avoidance of financial detriment. Any violation of use of City resources may result in revocation of privileges, discipline up to and including discharge, and/or criminal prosecution.

4.03.1 Scope and Application This policy pertains to the use of technology-based items such as computers, software, hardware, peripheral devices, electronic mail (email), cellular and landline telephones, Internet

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access, servers, online services, photocopiers, scanners, fax machines, voice mail, personal data assistants (PDA), printers, tablets, external storage media such as hard drives, disks, CDs, DVDs, USB drives, and any other digital storage device. It also pertains to any new technologies used in the future and to non-technical equipment such as vehicles, tools, equipment, furniture, books, files, documents, supplies, etc. Employees may not incur expenses using City resources with the intention of reimbursing the City (e.g. making long distance phone calls using City landline phones).

4.03.2 Cellular Device Use Cellular devices includes cell phone and smart phone iPhones, Android, Blackberry, and similar devices), tablets, PDAs, and similar telecommunication devices, all of which are referred to as "cell phones" in this policy. See also Cell Phone Use While Driving in 5.06 Driving and Vehicle Use

4.03.2.1 Cell Phones in General (both City-provided and personal cell phone) 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.

Employees who use personal or City-provided cell phones in violation of this policy, the City's work rules or policies against harassment and discrimination will be subject to discipline up to and including termination.

Nonexempt employees may not use their personal or City-provided cell phone for work purposes outside of their normal work schedule without written authorization in advance from management. This includes, but is not limited to, reviewing, sending and responding to emails or text messages, and responding to calls or making calls.

4.03.2.2 Employee Use of City-Provided Cell Phones Cell phones are made available to designated City employees on a limited basis to conduct City 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 exempt, management employees who use their personal cell phone for city business.

Employees provided with 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 City's personnel policies and procedures (not just to those policies directly referencing 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 any City policy.

Employees may not use City-provided cell phones to call 1-900, 1-976 or similar "pay per minute" services. Further, family and friends may not use an employee's City-provided cell phone(s).

4.03.2.3 Employee Use of Cell Phones with Cameras Cameras of any type, including cell phones or tablets with built-in cameras and video photography devices, may not be used during working hours, or at any City-sponsored function unless a requirement of assigned job duties or otherwise authorized by your department director.

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4.03.2.4 Cell Phones and Public Records City-related business conducted on City-provided or personal cell phones may be subject to disclosure under Oregon's Public Records laws.

4.03.2.5 Phone Damage Employees shall take reasonable care of all city-issued equipment, including cellular phones. In the event a city-issued phone is damaged during the course of authorized business use, the City shall absorb the cost of repair or replacement, upon authorization of the department director. If a city-issued phone is lost or stolen, or is damaged due to negligence or failure to take reasonable care of the equipment, the employee responsible for the phone may be subject to discipline, depending on the circumstances. If a personal cellphone is damaged during the course of authorized business use, the City may absorb the cost of the repair or replacement of the phone, up to a maximum of $100 upon authorization of the City Manager. If a personal cellphone is lost or stolen, or is damaged due to negligence, failure to take reasonable care of the equipment, or due to any non-business related reason, the employee shall be fully responsible for the repair or replacement of the phone.

4.03.2.6 Service Contracts The City shall not be responsible for any monetary loss or damages to an employee for personal contracts entered into with a cellular service plan.

4.03.3 Use of City Email, Electronic Equipment, Facilities and Services The City 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, cell phones (including text messaging), tablets, the Internet, servers and networks, and any new technologies used in the future. This policy governs the use of all such City property and technology.

4.03.3.1 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 of Central Point.

- 4.03.3.2 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. Except where specifically authorized on a limited and occasional basis, access to the Internet, web sites and other electronic services paid for by the City are to be used for City business only. Under no circumstances shall City equipment, facilities, services or technology be used in violation of any City policy, City ordinance, or state or federal law. "Citywide" emails are to be sent only for City business, City notifications, or by those who are authorized to send "Citywide" emails on behalf of the City. This means, for example, that employees may not use the City-provided Internet, or City electronic equipment, facilities and services to:
  - Display or store any sexually explicit images or documents, or any images or documents that would violate City 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;

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- 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 audio is allowed, providing it does not contain explicit material, adversely affect network speed, or interfere with others' ability to work.
- Send unnecessary "Citywide" emails and/or unrelated to the requirements of your job.

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.

4.03.4 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 the City and usually can be recovered even though deleted by the user.

All information and communications, in any format, stored by any means on City 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.

4.03.5 Personal Hardware and Software Employees may not install personal hardware or software on City computer systems without approval from the City Manager and IT Director. All software installed on City computer systems must be licensed. Copying or transferring of City-owned software may be done only with the written authorization of the IT Director.

4.03.6 Unauthorized Access Employees are not permitted unauthorized access to the electronic communications of other employees or third parties unless directed to do so by City management. No employee can examine, change or use another person's files, output or user name unless they have explicit authorization from their department director or the City Manager to do so. Employees are expected to safeguard access to the City's electronic equipment and systems, including prohibiting non-employee access.

4.03.7 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.

4.03.7.1 File Sanitization and Encryption. Employees may not sanitize or encrypt City files without the prior approval and support from Information Technology staff. See 3.05.12.7 Telecommuting Policy – Security for additional information.

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4.03.8 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 City policies, including ethics, harassment and discrimination policies. If an employee accidentally accesses inappropriate content in the course of normal business, the employee must immediately notify their supervisor.

4.03.9 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, 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 of Central Point or the City's legitimate business interests may result in disciplinary action up to and including termination.

4.03.9.1 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 2.01.01 - 2.01.4 Equal Employment Opportunity Policies or 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 City or its employees or elected officials.

4.03.9.2 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.

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Nothing in this policy is meant to prevent an employee from exercising his/her right to make a complaint of discrimination or other workplace misconduct, engage in lawful collective bargaining activity, or to express an opinion on a matter of public concern that does not unduly disrupt the City of Central Point's operations. Employees are free to express themselves as private citizens on social media sites, but an employee's exercise of expression is balanced against the City's interest in the effective and efficient fulfillment of its responsibilities to the public.

4.03.9.3 Request for Employee Social Media Passwords 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.

4.03.10 Vehicles City vehicles are to be used for business purposes only, except as expressly authorized, in writing by the department director or in department policy. When authorized, personal use of a City vehicle shall be limited to occasional and brief use, and only as authorized.

4.03.11 Equipment Employees are prohibited from using City equipment, including but not limited to items such as rolling stock, trailers, mowers, power tools, shovels, ladders, hand trucks, carts, hand tools, generators, lights, radios, tables, chairs, or other furniture, appliances, etc. for personal use and are prohibited from removing such items from City property for non-work-related purposes.

4.03.12 Supplies Supplies, including but not limited to items such as office supplies, parts and stock used for maintenance, repair or replacement of City equipment, tools, infrastructure or facilities, fuel, that are purchased with City funds are to be used for City business and not to be for personal use.

4.03.13 Files, Records, City Information Employees are prohibited from accessing, using or disclosing sensitive or confidential information or data except in accordance with City 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 of Central Point, may be removed from City premises without express permission from the department director. 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.

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4.04 E-Mail and Social Media Policy

4.04.01 Overview The City of Central Point Strategic Plan is intended to be the guiding structure for city government operations. The Plan calls for Proactive Government and Citizen Involvement through varied media to reach as many citizens as possible.

How Central Point residents communicate with each other and how they obtain information from others changes daily. Some of the fastest and most influential change occurs via the Internet. City departments may consider participating in social media formats to broaden their reach. The City supports the use of social media to further the goals in the Strategic Plan and the City's overarching mission, vision, and values; key among these, the value of a "transparent, open, and honest government."

The City Management Team has an overriding interest and expectation of City staff who may "speak" and in what is "spoken" on behalf of the City of Central Point. City communication is best when it is consistent, branded, and delivered with one voice, including information posted on social media sites. This policy establishes guidelines for the use of social media.

The City Management Team shall review social media outlets and recommend which may be suitable for use by the City and its departments. Members of the Management Team may educate departments on how to best use various social media outlets to achieve their goals.

4.04.02 Email Use

1. Each staff member and official will be assigned a unique email address that is to be used while conducting City business via email. The unique email address assigned to an employee is the property of the city. And individual may only use their assigned email address while employed by the City.

2. The City retains the right to monitor, review, and disclose any and all messages composed, sent, or received.

3. All email systems are City property. All messages stored on the city systems or composed, sent or received by any staff or official are the property of the City. Furthermore, all messages composed, sent or received by any person using city-provided equipment are property of the City. Emails are not the property of any employee or official.

4. Email systems are intended to be used primarily for business purposes. Any personal use must not interfere with normal business activities, must not involve solicitation, and must not be associated with any for-profit business activity including non-profit endeavors that the employee or family member receives benefits (e.g. sale of Girl Scout cookies, Boy Scout popcorn, school or sporting team fund raisers). All messages sent by email are city records.

5. The use of privately owned email accounts for sending and receiving work related email messages is highly discouraged. However, if these resources are used for work-related purposes, the user must transfer all work-

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related messages to a city-owned system or network and must realize that these private accounts may be subject to public disclosure and retention requirements.

6. All communications via email in connection with the transaction of public business constitute public records except under certain circumstances. Electronic communications, like other public records, must be available upon request to any individual, agency or others outside the organization, unless the information is legally exempt from disclosure.

7. Except as specifically designated below, City staff and officials are prohibited from using City email accounts to send or receive:

a. Information about actual or potential claims and litigation involving the city;

b. The intellectual property of others, without written permission;

c. Any personal, sensitive or confidential information;

d. Computer viruses or other harmful programs;

e. "Chain letters" or junk mail;

f. Material or comments that are derogatory to any individual or group, or of a defamatory, threatening or harassing nature;

g. Racist, sexist, and other disparaging language about a group of people;

h. Obscene, pornographic, offensive or illegal materials or links;

i. Sexual comments about, or directed to, anyone; or

j. Any communication for any other purpose which is illegal, against City policy, or contrary to the City's interest.

This prohibition does not apply to attorney-client communications between City staff and officials and the City Attorney or other City staff and officials designated to assist with legal matters.

Records Retention:

The City must maintain and preserve records in compliance with the Oregon Public Records Law. The Public Records Law applies regardless of whether the email communication is sent from a private or public email address.

The retention of records stored in electronic systems, including email, is governed by the City's retention schedule and OAR Chapter 166, Division 200. If you have a question regarding the retention of a record, please contact the City Recorder.

An email inbox should not be used for storage. The email should be transferred to the appropriate electronic file location or printed and put into the appropriate file. However, email related to a current project or issue

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may be retained on the system as a reference tool. Once the project is complete or the issue resolved, the user should transfer all relevant email to the appropriate file and delete the email from their inbox.

Security Precautions:

Viruses and other malicious code can spread quickly, can disable the City's system and recovery of the system can be costly if appropriate precautions are not taken:

a. Be suspicious of messages sent by people not known by you. Verify the incoming email address before opening the email including from people you know.
b. Do not open attachments unless they were anticipated by you.
c. Disable features in emails that automatically preview messages before opening.
d. Do no forward chain letters; simply delete them.

Any staff member in violation of this email policy is subject to disciplinary action including up to and including termination.

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4.04.02 Purpose The purpose of this policy is to outline the acceptable and unacceptable use of social media tools at the City and the personal use of these tools by employees. This policy is in place to protect all parties at the City. Unacceptable use exposes the City to legal issues and potential loss of trust between local government and its constituents.

This policy addresses the use by the public of the City's social media. Use by the public affects the City's responsibilities for public record keeping and monitoring and restricting inappropriate use while protecting the freedom of speech rights of citizens.

4.04.3 Scope This policy applies to all officials and employees (full-time, temporary, contract, intern) as well as the members of the City boards, commissions and committees. The City of Central Point website will remain the primary and predominant internet presence.

Where specifically noted, certain portions of this policy also apply to the use of the City's social media by the public.

4.04.4 For business purposes The following section captures the acceptable use of social media tools at the City for business purposes, which include, but are not limited to, promotion and public outreach.

4.04.5 City Business The City of Central Point social networking sites shall be used for City business to release news and other public information in addition to traditional distribution outlets. When referring to forms, documents, or online services that assist citizens, a link will be provided directing the user to the correct location.

Any content posted, or allowed to be posted, by the City or any links allowed by the City are to be considered the City's speech. The City is in no way intending to create a public forum of any kind, and the City in its sole discretion decides to whom it wants to provide links.

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The purpose of Social Media is to provide information about the City's government, services, and attractions. The City may provide links to websites outside the City's website that also serve this purpose. The City is not responsible for and does not endorse the information on any linked website unless specifically stated.

4.04.5.1 Mission Information posted on social media sites shall be consistent with the City mission, vision, values, and goals. User comments that violate the City's 2.01. Equal Employment Opportunities Policy, this Social Media Policy or the City's Website Disclaimer will be removed from the site.

4.04.5.2 City Policies All official City presences on social media sites or services are considered an extension of the City's information networks and must comply with state records retention and all City policies; and specifically, with the 4.03 Use of City Resources Policy; and 9.05 Information Security/Identity Theft Protection Policy.

4.04.5.3 Required Policy and Disclaimer Links All social media sites will have posted a link to this Social Media Use Policy and to the City of Central Point Website Disclaimer at www.centralpointoregon.gov. Employees representing City government through social media outlets must conduct themselves at all times as representatives of the City. Failure to do so can result in discipline as described in this City's Personnel Policies & Procedures Manual.

4.04.5.4 Prohibited Links City social media accounts shall not be linked to:

a. Candidates for local, state, or federal offices
b. Political organizations or other organizations advocating a position on a local, state, or federal issue
c. Corporate or other for-profit organizations unless they fit any of the criteria stated in the City's Website Disclaimer
d. Individual or personal home pages
e. Any sites listed as prohibited under the City's Website Disclaimer

4.04.5.5 Compliance with Laws Departments that use social media are responsible for complying with all applicable federal, state, county, and city laws, regulations, and policies including but not limited to those related to copyright, trademark, Oregon Public Records Law, privacy, and Oregon Identity Theft Protection Act.

4.04.5.6 Content Responsibility Department Directors are responsible for content provided by their departments and such content should be reviewed on a regular basis.

4.04.5.7 Violations Violation of this policy may result in information being removed from the social media site.

4.04.5.8 Links to City's website Wherever possible, content posted on behalf of the City should contain links directing users back to the City's official website.

4.04.6 Personal use of social media in regards to City business City employees who choose to engage in social media for personal purposes assume any and all risk associated with that use. When employees identify themselves as associated with the City and/or discuss their work, the following restrictions apply:

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4.04.6.1 Behavior Employees are expected to behave appropriately on the internet and in ways consistent with the City's policies.

4.04.6.2 Identify Source Employees are required to make it clear they are speaking for themselves and not on behalf of the City by including a disclaimer such as: "The postings on this site are my own and don't necessarily represent the City's positions, strategies or opinions."

4.04.6.3 E-mail Addresses Employees are not to use City e-mail addresses as an identifier for personal use or to express personal opinions in social media. They should use their personal e-mail addresses for these purposes.

4.04.7 Unacceptable Use of Social Media The following list is not exhaustive, but attempts to provide a framework for activities that fall into the category of unacceptable use of social media when representing the City. Personnel should contact Administration for questions about this policy. **The following activities are strictly prohibited, with no exceptions:**

4.04.7.1 Ethics Engaging in any actions that violate the City or State ethics code.
4.04.7.2 Reputation Engaging in any actions that may harm or tarnish the image, reputation and/or goodwill of the City and/or any of its employees when participating in social media. This is not intended to restrict an individual's freedom of speech as a private citizen on matters of public concern.
4.04.7.3 Attribution Attributing personal statements, opinions or beliefs to the City when participating in social media.
4.04.7.4 Illegal Conduct Engaging in any activity that is illegal under local, state, federal or while using City owned resources.
4.04.7.5 Intellectual Property Violations Violating laws pertaining to the handling and disclosure of copyright, trade secret, patent or other intellectual property, or similar laws or regulations.
4.04.7.6 Rights Violations Violating the rights of any person or organization.
4.04.7.7 Misuse of Intellectual Property Using City trademarks, logos and any other city intellectual property in connection with any personal social media activity.
4.04.7.8 Harassment Violations Using a City social media account to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws or policies of the City.
4.04.7.9 Unauthorized Offers Making unauthorized offers of products, items, or services originating from any City account.
4.04.7.10 Security Breaches Effecting security breaches, including but not limited to, sharing data that is restricted from public disclosure.

4.04.8 Retention Responses by City employees or representatives are a public record with retention dependent upon their content. A response with content that is transitory or ephemeral is a public record that does not require retention (an example is directing the user to information on the City's Web site.) A response with content that does not meet the definition of transitory or ephemeral is a public record that will require retention and may require disclosure. Therefore, it is the policy of the City that wherever possible all responses made on social networks shall have content of a transitory or ephemeral nature only so that retention of that record is not required. As used in this paragraph, public record means all information created, stored, sent, or

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received by City employees in connection with City business or using City assets or facilities which includes most forms of electronic media devices are public records. Refer to ORS 192.005 (5). Transitory or ephemeral means records of a transitional nature. If the record: lasts for only a short period of time; and does not document communications created or received by an agency; and does not directly relate to an agency program or agency administration; and is not specified to be retained in the City General Records Retention Schedule (OAR 166-200) or in ORS 192.170, it is considered transitory and does not need to be retained. Examples are advertising circulars or drafts of a document that has already been finalized.

4.04.9 Social Use Media Policy Relating to Users City related social media sites provide an open forum for sharing and discussing City activities and events. The comments and opinions expressed by the network (friends, fans, followers) are theirs alone and do not reflect the opinions of the City of Central Point or its employees. Users and visitors to social media sites should be clear that the intended purpose of the site is to serve as a mechanism to release City business news and other public information and to provide for communication between City departments and members of the public.

4.04.10 Disclaimer Statement Suggested posting on a city sponsored social media site (may be adjusted according to site):

City of Central Point Disclaimer Statement:

Comments should relate to city matters and to the topics being discussed in the original post and not contain spam, advertising, or solicitations; advocate illegal activity or violence; products or political organizations; infringe on copyrights, trademarks or intellectual property rights of others.

Comments should be family friendly and not contain abusive or vulgar language, sexually explicit subject matter, hate speech, derogatory terms or offensive content.

Comments should not contain personal or defamatory remarks about a person's age, education, ethnicity, race, family status, gender, national origin, class, physical ability or qualities, religion, sexual orientation, thought processes, or personality.

A posted comment is the opinion of the poster only and does not imply endorsement or agreement by the City of Central Point, its elected officials or employees.

Comments should not endorse candidates or a particular stance or current ballot measures.

The City reserves the right to determine which comments are unacceptable for its page, and fans who repeatedly violate this policy may be prohibited.

Submission of a comment constitutes acceptance of this policy, which may be revised at any time.

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Monitoring

This page is monitored by City Staff and therefore not monitored on a 24 hour basis. Comments, questions, and posts will be responded to in a timely fashion.

Posts will be deleted if found to be in violation of this policy. For more information regarding the City of Central Point Social Media Policy and Website Disclaimer go to www.centralpointoregon.gov.

Public records requests should be submitted to the City Recorder at info@centralpointoregon.gov

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5.00 Safety

5.01 Workplace Safety
5.02 Workplace Violence
5.03 Substance Abuse
5.04 Smoke & Tobacco Free Workplace
5.05 Injured Workers
5.06 Driving & Vehicle Use

This manual contains policies and procedures only and is not a contract.
City policies and procedures may be changed or discontinued at any time.

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5.01 Workplace Safety

The City of Central Point recognizes the importance of and is committed to providing a safe and healthy work environment for our employees. A work environment that is safe and comfortable enhances employee satisfaction with work and employee productivity, and helps minimize costs due to work-related injuries. To this end, both management and employees must make diligent efforts to promote safety.

The City Manager or his/her designee shall be responsible for the development and maintenance of a safety program. Such program shall include safety regulations and disciplinary controls. Department directors, supervisors, and employees shall guard the safety of themselves, fellow employees, and the public. It is everyone's responsibility to make workplace safety their first priority.

5.01.1 General Safety Safety rules and regulations are developed and implemented through managers, supervisors and the safety committee. This process is ongoing and requires periodic review. Safety audits may be undertaken to determine the necessity and feasibility of providing devices, work practices, policies or other safeguards to make the workplace safe. The City provides training for employees regarding workplace hazards and the proper and safe methods to use in performing their job tasks.

Employees are expected to always follow safety rules and regulations, including using appropriate protective clothing and equipment, attending all training sessions related to their job, and following the directions of supervisory personnel.

Safety rules and regulations will be issued or modified from time to time and will be effective immediately upon communication. General safety rules and regulations are set forth in this manual and distributed in writing as well as posted electronically. Additionally, departments will have specific job/task related rules and procedures that employees are required to know and follow.

5.01.2 General Safety Rules and Regulations All City employees are expected to follow these general safety rules. In addition to these standardized expectations, all employees are also required to follow any department or job-specific safety rules or regulations.

- Employees are to use good judgment at all times in respect to safe working practices.
- Anyone observing a situation that might cause immediate injury to themselves or others is to immediately take any reasonable action to prevent such injury or call for assistance.
- Employees should not work alone in situations where hazards exist or the situation may be dangerous. If there is doubt, the supervisor should be consulted.
- In addition to workplace smoking restrictions, smoking is strictly prohibited in any area where flammable substances or conditions are present.
- Careless or reckless conduct is prohibited, including horseplay, practical jokes, or other conduct that detracts from attention to the task at hand.
- The correct tools for the job should always be used. If unsure of what tool is the correct tool, the supervisor should be consulted.

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- When lifting, do not lift heavy loads unassisted. Employees should know their lifting capabilities and limitations and use proper lifting techniques. If unsure about lifting techniques, the supervisor should be consulted.
- All employees should be familiar with the surroundings of their work area including location of fire extinguishers, first aid kits and AEDs, all possible evacuation routes, and any known or potential hazards.
- All employees are required to report safety hazards, unsafe working conditions or practices, injuries, incidents, and "near misses."

5.01.3 Safety Committee A Safety Committee has been established to help monitor job safety and increase employee involvement in workplace safety. The purpose of the Safety Committee is to bring managers and employees together in an effort to promote safety and health in the workplace. The Safety Committee meets monthly and minutes from these meetings are posted on City bulletin boards. Each employee is encouraged to read these minutes and to report any problems or questions to any of the designated Safety Committee members.

5.01.4 Safety Inspections In addition to holding monthly meetings to discuss and resolve safety issues, the Committee conducts quarterly inspections to identify hazards and to make recommendations for corrective action. It is important for all employees to cooperate with Safety Committee members during these inspections.

5.01.5 Safety Investigations OR-OSHA requires employers to investigate the cause of every time-loss accident and determine the means in which to prevent recurrence. The Safety Committee is responsible for establishing procedures to investigate all safety-related incidents. This does not remove or replace the responsibility of supervisors for the actual investigation. However, the Safety Committee will review the injury or incident reports, including the supervisor's investigation report, and evaluate the cause, look for any trends or identify tools, equipment, procedures or training that will serve to prevent the accident/injury from recurring. (OAR 437-001-0765 (6)(g)). All employees are required to cooperate with Safety Committee members during these investigations.

5.01.6 Work- and Non-Work-Related Injuries or Illnesses All job-related injuries or illnesses are to be reported to the supervisor as soon as practicable, regardless of severity. See also 5.05 Injured Workers.

5.01.7 Emergency Plan and Procedures Employees are expected to familiarize themselves with emergency plans adopted by the City. If an emergency occurs, following the adopted emergency plan will minimize the impact on staff and the public who use City facilities.

The following is a list of the types of emergencies that may occur:

- Fire
- Medical Emergency due to an accident or illness
- Acts of Violence such as: Active Shooter
- Inclement Weather such as: High Winds, Snow or Ice Storm, Electrical Storm
- Chemical Spill or Release
- Bomb Threat
- Natural Disaster such as: Flood, Earthquake

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- National Homeland Security Threat or Attack

The City's primary responder in all emergencies is Fire District #3 or the Central Point Police Department.

In the event of an activation of the emergency plan due to an emergency or a drill, all employees are required to follow directives of anyone with the authority of carrying out the plan. An example of this might be a supervisory employee following a directive from a subordinate employee who has been assigned to evacuate an area. City employees are required to participate in all authorized emergency drills unless expressly excused from such participation by the City Manager, Risk Manager, or department director.

5.01.8 Reporting Losses All losses including fire, explosion, windstorm, flood damage, electrical, motor vehicle collisions, etc. must be reported to the supervisor or manager, who will report to the City's Risk Manager. Employees should report any incident which results in the operation of fire extinguishers, even though there may not be an actual loss.

5.01.9 Employee Right to Know/Hazard Communication Program The City provides a Hazard Communication Program so that all employees are aware of chemical hazards in the workplace. By becoming familiar with this information employees can help prevent injuries and illnesses from chemical exposure. If employees have questions regarding chemical hazards, they should contact their supervisor.

5.01.9.1 Safety Data Sheets (SDS) Safety Data Sheets (SDS) containing important safety information about hazardous products used in the workplace are stored in the Employee Right to Know Center, an accessible location designated in all major work areas. Employees are to familiarize themselves with the Right to Know Center and hazards associated with any chemicals they use in the performance of their job. If an employee is unable to locate a SDS, they should contact their supervisor or Risk Manager. If there are new chemicals in use for which no Safety Data Sheet has been made available, an employee should immediately contact their supervisor or Risk Manager before using the chemical or the machine containing it.

5.01.9.2 Container Labeling All containers used are to have clearly labeled contents, note the appropriate hazard warning, and list the manufacturer's name and address.

5.02 Workplace Violence

The City of Central Point is committed to the safety and security of its employees, citizens, and visitors. The purpose of this policy is intended to protect public health and safety and to minimize the City's liability exposure, and provide a workplace safe from threats or incidents of violence of any form.

All employees are expected to maintain high standards of employee behavior and are responsible for maintaining a safe and healthful work environment. Acts or threats of physical violence, including bullying, intimidation, harassment, coercion, or other threatening or disruptive behavior which involves or affects the City of Central Point or which occur on City property will not be tolerated. Furthermore, bullying, verbal or physical threats, aggressive or threatening behavior, or acts of violence off City property by City employees will

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also not be tolerated. Consistent with the City's Personnel Policies and Procedures regarding unlawful discrimination and harassment, it is expected that individuals employed by the City treat their coworkers and other members of the public with dignity and respect at all times. Civility in the workplace is an expected form of behavior.

Further, the City will respond appropriately to all reported incidents; will act to stop inappropriate behavior; and supervisors and all of the departments involved in responding to incidents will be supported by the City's management team in their efforts to deal with violent and potentially violent situations.

"Threats or acts of violence" include conduct against persons or property that is sufficiently severe, offensive, or intimidating to alter the employment conditions at the City of Central Point, or to create a hostile, abusive, or intimidating work environment for one or more City of Central Point employees.

5.02.1 Recognizing Workplace Violence General examples of prohibited workplace violence include, but are not limited to, the following:

- All threats or acts of violence occurring on City of Central Point Property, regardless of relationship between the City and the parties involved in the incident.
- All threats or acts of violence not occurring on City property but involving someone who is on work time or acting in the capacity of a representative of the City of Central Point.
- All threats or acts of violence not occurring on City property involving an employee of the City of Central Point if the threats or acts of violence affect the legitimate interests of the City of Central Point, including but not limited to conduct committed while in City uniform or while driving a City vehicle.
- Any threats or acts resulting in the conviction of an employee or agent of the City of Central Point, or of an individual performing services on the City's behalf on a contract or temporary basis, under any criminal code provision relating to threats or acts of violence that adversely affect the legitimate interests and goals of the City of Central Point.

SPECIFIC EXAMPLES "THREATS OF VIOLENCE"

Specific examples of conduct that may be considered "threats or acts of violence" prohibited under this policy include, but are not limited to, the following:

- Hitting, shoving , pushing, spitting on someone, throwing items, obscene or threatening gestures, acts of physical intimidation such as standing inappropriately close to someone or pointing a finger close to someone's face;
- Threatening to harm an individual or his/her family, friends, associates, or their property.
- The intentional destruction or threat of destruction of property owned, operated, or controlled by the City of Central Point.
- Making harassing or threatening telephone calls, letters or other forms of written or electronic communications.
- Intimidating or attempting to coerce an individual to do wrongful acts that would affect the business interests of the City.

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- Harassing surveillance, also known as "stalking", the willful, malicious and repeated following of another person and making a credible threat with intent to place the other person in reasonable fear of his or her safety.
- Suggesting or otherwise intimating that an act to injure persons or property is "appropriate."
- Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on City property.

5.02.3 Reporting/Employee Obligations It is up to all employees to assist in the identification and resolution of threatening or violent behavior. Preventing and de-escalating violence is not solely a management responsibility. The reporting of incidents to the City does not replace or supersede the need to report imminent threats to police. Failure to report known workplace violence may result in disciplinary action.

In cases where the reporting individual is a City employee, the report should be made to the reporting individual's immediate supervisor, a management level supervisory employee if the immediate supervisor is not available, or to the City's Human Resources Department. Each supervising employee shall promptly refer any such incident to the appropriate management level supervisor, who shall take corrective action in accordance with the City's Personnel Policies and Procedures and any applicable employee association contract or union agreement. Concurrently with the initiation of any investigation leading to a proposed disciplinary action, when appropriate, the management level supervisor shall report the incidents of threats or acts of physical violence to the City of Central Point Police Department, which shall make a follow-up report to the City's Human Resources Department.

Nothing in this policy alters any other reporting obligation established in City policies or in state, federal or other applicable law.

5.02.4 Response to Threats or Acts of Violence Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on City of Central Point property will be removed from the premises as quickly as safety permits, and shall remain off the City of Central Point's premises pending the outcome of an investigation. The City will initiate a decisive and appropriate response. The need to prevent a threat from being carried out, a violent act from occurring, or a life threatening situation from developing shall supersede any policy, practice or procedure which may appear to prohibit taking action to avoid the violence. This response may include, but is not limited to, suspension or termination of employment, and/or criminal prosecution of the person or persons involved

5.02.5 Investigation All reports of violence or threats 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. Where appropriate, law enforcement may be notified and conduct a separate investigation. Additionally, the City may, out of business necessity, conduct an investigation of a current employee when the employee's behavior raises concerns about work performance, reliability, honesty, or a potential threat to the safety of self, co-workers or others. An investigation may include inquiry into criminal records and a search of City of Central Point property such as desks, work areas, lockers, file cabinets, City cell phone records, voicemail systems, and computer systems. Upon completion of the City's workplace investigation, which may include results of any criminal investigation, it will be determined as to what corrective action, if any, shall be taken. Identification of any further safety or preventative measures will be

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discussed with department and safety committee members. The reporting employee will be notified of any action taken in response to the report, except that any specific personnel action(s) taken will not necessarily be revealed.

Whenever the Human Resources Department, after consultation with the affected department and the Police Department, determines that an individual terminating employment with the City of Central Point may pose a threat to employees of the City, the employee shall be advised that he/she is barred from City property, and the City may take further safety or preventative measures. The HR department shall divulge only information necessary to protect the safety of all employees.

5.02.6 Consequences The City of Central Point's prohibition against threats and acts of violence applies to all persons involved in the City's operation, including but not limited to City personnel, contract and temporary workers, and anyone else on City of Central Point property. Violations of this policy by any individual on City property, by any individual acting as an employee or agent of the City while not on City property, or by any individual not on City property when his/her actions affect the public interest or the City's business interests will be followed by legal action, as appropriate. Violation by an employee of any provision of this policy may lead to disciplinary action (up to and including termination, as provided in the City's Personnel Policies and Procedures or applicable employee association agreement or union contract.)

5.02.7 Weapons Ban To protect the safety of City work sites, employees and others performing services for the City are prohibited from carrying, possessing or using dangerous weapons on City property, or in City vehicles, except when consistent with State and Federal law.

Dangerous weapons include: Guns; knives (other than an ordinary pocketknife); Taser, stun gun or similar instrument; club, brass knuckles, baton, or similar instrument; explosive devices or material; any other dangerous or deadly weapon as defined in Oregon law.

5.02.8 Protective Orders All individuals who apply for or obtain a protective or restraining order which lists specific City locations as being protected areas shall provide to their supervisor and the Human Resources Director a copy of the petition and declarations used to see the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

5.02.9 Workplace Protections for Victims of Domestic Violence, Sexual Assault or Stalking The City will provide reasonable accommodation for victims of domestic violence, sexual assault, or stalking in accordance with state law. Employees who are victims of domestic violence, sexual assault, or stalking should contact Human Resources for information or to request assistance.

5.02.10 Employee Assistance The employee assistance program (EAP) is available to provide confidential and individual personal counseling to (eligible) employees involved in a violent incident or to assist with anger management issues or other violence prevention and intervention strategies.

5.02.11 Training The City will provide opportunities for employees to be trained in the risk factors associated with workplace violence, and proper handling of emergency situations in order to minimize the risks of violent incidents occurring in the workplace.

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5.02.12 Retaliation Any intimidation, coercion, discrimination or retaliation against an individual who reports an act of workplace violence or who assists, participates or testifies in any manner in an investigation, will not be tolerated. All such acts should be reported immediately to Human Resources or the City Manager. Any employee, regardless of their position, who engages in any act of retaliation, intimidation or harassment, will be subject to discipline up to and including termination.

5.03 Substance Abuse

The City of Central Point has a strong commitment to provide employees a safe work environment and to promote employee health, safety, and well-being. While it is not the intent of the City to interfere with the private lives of its employees, the City expects its employees to report to work in a condition capable of performing their duties in a safe, effective and efficient manner. The use of intoxicants, whether on or off the job, can impair employee performance and health, and may jeopardize the safety of the employee and co-workers and the efficient operation of the City. It is the goal of the City to establish and maintain a work environment that is free from the effects of drug and alcohol use and abuse. Employees that are required to hold and use a Commercial Driver's License are also covered by the City of Central Point's Policy for the Implementation of the Omnibus Transportation Employee Testing Act of 1991, see 9.02 Drug and Alcohol Testing Policy for Commercial Driver's License Holders.

5.03.1 Prohibited Conduct Except as expressly authorized for job-related reasons, the following conduct is strictly prohibited for all City employees and volunteers:

- Buying, selling, transporting, possessing (including possession by consumption as determined by a positive test), providing, manufacturing, distributing, or using alcohol, marijuana, intoxicants, controlled substances, or any other substance which may impair the ability of the employee to perform job duties while in the workplace or while on City of Central Point time;

- The use of any prescription or nonprescription medications, including medical marijuana, which may interfere with the safe and effective performance of duties or the operation of City equipment or vehicles, without notifying the supervisor prior to beginning work or operating any equipment or vehicle.

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An employee utilizing any medications (prescribed, over-the-counter medications, or controlled substances) that may affect his/her ability to safely perform assigned duties must immediately and prior to performing any work for the City, report this information to his/her supervisor. However, only information that the employee is taking medication that may affect his or her ability to safely perform assigned duties should be reported; specific health information should not be provided. The use of medications or controlled substances as part of a prescribed medical treatment program is not grounds for disciplinary action. It is the employee's responsibility to determine from their physician whether a prescribed treatment may impair job performance. Failure to report the use of any substance which an employee has been informed, or otherwise made aware, may affect his/her ability to safely perform assigned duties may subject the employee to disciplinary action up to and including termination. In the event there is a question regarding an employee's ability to safely perform assigned duties, clearance from the employee's physician will be required.

- Reporting for normally assigned work, or responding while on-call, under the influence of any intoxicant, while impaired by the consumption of intoxicants; with a detectable odor of alcohol on the breath; with a detectable amount of alcohol or marijuana in the body resulting from the consumption of such intoxicants; or when an employee has any detectable amount of any controlled substance in the employee's body, including marijuana, but excluding any substance lawfully prescribed for the employee's use if used in accordance with this policy;

  In the event the City calls out an employee to perform duties outside the regular work day (call back) and the employee has consumed intoxicants, it is the employee's responsibility to decide whether they are able to safely and responsibly respond to the call out and to notify the supervisor if unable to respond. However, the employee's self-determination as to impairment shall not override the employer's judgment regarding application of this policy. In other words, just because an employee declares themselves not impaired does not mean they are not impaired.

- Operating any City vehicle or equipment while under the influence of intoxicants. This includes all City-owned, leased, or controlled vehicles and equipment, as well as personal vehicles used for the purpose of conducting City business (i.e., authorized travel to and from training);

- Failure to notify the supervisor if a controlled substance is ingested unintentionally, or if the employee is made to ingest a controlled substance, so that appropriate medical steps may be taken to ensure the employee's health and safety;

- Any activity which purposely interferes with this Substance Abuse Policy. Examples include, but are not limited to: tainting, tampering, or substitution of blood or urine samples or assisting with or in any way facilitating any of the aforementioned; falsifying information regarding the use of prescribed medications or controlled substances; failure to cooperate with any tests outlined in this policy to determine the presence of intoxicants or controlled substances; or failure to cooperate with any searches or investigations.

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5.03.2 Consequences of Policy Violation Employees or volunteers determined to have participated in any prohibited conduct, or having otherwise violated this policy will be subject to disciplinary action, up to and including immediate termination.

5.03.3 Drug and Alcohol Testing The City will utilize drug and alcohol testing to comply with Department of Transportation regulations as well as to verify or refute allegations of prohibited use of drugs or alcohol under this policy.

5.03.4 Consequences of a Positive Test Result In the case of a positive test result, a Medical Review Officer (MRO) will contact the employee prior to notifying the City of the result. The MRO will discuss any medications prescribed by the employee's physician which may have affected the results of the test. Failure to provide information about prescribed medications may be considered in any disciplinary action resulting from the test results.

5.03.5 Disciplinary Action An employee who has tested positive for the presence of intoxicants or controlled substances pursuant to this policy/procedure will be subject to disciplinary action, up to and including termination, based on the circumstances. Circumstances that may bear on the application and severity of any disciplinary action will include, but are not limited to, resulting injury or property damage, severity of the offense, illegal activity involved, liability to the City, position and level of responsibility of the employee, cooperation and truthfulness of the employee, and whether any prior violations have occurred.

In the interest of occupational safety and health, any covered employee who has a verified positive drug and/or alcohol test result will be immediately removed from the performance of duties until further notice, and advised of an available substance abuse professional (SAP) to evaluate and address any drug and/or alcohol abuse issues. An employee's participation in substance abuse counseling and/or treatment will be considered in determining any disciplinary action taken and may, if recommended by a SAP, be required as a condition of continued employment. An employee who tests positive and is not terminated will be subject to unannounced testing for a three-year period following the positive test. If the employee violates the terms of any agreement to participate in counseling or treatment, or again tests positive during the three-year period, the employee shall be subject to immediate termination.

5.03.6 Challenging Test Results An employee who questions the validity of an alcohol or controlled substance test may request, in writing, a retest or a split sample test within 72 hours of the results of the original test. Retesting will be limited to the original specimen only, and will not delay the removal of an employee from their duties based on the initial test results. The City shall offer an immediate confirming breathalyzer test in the event of a positive breathalyzer test.

5.03.7 Failure to Cooperate Any covered employee who refuses to submit to a drug or alcohol test, fails to provide a sample, fails to provide a sufficient specimen with no medical reason, fails to remain at the testing site until the test is complete, tampers with or attempts to adulterate the specimen or collection procedure, fails to report to the collection site in the time allotted, fails to cooperate with the collection procedure, leaves the scene of an accident without a valid reason before tests have been conducted or the supervisor has authorized departure, and/or fails to undergo a medical evaluation as required by a Medical Review Officer (MRO) or Drug Recognition Expert (DRE) for drug and alcohol testing, will be subject to disciplinary action as if they had a positive test under this policy/procedure.

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5.03.8 Searches For the purpose of administration of this policy/procedure, the City may, upon reasonable suspicion, conduct searches on City property of employees and/or assigned City property and/or their personal property excluding personal vehicles parked on City property. A refusal to submit to a search may result in disciplinary action up to and including termination. This provision is not intended to restrict the City's right to conduct administrative searches of assigned City property for other purposes or searches related to any criminal investigation.

5.03.9 Consequences for Search Results An employee who is found to have controlled substances or intoxicants on City property will be subject to disciplinary action up to and including termination of employment.

5.03.10 Employee Rights An employee may file an appeal under the Appeal Procedure set forth in this manual with respect to any issue of procedural compliance under this policy/procedure, except that Bargaining Unit employees must use the Grievance Procedure provided for in the relevant collective bargaining agreement.

Bargaining unit employees shall have the right to Union representation during any search conducted pursuant to this policy/procedure, and up to and including the time a urine or blood sample is given or breath test administered. However, this provision shall not unreasonably delay testing.

An employee who tests positive for intoxicants or controlled substances will, upon request, be given access to any written documentation available from the testing laboratory that verifies the accuracy of the testing equipment used in the testing process, the chain of custody of the specimen, and the accuracy rate of the laboratory.

5.03.11 Voluntary Employee Assistance In the event an employee encounters work or personal problems related to his/her use of alcoholic beverages, drugs, or other controlled substances, s/he is encouraged to seek appropriate medical care or counseling. The City's Employee Assistance Program (EAP) can provide information about substance abuse treatment programs. Information or referral will be provided on a confidential basis to the City's EAP if requested by the employee, or as directed by a manager. The City's group health insurance benefits provide coverage for certain medical services related to drug or alcohol dependency treatment.

5.03.12 Definitions:

- Controlled Substance – a drug classified in Schedules I through V by the U.S. Drug Enforcement Agency under the federal Controlled Substances Act.
- Drugs and Alcohol/Intoxicants – for the purpose of this policy/procedure, drugs and alcohol/intoxicants are defined as all intoxicants and/or illegal or legal controlled substances as defined by law. Includes "recreational marijuana" and "medical marijuana."
- Drug and/or Alcohol Test – the compulsory production and submission of urine, breath or blood by an employee for chemical analysis to detect prohibited drug and/or alcohol use.
- Drug Recognition Expert (DRE) – a drug recognition expert or drug recognition evaluator (DRE) is a police officer trained to recognize impairment in drivers under the influence of drugs other than, or in addition to, alcohol.

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- Employer Time – refers to all working hours, regardless of whether the employee is on City of Central Point property, as well as any time the employee represents the City of Central Point in any capacity.

- Medical Review Officer (MRO) – a Medical Review Officer (MRO) is a person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results. (US Department of Transportation)

- Positive Test Results – an individual is considered to have tested positive for alcohol when the blood alcohol content exceeds 0.02. An individual is considered to have tested positive for drugs when a detectable amount of the substance is found in the individual's body and the testing facility deems the test result "positive."

- Safety Sensitive Positions – positions that affect public safety, such as police officers.

- Substance Abuse Professional (SAP) – the Substance Abuse Professional (SAP) is an independent person who evaluates employees who have violated a DOT drug and alcohol program regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

5.04 Smoke & Tobacco Free Workplace

The City of Central Point seeks to promote a smoke and tobacco-free environment for all employees and the general public.

5.04.1 Smoke and Tobacco Free Work Areas The use of any smoking products during work time is prohibited except during authorized rest and meal breaks and in designated areas only.

Tobacco and non-tobacco chew products may be used when working outdoors or indoors only during authorized meal and break time. Employees are to be discreet when "chewing" and properly dispose of chew material in trash containers.

5.04.2 Non-Smoking Areas All City facilities, including City-owned buildings, vehicles, individual employee offices, the "corporation yard," and any facilities rented or leased by the City are non-smoking areas. Any outdoor area within 10 feet of a doorway, window, or air intake vent is also designated as non-smoking areas. In addition to the restrictions addressed in this procedure, employees are expected to abide by any smoking restrictions or policies at any location or function in which the employee is representing the City of Central Point.

5.04.3 Exceptions The use of smoking products is allowed during authorized break periods, and before and after an assigned shift, but only in areas not designated as non-smoking areas or in areas specifically identified as designated smoking areas. Employees authorized to travel for work purposes in their personal vehicle shall not have any restrictions on their use of smoking or tobacco products in their own vehicle, but will be subject

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to established travel policies and procedures/reimbursement provisions, which may include restrictions if transporting other employees. For example, an employee requests and receives permission to drive their personal vehicle to a meeting with other employees as passengers in that vehicle. If a passenger requests a smoke free environment, none of the employees would be allowed to smoke in the vehicle. If the employee elected to take a separate vehicle in order to be able to smoke in his/her vehicle, that employee may receive a reduced mileage reimbursement under the "personal preference" provision.

5.04.4 Definitions:

Smoking and Tobacco Products All tobacco products as well as non-tobacco smoking products such as those listed below are covered. This list is for the purpose of providing examples and should not be construed as exhaustive. Any unlisted product that is similar to those listed is also covered.

tobacco cigarettes	electronic/vapor cigarettes	cigars and pipes
marijuana cigarettes	non-tobacco cigarettes	chewing tobacco and "snuff"
smokeless cigarettes	other similar products (i.e., clove cigarettes, etc.)	

**Marijuana/medical marijuana is also prohibited under the substance abuse policy/procedure; it is not allowed on break time.*

Work Time For the purposes of this document, work time shall be all time an employee is being compensated by the City of Central Point for hours worked. Time compensated as "on call" and "travel" shall not be considered work time, but any compensated "call back" time is considered work time.

Break Time For the purpose of this document, break time shall include approved meal and rest breaks.

Designated Smoking Area A specific area within an area otherwise determined to be a non-smoking area that has been designated as a place where smoking is permitted. Under no circumstances shall use of a designated smoking area allow other provisions of this or other policies, work rules, or state or federal laws to be violated.

5.05 Injured Workers

The City recognizes that some injuries may result in a physician issuing work restrictions, but that often an injured employee can perform some work within the restrictions imposed by the doctor. It is the policy of the City of Central Point to assess work restrictions, available work, and the employee's skills set prior to providing light duty or modified work for work-related injuries. The City will assess all non-work-related injury situations and offer light duty or modified work when practical or where required by law.

5.05.1 Ability to Safely Perform For the safety and protection of employees, no employee shall be permitted to work when unable to safely perform the duties of their position.

5.05.2 Worker's Compensation All City employees are protected by Workers' Compensation Insurance under Oregon law. This insurance covers employees in the event of occupational injury or illness by providing, among

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other things, medical care and compensation and temporary or other disability benefits. An employee with a work-related injury is entitled to certain benefits, but also gives up some privacy rights in respect to information about the claim (but ONLY the work-related claim). Acceptance of a worker's compensation claim is the decision of the worker's compensation carrier. It is the policy of the City of Central Point to facilitate the return to work for any employee experiencing a work-related injury or illness.

5.05.3 Reporting Requirements

5.05.3.1 Work-Related Injuries or Illnesses All job-related injuries or illnesses must be reported to the supervisor as soon as practicable, regardless of severity. In the case of serious injury where immediate notification is impractical, the reporting obligation will be deferred until circumstances reasonably permit a report to be made. Failure to properly and timely report an on-the-job injury or illness may negatively affect benefits eligibility or payment under Workers' Compensation.

5.05.3.2 Reporting Non-Work-Related Injuries If an employee is injured off the job and his or her doctor authorizes return to work with restrictions, the employee must report the restrictions to their supervisor prior to performing any work. The employee will not be allowed to return to work with restrictions that do not permit the employee to perform all the duties of their position without express authorization from the supervisor to return to modified or light duty. Absent authorization for light duty or modified work, an employee with work restrictions must request a leave of absence.

5.05.4 Work Restrictions If an employee has missed work due to an injury or illness and has subsequently been released by their doctor to return to temporarily modified work, the employee should contact his/her supervisor before returning to work to determine whether modified work is available. If modified work is not available, the employee may not be allowed to return to work until a full release is obtained or modified work becomes available.

5.05.5 Return to Work An injured worker requiring workers' compensation leave will, under most circumstances, be reinstated to the same position they held at the time their leave began, or to an equivalent position, if available. However, the employee must first submit an approved medical certificate demonstrating the ability to return to work.

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

5.05.6 Early Return to Work The City's Return-to-Work program provides guidelines for returning an employee to work at the earliest possible time after they 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 the employee to return to their regular job in a reasonable period of time.

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The Return-to-Work program for job-related injuries consists of a team effort by the City, the injured employee and their treating physician(s), 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 the doctor determines that an employee is able to perform modified work, the City will attempt to provide injured employees with such a job for a reasonable period of time (usually six months or less) until the employee can resume their regular duties (except where provided as an accommodation for a disability). If, due to a work-related injury, an employee is offered a modified position that has been medically approved, failure to phone in or report at the designated time and place may affect compensation. While on modified or transitional work, an employee is still subject to all other City policies, rules and procedures.

5.05.7 Overlap with Other Laws The City will account for other leave and disability laws that might also apply to a situation, such as the ADA and FMLA or OFLA. If, after returning from a workers' compensation leave, it is determined that an employee is unable to perform the essential functions of their position because of a qualifying disability, the employee 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.

5.05.8 Work-related Injuries: Process and Procedure

All job-related injuries or illnesses are to be reported to the supervisor as soon as practicable, regardless of severity.

5.05.8.1 Reporting Responsibilities If an injury or illness occurs as a result of work-related activities or exposure, the following actions should take place:

1. Take immediate action to prevent further or additional harm and/or render first aid.
2. Seek emergency medical care if necessary – call 9-1-1.
3. Report the injury to supervisor as soon as possible; failure to timely report a work-related injury or illness may subject the employee to discipline.

5.05.8.2 Additional Employee responsibilities

1. Fill out an incident report form.
2. Complete the 801 Form if medical attention is sought or a claim is to be filed. Form 801 can be obtained from a supervisor or "Citywide."
3. Cooperate in any accident investigation, including review of the incident with the supervisor/manager or Risk Management designee, including Safety Committee members.
4. Provide supervisor with a return to work authorization from doctor/medical provider if medical attention is received.
5. Cooperate with supervisor and Human Resources regarding return to temporary modified work if work release includes restrictions.

5.05.8.3 Supervisor/Manager responsibilities

1. Conduct, or cooperate in, an investigation into the cause of the injury or illness.

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2. Send completed paperwork including incident reports, 801 Form (if appropriate) and any investigation report to Human Resources.
3. Work with Human Resources to determine if temporary light duty for an injured worker released with restrictions is feasible.
4. Monitor light duty to assure that worker stays within the restrictions and co-workers support injured worker on completing job tasks.
5. Continue to communicate and cooperate with Human Resources/Risk Manager.

5.05.8.4 Investigation The Safety Committee is responsible for establishing procedures to investigate all safety-related incidents. This does not remove the responsibility of supervisors for the actual investigation. However, the Safety Committee will review the injury or incident reports, including the supervisor's investigation report, and evaluate the cause, look for any trends or identify tools, equipment, procedures or training that will serve to prevent the same or similar type accident/injury from reoccurring.

5.05.8.5 OR-OSHA Reporting The City of Central Point is required to notify OR-OSHA **within 8-hours** of an occupational fatality or a catastrophe (two or more employees are admitted to a hospital), and within **24 hours** of an employee being admitted for an overnight stay in a hospital, loss of an eye, and either amputation or avulsions that result in a bone loss . All other reportable injuries must be submitted to the City's worker's compensation insurance carrier within five days and all recordable work-place injuries must be logged on the OR-OSHA 300 form.

The OR-OSHA reporting number is 1 -800-922-2689 or 541-776-6030.

5.05.8.6 Time Loss When an employee is injured on the job and his or her health care provider determines that they are not able to perform any work, the employee may be eligible for time loss benefits under the City's workers' compensation program. Employees who file the proper paperwork will receive detailed information from the City's workers' compensation carrier. The first three days of time loss are not paid by worker's compensation, so the first three days are paid out of an employee's accrued sick leave, other accrued leave or is unpaid. After 14 days or more of time loss, worker's compensation will pay the first three days, in which the used leave will be replaced. Collective bargaining agreements address use of sick leave to make up the difference between time loss payments and an employee's regular wages.

5.05.8.7 Modified/Light Duty If an employee is injured on the job and his or her doctor determines that they are able to perform temporary modified work, the City will attempt to provide available and suitable temporary work until the employee is able to resume his or her regular duties, except where provided as an accommodation for a disability. If an injured employee is offered a modified position that has been medically approved, failure to report to work may affect workers' compensation time loss benefits.

Employees returning from a work-related injury or illness will be required to provide their supervisor with a doctor's certificate prior to resuming work or temporary light duty. The certificate will specify whether the employee may resume full duties or has any restriction(s) and the nature and duration of any restrictions. Injured workers are responsible for providing medical release and/or restriction information to their supervisor in a timely manner.

Employees who qualify for family and medical leave will have qualifying absences designated as FMLA or OFLA in accordance with City policy/procedures and as allowed under state and federal laws. If there is work

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available and offered, and the employee chooses not to accept the offer, the employee may use accrued paid leave for the absence pursuant to City leave policies as detailed in Chapter 6 of this manual. However, if the injury is work-related, the injured employee will not be eligible for workers' compensation time loss benefits if they reject an offer of suitable light duty.

5.05.8.8 Doctor's appointments Doctor's appointments under worker's compensation are not paid by the worker's compensation carrier unless they are a required Independent Medical Exam (IME) that the carrier requires or if the time loss for a doctor's appointment is four or more hours. Employees are to schedule appointments to have the least amount of impact on the operations of the department. An employee must use accrued leave to cover doctor's appointments during work hours. Employees are to use their personal vehicles to drive to worker's compensation doctor's appointments.

5.06 Driving & Vehicle Use

Driving is among the most hazardous tasks performed by employees and volunteers of the City of Central Point. Therefore, it is the policy of the City that employees and volunteers follow safe driving practices.

5.06.1 Operating Vehicles for City Business The City of Central Point shall allow only drivers that meet eligibility criteria to operate City vehicles or drive for City business.

Safe driving practices include steps to ensure the driver's total concentration and safe operation of vehicles, such as determining clear directions before departing, refraining from operating equipment such as cell phones and two-way radios while the vehicle is moving, and not operating a vehicle when the driver's ability to react is impaired. Drivers are expected to follow Oregon laws and regulations and defensive driving principles and to prevent accidents in spite of unsafe driving by others and/or adverse driving conditions.

5.06.2 Eligibility All City of Central Point employees/volunteers must meet the following criteria in order to be allowed to drive for City business:

a) Be at least 18 years old (exceptions may be made for approved police Explorers).

b) Must possess and maintain a valid driver's license with an acceptable driving record and provide proof of license upon request; must be in the driver's possession while driving for City business.

c) Must possess and maintain a valid commercial driver's license (CDL) with an acceptable driving record if driving a vehicle requiring such licensure.

d) Must be authorized by department supervisor to drive for City business.

e) Must attend City-sponsored or approved defensive driving training as assigned.

f) If driving a personally-owned vehicle for City business, must provide to the City proof of insurance evidencing liability limits no less than the State required minimum of $25,000 single occurrence/$50,000 annual aggregate. Proof of insurance must be provided at the inception of

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this policy (or when driving responsibilities covered by this policy begin), as well as any time there is a change to the employee's insurance policy.

g) Except as otherwise stipulated in an established department policy, in addition to the above requirements, any City employee/volunteer holding a position that requires driving as part of the job duties shall maintain an acceptable driving record, as outlined in this policy.

h) If involved in an at-fault accident, must complete a defensive driving course as assigned.

5.06.3 Acceptable Driving Record When any position is being filled for which driving is a job function, a review of a five (5) year driving history will be evaluated. The driving history may be required as part of the complete employment application, at the time of interview, or as part of the background check. This provision shall apply to job applicants who are finalists in the selection process, and current employees who are being considered for promotion or transfer.

No offer of employment, promotion, or transfer for a position that requires driving motor vehicles shall be made prior to review of a five year driving history. If the individual being considered for the position is from outside the state of Oregon, a copy of the driving record must be sent by fax or mailed to Human Resources. It will be the responsibility of the individual under consideration to provide such record at their own expense.

Human Resources will review the driving record and notify the appropriate department manager of the results. If the driving record does not meet City of Central Point standards, as defined in this policy, a recommendation to not hire the applicant will be made. If the manager requesting the hire/promotion/transfer wishes to contest this recommendation, an appeal may be made to the City Manager.

5.06.4 Monitoring of Driving Record The City shall maintain an account with the Department of Motor Vehicles and monitor employee/volunteer driving records by reviewing any "flagged records."

The name, driver's license number, state of issue, and date of birth of all employees/volunteers required or permitted to drive City-owned, leased or rented vehicles, or personal owned, leased or rented vehicles for City business, (including any receipt of mileage reimbursement), shall be provided to the Human Resources Director for "flagging" purposes. If a violation falls into any of the categories noted in this policy, HR will inform the City Manager. Violations falling into the categories noted in this policy, as well as a pattern of violations, along with other factors, if relevant, will be used to determine if the employee/volunteer has an acceptable driving record.

Employees/volunteers must report any change in driving status to their supervisor as soon as possible. Failure to do so may result in disciplinary action up to and including, termination.

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5.06.5 Requirements of an Acceptable Driving Record These requirements are effective upon implementation of this policy for all current and future employees. Some departments may have more stringent requirements. For the purpose of determining the acceptability of a driving record, both on and off duty driving history will be considered.

In the last 12 months	In the last 36 months	In the last 60 months
Demonstrated ability to maintain a driver's license without suspensions		
No felony or misdemeanor driving convictions		
No class "A" infraction convictions		No more than one class "A" infraction conviction
No more than one 1 class "B" infraction conviction	no more than two 2 class "B" infraction conviction	
No more than two 2 class "C" infraction convictions	no more than three 3 class "C" infraction convictions	
No more than 1 at-fault* collision (Any citations/convictions associated with a collision will be counted toward appropriate limits above.)		**all collisions are considered "at-fault" unless proven otherwise.*

Examples of Violations:

The following are examples of classifications of violations from the Oregon Revised Statutes (refer to statutes for specific details):

CLASS "C" FELONY

- Hit and run (injury)
- Attempting to elude a police officer
- Felony DWS. (Driving while suspended/revoked)

CLASS "A" MISDEMEANOR

- Reckless endangerment of a highway worker
- Providing false information to a police officer
- Driving Under the Influence of Intoxicants (DUII)
- Hit and run (property damage)
- Reckless driving
- Driving While Suspended (DWS)

CLASS "B" MISDEMEANOR

- Providing false liability insurance information
- Providing false information on accident report

CLASS "C" MISDEMEANOR

- Failure to display a driver's license
- Failure to return suspended license

CLASS "A" INFRACTION

- Failure to obey a traffic flagger
- Driving while suspended (infraction)
- Careless driving (accident involved)
- Speed racing
- Speeding (+30 MPH over limit)
- Failure to stop for school bus

CLASS "B" INFRACTION

- Careless driving (no accident involved)
- Driving uninsured
- No operator's license
- Failure to obey a traffic control device

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- Failure to drive on right side of the road
- Speeding (21-30 MPH over limit)

CLASS "C" INFRACTION

- Failure to use traction devices
- Defective headlights
- Illegal U-turn
- Failure to yield to pedestrian in crosswalk
- Speeding (11-20 MPH over limit)

CLASS "D" INFRACTION

- Impeding the flow of traffic
- Failure to display license plates
- Failure to use safety belts
- Failure to signal lane change
- Speeding (1-10 MPH over limit)
- Failure to change driver's license info

5.06.7 Consequences of Ineligibility to Drive for City Business Employees/volunteers who do not meet the criteria set forth in this policy for eligibility to drive for City business shall not be allowed to drive City vehicles or their personal vehicle for City business until such time as they are eligible. An employee who is unable to perform the essential functions of the job due to ineligibility under this policy may be subject to discipline up to and including termination.

Driving restrictions may be considered by Human Resources with respect to any applicable employment laws.

5.06.8 Other Drivers In addition to eligible City employees and approved volunteers, elected City Councilors and other person(s) specifically designated and approved, in writing on a case-by-case basis by the City Manager, may be allowed to drive vehicles on City business, provided such individuals are at least 18 years of age, possess a valid driver's license appropriate to the vehicle they are operating, and meet other eligibility criteria as determined by the City.

If driving a personally-owned vehicle, the approved driver must provide proof of insurance to the risk manager evidencing liability limits no less than the state required minimum of $25,000 single occurrence/$50,000 annual aggregate.

5.06.9 Driver Responsibilities The following responsibilities apply to anyone who drives any vehicle on City business:

a) Drivers and passengers are required to wear seatbelts at all times when the vehicle is in motion.

b) Drivers should have the vehicle's lights on when driving.

c) Drivers shall inspect vehicles at the beginning of each shift or prior to each trip to ensure that the vehicles are in safe operating condition prior to their use.

d) Drivers shall comply with all applicable state and local driving laws, parking regulations, and all City and departmental safety policies and rules.

e) Drivers will drive according to the road conditions, including inclement weather, road construction, etc. at all times. Drivers will check in advance and be prepared for adverse weather and/or hazardous road conditions.

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f) Drivers shall be held personally responsible and liable for any tickets received while driving any vehicle on City business. Only with the Police Chief and the City Manager's approval, the city may at its discretion, pay tickets for police staff under very limited circumstances, such as a police officer responding to an emergency call; in all other circumstances police staff is responsible and liable for any tickets received while driving on City business. All tickets for moving violations and/or parking fines received while driving City of Central Point vehicles shall be paid, or otherwise resolved, promptly by the driver. Drivers shall notify their supervisor within one (1) business day of receiving any citation while in a City owned, leased, or rented vehicle. For photo radar or other citations issued against the vehicle's registration, the employee/volunteer's department director will complete the "Affidavit of Non- Liability" or similar document issued with the citation to identify the driver. The driver shall be personally responsible and liable for promptly paying the fine or otherwise resolving the citation.

g) In the event of a collision while on City business, the driver shall contact their supervisor immediately, or at the first opportunity and, if driving a City owned, leased, or rented vehicle, follow all City instructions/procedures for reporting accidents.

h) A driver whose license has been suspended or revoked or who has been notified of impending suspension or revocation shall immediately notify his/her supervisor.

i) No employee or volunteer shall be permitted to operate any vehicle for City business without a current, valid operator's license.

j) For employees who are required to drive or maintain a valid driver's license as part of their official duties, loss of driving privileges and/or driving record convictions may be considered as grounds for disciplinary action up to and including dismissal, regardless of whether the offenses and/or infractions occurred during or outside of work hours. Volunteers with driving record convictions on or off the job may be subject to reassignment or removal from volunteer placement.

k) In the event an employee in a position that requires driving has their driving privileges suspended or revoked, the City may, at its sole discretion, reassign the employee to a non-driving job if such reassignment is available and deemed appropriate under the circumstances. This provision shall in no way obligate the City to make such reassignment(s) and all situations will be considered individually. Exceptions will not be made for employees that are required to have a valid Commercial Driver's License as outlined in their job description.

l) Drivers shall ensure that any passengers, who ride in a City vehicle or in any vehicle while on City business, other than those defined in the "Passenger" section of this policy, are authorized, in advance, by their supervisor. Under no circumstances shall drivers transport passengers unless the passengers are wearing safety belts or other restraint devices in accordance with Oregon Revised Statutes.

m) In the event of a citizen emergency that requires the use of a City vehicle, managers can grant prior authorization under specific circumstances they establish for the emergency. If an employee/volunteer on City business encounters a stranded motorist, they should be aware: a) there is no obligation to stop and render assistance, b) they should consider all objective

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circumstances regarding their own personal safety before choosing to stop, and c) in most cases, the best course of action is to help connect the motorist with appropriate roadside assistance.

n) Drivers shall not drive City vehicles or private vehicles for City business when they are required to take medication that may impair their ability to safely operate a moving vehicle. If in doubt, the employee/volunteer should first obtain approval from his/her physician that it is safe to drive while taking the medication. If the employee/volunteer comes to work, but due to the medication cannot drive, the employee/volunteer shall immediately inform their supervisor and ask for an alternate work assignment. If there is no work available, the employee/volunteer may be assigned to another department or be sent home.

o) Employees/volunteers are expected to use good judgment at all times while driving on behalf of the City of Central Point. In circumstances where the employee/volunteer is uncertain if he/she should be operating or continue to operate a vehicle (such as prescription or over-the-counter medication, extended or continuous shifts, end-of-day long distance travel, fatigue, illness, poor weather or road conditions) the employee/volunteer is expected to contact their supervisor or manager to assist in making the safest determination of whether to continue to drive or not.

p) Smoking is not allowed in any City-owned, leased, or rented vehicle.

q) Pets are not allowed in any City-owned, leased, or rented vehicle.

5.06.10 Cell Phone Use While Driving Subject to a few narrow exceptions for emergency or public safety purposes, Oregon law prohibits the use of hand-held cell phones while driving, even if the driving is for work-related reasons. This policy 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 prohibits employees from talking on, using a cell phone or other device to talk, send or receive text, email or "instant" messages, or perform any other task using the device while driving on City business. Should an employee need to use the device while operating a vehicle, the employee must locate a lawfully designated or permissible area to park and use the device. Employees may use hands-free cell phones or devices to make business calls, however such call should be kept short and, should the circumstances warrant (for example, heavy traffic, bad weather, a complex conversation), the employee should locate a lawfully designated or permissible area to park to continue or make the call, even if the employee is using a hands-free device. Employees are personally responsible for any fines received in violation of this policy and will subject the employee to discipline, up to and including termination.

5.06.11 Passengers Only authorized passengers are allowed to ride in City owned, leased or rented vehicles. Authorized passengers are:

- City employees conducting City business;
- Officers and agents representing the City;
- Volunteers acting on behalf of the City;
- Vendors and contractors working on behalf of the City;
- Participants in official City business, training, tours and programs;

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- Representatives of other governmental agencies working with the City;
- Anyone with explicit prior authorization by the department director, City Manager, Elected Official or other Manager/Administrator with the authority to grant such approval.

5.06.12 Use of City-owned or Provided Vehicles The City provides vehicles for use by qualified drivers to conduct official City business in the course and scope of their job and/or to maintain the ability to respond to City business outside the employee/volunteer's normal work hours when special equipment or tools are available in or on the vehicle. Except as expressly approved, in advance, by the department director or City Manager, City vehicles shall not be used for personal business or to commute to and from work.

For cost saving purposes, whenever practical, City-owned or provided vehicles should be used by employees traveling for City business. When a City-owned or provided vehicle is not available or practical, use of a personal vehicle may be approved.

5.06.13 Use of Privately Owned Vehicles The City allows for use of privately owned, leased or rented motor vehicles to conduct official City business. A privately owned, leased, or rented motor vehicle used for City business must be a conventional vehicle with at least 4 wheels and be in mechanical condition that is adequate to provide safe transport for the type of business, road and weather conditions. Vehicle equipment must conform to State of Oregon requirements. Vehicle registration and insurance must be current.

5.06.14 Insurance Requirements Drivers of privately owned motor vehicles used to conduct official City business must be insured against liability (person and property) in an amount not less than the State required minimum of $25,000 single occurrence/$50,000 annual aggregate.

5.06.15 Out-of-State Rental Vehicles The City provides excess liability coverage to supplement the coverage automatically provided by car rental companies. However, the Oregon Tort Claims Act does not apply outside of Oregon. For this reason, drivers of out-of-state rental vehicles shall purchase the offered insurance through the rental company.

Excess liability coverage, collision coverage deductibles, and other charges not covered by the car rental company insurance will not be paid by the City if an accident occurs when the vehicle is used outside the scope of City business, (e.g., on an out-of-state trip where a rental vehicle is used for a non-job-related side trip). Travelers are required to know the driving laws for any state they drive in, apply the criterion of common sense and propriety, and consider the relationship to business purpose for the use of rental vehicles and transporting passengers while on City business.

5.06.16 Consequences of Policy Violation The restrictions and expectations set out in this policy are designed to ensure the safety of employees and citizens, and reduce risk to the City of Central Point. It is the intent of this policy to ensure that unsafe behavior be identified and corrected. Any employee/volunteer who is found to have violated this policy or demonstrated any indications of misconduct involving vehicles may be subject to disciplinary action up to and including termination.

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6.00 Performance Management

6.01 Performance Evaluation
6.02 Conflict Resolution
6.03 Corrective Action/ Investigation & Discipline

This manual contains policies and procedures only and is not a contract.
City policies and procedures may be changed or discontinued at any time.

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6.01 Performance Evaluation

The City of Central Point recognizes that performance evaluation is necessary to ensure that services to the citizens of Central Point are being performed appropriately and in the most efficient and effective manner possible. To this end, every employee shall have his or her work performance evaluated regularly. The purpose of the performance evaluation shall be to identify and document areas in which the employee performed well and areas in which improvement is needed.

6.01.1 Format The performance evaluation shall document an employee's work performance over a specified period of time. The method of evaluation shall be consistent with the approved performance evaluation currently in use by the City and shall not vary significantly from supervisor to supervisor without prior authorization from the City Manager. All performance evaluations shall be put in writing and shall include, at a minimum, assessment of work performance and employee conduct over the entire specified evaluation period, discussion of the previous year's accomplishments, and goal setting for the upcoming year.

6.01.2 Timing Performance evaluations are to be conducted annually for all non-probationary employees. More frequent evaluation of an employee's work performance may be conducted by the supervisor if deemed appropriate or as part of a work plan.

> 6.01.2.1 Probationary Evaluation It is particularly important that new employees receive regular, meaningful feedback from their supervisor regarding how they are doing. Probationary evaluations are generally to be done monthly and in writing for each new employee. The supervisor shall complete the probationary evaluation form and meet with the probationary employee to address the results of the evaluation. For any areas needing improvement, the supervisor shall clearly inform the employee of the expectations and offer appropriate assistance to enable the employee to succeed. Sworn police officers shall be evaluated in accordance with the department's field training program. Employment may be terminated at any time during the probationary period and such termination shall not be subject to appeal. Newly promoted employees shall be evaluated in their new duties using the probationary evaluation process.

6.01.3 Evaluation Results The Supervisor shall compile pertinent information into a written summary and add to the summary any additional relevant information including the goals and prior years' accomplishments. The Supervisor shall meet with the evaluated employee to discuss the results of the evaluation. Every employee being evaluated shall receive a printed/written copy of the evaluation and shall have the opportunity to add written comments on the evaluation document. The evaluation document shall be signed by both the supervisor/evaluator and the employee. All evaluation documents must be forwarded to Human Resources to be placed in the employee's personnel file.

6.01.4 Rebuttal Except as otherwise provided for in a collective bargaining agreement or management compensation plan, an employee who disagrees with his or her supervisor's evaluation may, within thirty (30) calendar days of having acknowledged the receipt of the evaluation by way of signing and dating it, write a rebuttal to the evaluation. The rebuttal shall be forwarded to Human Resources and will be attached to the original evaluation document and become part of the personnel record. Human Resources will forward a copy of the rebuttal to the supervisor.

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6.02 Conflict Resolution

All employees are required to treat coworkers courteously and with respect. The City of Central Point realizes that our workforce includes a variety of employees with diverse and individual ideas and values and because of this, conflict may occur. The City also realizes that it is in the best interest of all involved that workplace conflict be resolved quickly and in the most positive and least disruptive manner possible.

6.02.1 Expectation to Use Conflict Resolution All employees are expected to deal with workplace conflict in a reasonable and timely manner. Employees are encouraged to make a reasonable attempt to resolve any differences of opinion directly with the other individual, or by consulting with the supervisor, if necessary. Employees experiencing issues not involving a policy or rule violation, that cannot be resolved individually or by consulting with the supervisor, are expected to utilize the employee assistance program (EAP). Depending on the circumstances, failure to have attempted resolution of a conflict may be considered a violation of the City's work rules and conduct expectations.

Use of the conflict resolution procedure should not be considered a substitute for reporting of inappropriate conduct required under other policies in this manual.

6.02.2 Resolution of Conflict It is expected that employees in conflict will resolve the issue through the procedure provided below, or other appropriate measures. If, however, after a sincere attempt at resolution, the dispute has still not been resolved, the parties in conflict must make decisions regarding the future of their relationship with respect to their place of employment.

6.02.3 Failure to Resolve Conflict Failure to resolve conflict in the workplace that results in a disruption for anyone either directly or indirectly involved is unacceptable and may result in disciplinary action up to and including termination. Mutually agreeing to not resolve the issue is acceptable only if both parties are able to resume a working relationship that is not adversely impacted by the disagreement. If this is not possible, it may mean that one or both of the involved parties comes to the decision that he or she can no longer work with the other person and resigns their position with the City.

Conflict Resolution Procedure:

Step 1 – Informal Procedure. The parties with the conflict should talk directly to each other. The following are some guidelines to assist with this conversation:

a) Talk to the person (or persons) directly. Do not send an email to avoid a face-to-face meeting, and don't complain to others about the situation in hopes that it will "get back to" the other party. Take the initiative to make the contact; don't wait for the other party to approach you.
b) Discuss the matter privately at a mutually convenient time and in a quiet, comfortable place that is free of distractions. Prepare what you would like to say, including what the problem is and how it affects you.

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c) Be specific. Sometimes conflict is the result of a simple misunderstanding. Be specific both in defining your concern and how you would like to see it resolved.
d) Actively listen to the other person. Just as you want to be heard, the other person wants you to listen to them. Don't interrupt, even if you do not agree with what the other person says. Hear them out.
e) Don't make judgments about the other person's reason(s) for the conflict, and avoid giving opinions; simply state the facts and express your personal *feelings*. Be respectful. Refrain from placing blame, name calling, or acting in other negative ways, because this may make the other person less likely to actually hear your perspective. Use "I" statements rather than "you" statements. Make a genuine effort to understand the other person's perspective; accept and acknowledge that your perceptions may differ. Don't let your emotions interfere with objectivity.
f) Fully discuss everything, even if topics seem difficult or unimportant at the time. Don't avoid issues; that will likely cause continued or new conflict. Get everything "on the table." More than one meeting may be needed.
g) Work toward a solution. Cooperation works much better than one person making the other change. Make a genuine effort to resolve the conflict. Remember, sometimes agreeing to disagree is a solution, as long as it's the solution you both agree to.
h) Follow up. Once you agree on a solution, check back with each other once in a while to make sure that the agreement is still working and that everyone is following through. Just making the effort to talk to the other person may go a long way toward resolving the conflict.
i) Employee Assistance Program (EAP). The EAP can be a useful resource if you need help with how to approach the other party or what to say.

Step 2 – Mediation

If, after talking with the other party, you are still unable to resolve the conflict, contact the Employee Assistance Program (EAP) to coordinate a meeting with a counselor and the other party involved in the dispute for the purpose of discussing, analyzing, and hopefully resolving the matter. Frequently, an uninvolved third party can be very beneficial in helping both parties to see the conflict from a more practical perspective. This step is voluntary, so it must be mutually agreed to. Before moving on to the next steps in the conflict resolution process, realize that informal and mediation procedures are often effective ways to solve a dispute without involving management.

Step 3 – Supervisor Intervention (formal procedure)

If you have spoken directly to the other person and contacted the EAP and still feel that the issue has not been resolved, you should speak to your supervisor, who will investigate the matter and determine what, if any, further action is needed to resolve the dispute. The supervisor shall document his/her findings and/or any disciplinary action taken related to the conflict to date. All employees are required to cooperate with a supervisor's investigation, regardless of the nature or severity of the matter. Failure to cooperate with a supervisor may result in independent disciplinary action. Sometimes, simply involving a supervisor will result in resolution of the conflict. It may, however, escalate the matter. The supervisor may require the disputing parties participate in mediation or counseling, and disciplinary action may be imposed if the circumstances warrant it.

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6.03 Corrective Action, Investigation & Discipline

It is the expectation of the City of Central Point that all employees, once provided with information regarding the expectations of proper conduct, attendance, and performance, will be successful employees and meet organizational standards. Employees are expected to perform to the best of their abilities at all times. However, in the event an employee performs at an unsatisfactory level, violates a policy, department rule, work rule, state or federal law, or commits an act that is inappropriate, corrective or disciplinary action may be warranted. The purpose of disciplinary action is first and foremost to encourage correction of the unacceptable behavior. However, where corrective action is unsuccessful or unsuitable under the circumstances, employment may be terminated.

6.03.1 Employee Responsibility It is the responsibility of each employee to know and abide by the policies and expectations set forth in this manual and/or issued by their department director or manager. Notice of such rules and expectations in the form of this manual and any subsequent notice of changes to this manual, administrative procedures, and department rules should be sufficient to ensure that all employees abide by and adhere to such policies, rules and expectations. If an employee's conduct or performance is in violation of these policies, rules or expectations, that employee shall be subject to disciplinary action up to and including termination. It is not possible to give examples of every inappropriate action or behavior in policies or procedures. Employees are expected to behave in a professional, lawful, ethical, and safe manner while working, utilizing City time for City business, treating others respectfully, and doing their jobs to the best of their abilities.

6.03.2 Supervisor Responsibility Supervisors should help employees to understand what is expected of them. Supervisors should discuss conduct, attendance, and/or performance deficiencies with the employee as soon as unacceptable behavior is noticed or identified in order to correct the deficiencies and to avoid the need to exercise disciplinary action. Supervisors shall document such discussions and such documentation shall serve as evidence of warning of improper conduct. If the behavior continues and further discipline is determined to be appropriate, the supervisor shall issue such discipline.

6.03.3 Investigation Reports of misconduct shall be investigated prior to any disciplinary action being taken. The intensity of the investigation shall be appropriate for the alleged violation and the level of potential corrective action.

Investigations of misconduct are to be documented, in writing, and such documentation should include, at a minimum, the date(s), time(s), location(s) of events, results of interviews with all involved parties, including witnesses, victims, and the subject of the investigation. Where disciplinary action involving any monetary loss is recommended, Human Resources must be consulted prior to any action being taken. A "monetary loss" may include demotion, docking of pay or leave, suspension without pay, or termination. Documentation of investigations resulting in corrective action beyond a verbal warning or mandatory training should be forwarded to Human Resources upon completion.

6.03.4 Discipline In all cases, the City retains the 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, suspension, demotion, reduction in pay, last chance agreement, or

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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 an employee at any time and for any reason, without advanced notice or other prior disciplinary action, except as otherwise provided for in a current, applicable collective bargaining agreement.

In lieu of terminating employment of an employee for violations of City policies, procedures and rules or 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. Failure to successfully abide by the provisions of the last-chance agreement will result in termination.

6.03.5 Documentation Verbal warnings or verbal counseling shall be documented by the supervisor to note the date, and nature of the warning or counseling for the purpose of documentation, but such documentation shall not be placed in the employee's official personnel file.

Any discipline beyond a verbal warning or verbal counseling from the supervisor shall be documented and placed in the employee's personnel file. Supervisors are encouraged, however, to maintain documentation regarding any verbal warnings or counseling provided (including the date such warnings or counseling were provided). Written reprimands will state the reason for the disciplinary action, including the date and facts of the offense. The employee shall be given the written reprimand and shall be required to sign the document acknowledging receipt thereof. A copy of the signed, issued reprimand shall be placed in the employee's personnel file and shall serve as prima facie evidence of delivery.

6.03.6 Administrative Leave Under certain circumstances an employee may be placed on administrative leave while an investigation into allegations of wrongdoing is conducted or in situations where the City determines it is in the best interest of the City that one or more employees not be present in the workplace for a period of time. Administrative leave itself is not punitive. Employees placed on administrative leave may be required to forfeit any City-issued keys, credit cards, purchasing cards, identification card, and passwords, and, in the case of police officers, service weapon and badge, upon being notified that they are being placed on administrative leave. Additionally, access to the City's computer system and non-public areas of buildings may be denied to employees on administrative leave pending the outcome of an investigation. Notification to other employees of the fact that the employee is on administrative leave may be made if appropriate for continuity of business services. While on administrative leave, an employee is not authorized to act in their capacity as a City employee.

6.03.7 Termination If, after being duly warned of improper conduct or performance, an employee fails to adequately and timely correct the deficiency or violation, or immediately in the event of a severe violation, the department director may recommend that an employee be terminated. No employee will be terminated without first being given the opportunity to give "their side of the story."

6.03.8 Notice of Charges Following an investigation that supports the decision to terminate, the City Manager shall cause to be prepared and delivered to the employee a written notice of charges against the employee. The employee may request a pre-dismissal hearing in order to provide additional information for consideration in making a final employment determination. If such pre-dismissal hearing is requested, the hearing shall be held within five (5) work days of the delivery of the notice of charges. Within three (3) workdays following such hearing, the City Manager, or his/her designee, shall state his or her decision, in writing, and provide a copy to the employee. The written decision will be placed in the employee's personnel file. If the City Manager rules

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in favor of the employee, the employee will be reinstated immediately. If the City Manager's decision is to terminate the employee, the termination will be effective immediately.

6.04 External Complaint Process

The City will utilize the provisions set forth in 6.03 Corrective Action, Investigation, and Discipline when responding to complaints made against employees and volunteers from citizens, contractors, or unknown sources. Following the investigation and findings, the City will contact the complainant to let them know the City has taken appropriate corrective action, if warranted. Anonymous complaints will be investigated to the extent possible based on the information provided in the complaint.

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7.00 Benefits

7.01 Employee Benefits
7.02 Time Off
7.03 Sick Leave
7.04 Family & Medical Leave
7.05 Employee Development/Training
7.06 Health Promotion and Social Committee

On separation for any reason, employees are entitled only to those benefits that are offered at the time separation takes place. Any benefits described in this manual apply only so long as the manual is current. They do not provide vested rights. These benefits are not retroactive to former employees.

This manual contains policies and procedures only and is not a contract.
City policies and procedures may be changed or discontinued at any time.

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7.01 Employee Benefits

The City of Central Point recognizes the impact employment benefits have on the employee's economic and personal welfare. The total value of employee benefits is a significant supplement to employee pay and should be viewed as part of the total compensation package.

7.01.1 Eligibility The policies, provisions, and procedures that govern the City's benefit program generally apply to regular full-time, and in some instances, part-time, employees, whether exempt or non-exempt, unless otherwise stated in a particular benefit plan. Generally, benefits do not apply to "part-time without benefits" employees, temporary or seasonal employees, interns, or volunteers. Benefits for regular, part-time employees may be determined on a prorated amount of hours according to the benefit accrual rate. The accrual rate is generally based on a percentage of full-time equivalency. For example, vacation and sick leave benefits for a half-time regular, part-time employee will be at half the rate of a full time employee. Specific benefits information is detailed in plan documents, this policy manual, current applicable collective bargaining agreement(s), individual employment agreement(s), and/or management compensation plan.

7.01.2 Limitations and Restrictions Benefits may be limited by the restrictions and limitations of the individual benefits providers. See specific benefits plan information for details.

7.01.3 Discretionary Benefits Discretionary employment benefits not mandated by state or federal law are selected and controlled by the City of Central Point except as otherwise specified in a collective bargaining agreement. Decisions to provide and continue providing these benefits will be based on such considerations as cost, composition of the workforce, operational efficiency, and desirability of benefit provisions. Where costs of discretionary benefit plans exceed the City's interest, ability, or willingness to pay the amount necessary to maintain the current benefit levels, employees may be required to share in the cost to continue the coverage, or the benefit may be discontinued.

7.01.4 Benefit Design and Modification The City of Central Point reserves the right to design plan provisions and to add, eliminate, or in other ways modify any discretionary benefits described in this policy or elsewhere in plan documents where and when it is deemed in the City's best interest to do so. Management decisions and City resources may change these benefits, so serious personal decisions should not be based solely on the current benefits plan.

7.01.5 Benefit Plan Documents Employees will receive summary plan descriptions upon eligibility and/or enrollment. The benefit programs are explicitly defined in legal documents, including insurance contracts, official plan texts, and trust agreements. In the event of a conflict between these documents and this policy or a collective bargaining agreement or employment agreement, the benefit plan documents will govern. These official documents are available from Human Resources for review with advance notice. Questions regarding benefits information should be directed to the Human Resources Director.

7.01.6 Types of Benefits The following is a list of benefits that may be available to various types of employees. Additional information about these benefits may be found elsewhere in this policy manual, in a collective bargaining agreement, individual employment agreement, management compensation plan,

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plan documents, or by contacting Human Resources. Being listed in this policy manual shall not, in and of itself impact the City's ability to add or remove any discretionary benefit at any time.

- Health Insurance
- Life and Long Term Disability
- Supplemental Insurance
- Employee Assistance Program
- Health Reimbursement Account
- Flexible Spending Account
- Retirement
- Educational Financial Assistance
- Time Off
- Leaves of Absence
- Training and Development
- Travel Reimbursement
- Other benefits may be offered at the discretion of the City

7.01.7 Health Insurance The City of Central Point provides medical, dental, vision and prescription health insurance coverage for eligible employees and their dependents. Eligibility is determined by the plan requirements and any collective bargaining agreement or management compensation plan. Detailed plan information is provided to employees. Employees should review the plan information for answers to questions they may have, or contact Human Resources or the insurance provider.

7.01.7.1 Cost of Health Insurance Premiums Premium rates are established by the insurance carrier and are subject to change, usually based on increased costs to provide medical services. The City of Central Point and eligible employees share the cost of insurance premium as provided for in a collective bargaining agreement or management compensation plan.

The employee's share of the monthly premium costs will be deducted from the employee's paycheck. A pre-tax deduction option is available to employees through an IRS "Section 125" Flexible Spending Account plan.

7.01.7.2 Health Insurance Plan Enrollment Eligible employees must complete plan enrollment forms, available from Human Resources, in a timely manner. It is the responsibility of the employee to ensure eligibility of enrolled dependents and to delete any ineligible dependents from coverage in a timely manner. Generally, new dependents can be enrolled upon initial eligibility, or during the annual open enrollment period.

7.01.7.3 Termination of Health Insurance Coverage Aside from separation from employment, eligibility for employees or dependents may be lost due to other events such as: a reduction in hours, a prolonged absence from work, divorce or legal separation, entitlement to benefits under Medicare, a child reaching ineligible age. In the event an employee or his or her dependents lose eligibility to participate in the group health plan, coverage under the health plan may be extended for a period of time as provided by Consolidated Omnibus Budget Reconciliation Act (COBRA).

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If coverage is lost due to a qualifying event, the employee and/or his or her dependent(s) may continue group health insurance for a certain period of time at their own expense, under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Continuation of benefits is administered by the third party administrator of the current insurance plan. Information about the provisions of the law will be provided at initial enrollment and again if a qualifying event occurs.

7.01.7.4 Portability/Conversion of Health Plan If an employee or dependent has been continuously covered under the City's group medical insurance policy for at least 180 days and their eligibility for coverage under the City's plan ends, the employee and/or dependent may be eligible to convert to an individual policy with the City's insurance carrier. Portability coverage may be requested before, during, or at the end of the benefit extension period described above. However, any application for portability coverage from the insurance carrier must be made within 60 days after group coverage ends. More information about this coverage may be obtained from the insurance carrier or third party administrator.

7.01.8 Long Term Disability The City of Central Point provides a group long-term disability (LTD) plan. Eligibility for coverage is determined by the plan requirements. The City pays the full premium. The LTD coverage is an income replacement plan that provides benefits pursuant to the plan documents. A recipient of LTD benefits may be required to repay benefits received if the recipient qualifies for and receives other disability benefits.

7.01.9 Group Life Insurance The City provides group term life insurance coverage for eligible employees. The amount of insurance coverage is determined by the applicable collective bargaining agreement or management compensation plan. The City pays the full premium.

7.01.9.1 Voluntary Life Insurance Employees may, at their own expense, elect to purchase additional, voluntary life insurance coverage through a payroll deduction.

7.01.10 Supplemental Insurance Employees may, at their own expense, elect to purchase supplemental accident, cancer, short term disability, etc. insurance through a payroll deduction.

7.01.11 Employee Assistance Program (EAP) The employee assistance program(EAP) provides free, confidential counseling and referral services for employees and their eligible dependents for help in dealing with personal issues that affect their work and/or personal lives, such as working relationships, family relationships, substance abuse, finance management, etc. Information regarding this service is available from Human Resources or by contacting the EAP provider directly. Contact information is provided to all employees at the new employee orientation, is available from Human Resources, or can be found posted in several locations accessible to employees.

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7.01.12 Health Reimbursement Account (HRA/VEBA) The City shall contribute to a Health Reimbursement Account/Voluntary Employee Benefits Association for eligible employees in accordance with HRA/VEBA plan documents and any applicable collective bargaining agreement, individual employment contract, management compensation plan, or City policy. The HRA/VEBA plan shall be integrated with the City's group medical plan and the City shall remit contributions only on behalf of eligible employees who are enrolled in or covered by the group medial plan and as set forth in the aforementioned documents.

7.01.13 Flexible Spending Arrangement (FSA) Regular benefits-eligible employees shall be allowed to participate in an approved Flexible Spending Arrangement in which employees may elect to set aside pre-tax dollars to pay for uninsured health care or dependent care costs. Participation is voluntary and subject to an annual open enrollment period. Employees must commit to an annual contribution amount and are responsible for submitting requests for reimbursement for eligible expenses. Participation details are available from Human Resources.

7.01.14 Retirement

7.01.14.1 Public Employee's Retirement System (PERS) The City of Central Point participates in the Oregon Public Employees Retirement System. Employees working in a "covered position" as defined by Oregon PERS shall be enrolled in PERS and contributions shall be made in accordance with City policy, a current collective bargaining agreement, management compensation plan, or individual employment agreement, based on PERS requirements in place at the time. Employee contributions to the PERS system shall be set forth in the current, applicable bargaining agreement or management compensation plan. Additional information about PERS can be found at www.oregon.gov/PERS .

7.01.14.2 Social Security The City shall pay into the Social Security system in accordance with current state and federal laws.

7.01.14.3 Deferred Compensation Eligible employees may elect to participate in a City of Central Point deferred compensation program. Deferred compensation allows employees to set aside salary and defer the taxes on it until retirement, or other qualifying event. Maximum deferral amounts are set by the Internal Revenue Service (IRS). Employees may choose to make contributions to plans with any of the companies the City has entered into agreements with to implement and administer "457" deferred compensation. The City may, at its sole option, enter into agreements to offer other types of retirement savings programs including, but not limited to, a 401(a). Contributions to such plans will be dependent upon tax codes and the plan documents for the program. Eligibility will be dependent upon the plan documents for any given program. Refer to individual plan documents, available from Human Resources, for details.

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7.02 Time Off

Because the City of Central Point understands that employees will occasionally need time away from work due to illness or injury, or for other reasons, the City may grant paid and/or unpaid time off to eligible employees for reasons as outlined in this policy manual, a collective bargaining agreement, management compensation plan, or state and/or federal law. Details of leaves governed by a collective bargaining agreement or management compensation plan can be found in those documents.

7.02.1 Paid Vacation Regular employees accrue paid vacation according to an applicable collective bargaining agreement or management compensation plan, normally based on length of service and prorated based on FTE. All use of vacation must be scheduled and approved, in advance, pursuant to department requirements.

7.02.1.1 Accrual Limits Vacation hours may accrue to a maximum of twice the annual accrual rate. Once the maximum accrual has been reached, no new hours will accrue until such time as the leave balance falls below the maximum accrual limit.

7.02.1.2 Sell Back Once each fiscal year, an employee may sell back to the City up to 40 hours of accrued, unused vacation hours in excess of 80 hours, provided that the employee has taken, or is scheduled to take, at least 40 hours of vacation during the year. Employees choosing to exercise this option must notify their department director, in writing, of the request. The department director will sign off on the request in acknowledgement that the funds will be deducted from the department's budget, and forward the signed request to Payroll for processing. The City will make every effort to distribute the funds within 30 days of receiving the request.

7.02.1.3 Vacation Pay Out at Separation Upon separation of employment, all unused vacation hours will be paid out.

7.02.2 Paid Holidays Except as otherwise specified in a collective bargaining agreement or management compensation plan, regular full-time City employees shall receive 8 hours of time off with pay for designated holidays. Regular part-time employees scheduled to work on a designated holiday will receive time off with pay for the hours normally scheduled to work.

7.02.2.1 Designated Holidays

New Year's Day, January 1st
Martin Luther King Jr. Day, 3rd Monday in January
President's Day, 3rd Monday in February
Memorial Day, last Monday in May
Independence Day, July 4th
Labor Day, 1st Monday in September
Veteran's Day, November 11th
Thanksgiving Day, 4th Thursday in November
Day after Thanksgiving Day
Christmas Eve, December 24th
Christmas Day, December 25th

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Holiday paid time off shall only be granted on the designated dates, except if any designated holiday falls on a Sunday, the following Monday shall be given as the time off with pay unless Monday is already a holiday, then the preceding Friday shall be given as the holiday. If any such holiday falls on a Saturday, the preceding Friday shall be given as the time off with pay unless Friday is already a holiday, then the following Monday shall be given as the holiday. Holidays that fall during scheduled vacation or sick leave shall not be charged against such leave.

7.02.2.2 Eligibility for Paid Holidays To be eligible for paid holidays an employee must be in a paid status the day before and after the scheduled holiday.

7.02.2.3 Floating Holidays In addition to the holidays listed above, regular, full-time employees shall accrue two 8-hour "floating holidays." Floating holidays shall accrue on January 1 and July 1 of each year for all eligible employees actively employed on those dates. Floating holidays may be taken at the employee's discretion except that such time off must be requested and approved in advance and used in the calendar year in which it was accrued.

7.02.2.4 Veteran's Honoring Veterans Day Veterans Day, November 11th is a legal holiday for the City of Central Point. For Veterans, as defined in ORS 408.225, whose normal schedule falls on November 11th or those employees whose schedule does not normally fall on November 11th but are scheduled to work, and would like to take Veterans Day off must complete a leave request at least 21 days prior to Veterans Day. The City will respond to the request no later than 14 days before Veterans Day. Police Officers/Lieutenants scheduled to work on November 11th, may use vacation, holiday leave, or compensatory time off for hours not worked on Veterans Day. An employee may not use sick leave for this purpose. A fulltime employee may go in absent without pay only if the employee has no other leave available. A part-time employee may request and take time off without pay if he or she is scheduled to work on the day recognized by the City as the Veterans Day holiday. The City may deny the request if the request would cause significant economic or operational disruption or an undue hardship to the City. If the City does deny the request, the City will permit the employee a single day off before the following Veterans Day to honor the holiday, and in such event, the employee will use leave time accordingly.

7.02.3 Other Leaves/Time Off Regular, full-time employees may request leaves of absence in accordance with state and federal law, City policy and/or an applicable collective bargaining agreement. Where a collective bargaining agreement is in place, the bargaining agreement language shall govern the leaves. If the bargaining agreement language is silent on a matter the City's policy/procedure shall govern. Employees shall be responsible for requesting leaves of absence with as much notice as possible. Insufficient advance notice of a leave request may result in a delayed or denied response. Leaves of absence may be with or without pay, depending on the circumstances and type of leave.

7.02.4 Leaves With Pay Employees may be granted time off without loss of pay or accrued leave for certain events. Absences for leaves with pay must be approved in advance and accurately recorded on the employee's time record to reflect the absence and the reason.

1) Sick Leave – see 7.03 Sick Leave policy in this manual

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2) Bereavement Leave* - In the event of a death in an employee's immediate family as defined in the Family and Medical Leave policy in this manual, an employee may be granted up to three days of paid bereavement leave. Such paid leave will not be charged to the employee's paid leave bank, but will count toward the employee's OFLA entitlement for bereavement leave. See 7.04 Family and Medical Leave policy.

3) Funeral Leave – when an employee serves as a pallbearer, or in some other way participates in, as opposed to merely attending, a funeral ceremony, the employee may be granted reasonable time off with pay, not to exceed four hours, to perform such duty. If requested, additional time may be granted by the department director, except that such additional time shall not be paid unless the employee elects to use accrued paid leave. The use of accrued leave shall be in accordance with the use provisions of the type of leave used.

4) Jury Duty – when an employee is called for jury duty, s/he shall be granted time off with pay to perform such duty. However, the employee shall be required to transfer any compensation, except mileage and meal expense reimbursement, received from any source other than the City for the performance of such duty on work time. Time not worked because of such duty shall not affect vacation or sick leave accrual, nor shall the employee be required to use paid leave for such time. This section shall only apply to civic duties performed during the time the employee is actually scheduled to be at work the day the civic obligation takes place. Except as specifically stated in this policy, any expenses, including travel, incurred as a result of jury duty service shall be the responsibility of the employee. Employees serving a partial day of jury duty service are expected to return to work after being released from service. Exceptions, such as when the jury duty service is out of the area or the employee is released from service with minimal time remaining in their scheduled workday, may be allowed when warranted and approved in advance. Under no circumstances shall an employee be paid overtime for or because of time spent serving on jury duty.

5) Non Work-Related Court Appearances - When an employee is subpoenaed or otherwise called to testify or appear in court in a non-work-related capacity, and the employee is not personally involved in the action as the plaintiff, complainant, defendant, or object of an investigation and the basis for the appearance is not personal, such as providing character testimony, s/he shall receive time off with pay for the performance of such duty, provided such duty takes place during time the employee is scheduled to work for the City. Any expenses, including travel, incurred as a result of a non-work-related court appearance shall be the responsibility of the employee. However, except for mileage and meal expense reimbursement, the employee shall be required to transfer any compensation received from any source other than the City for any such appearance. Employees who are personally involved in a legal or administrative action as the plaintiff, complainant, defendant or object of an investigation must use any accrued vacation, holiday, or comp time to cover the absences; employees without available accrued leave must request a leave of absence before absences for non-work-related court appearances. Victims of domestic violence, sexual assault or stalking, or the parent of minor children who are victims of the same, will be afforded all the rights available to them under the victims of domestic violence or sexual assault law(s).

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7.02.5 Leaves Without Pay Eligible employees may be granted time off without pay in accordance with state and federal law and, where permitted, upon approval in accordance with this policy or an applicable collective bargaining agreement.

**Bereavement Leave* – see 7.04 Family and Medical Leave policy in this manual.

Family and Medical Leave – see 7.04 Family and Medical Leave policy in this manual.

Oregon Military Family Leave Act – see 7.04 Family and Medical Leave policy in this policy manual.

Oregon Domestic Violence Victims Leave – see 7.04 Family and Medical Leave policy in this manual. Employees (or the employee's dependents) who are victims of domestic violence, sexual assault or stalking shall be granted a reasonable leave of absence to deal with issues of domestic violence, sexual assault, or stalking. These arrangements might include such things as seeking medical treatment, counseling from a licensed mental health professional, legal advice, obtaining services from a victim services provider, court appearances, relocating or securing an existing home, or contacting law enforcement. This leave is unpaid, except that an eligible employee may elect to use any accrued paid leave.

Employees are required to give reasonable notice in writing of the need for leave, unless notice is not feasible. The City 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 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 person on the employee's behalf.

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 supervisor, department director or the Human Resources Director immediately with requests for reasonable safety accommodations.

Military Leave – The City of Central Point recognizes the importance of national security and an employee's rights and protections under the Uniform Services Employment and Reemployment Rights Act (USERRA). It is the City's policy to follow applicable state and federal laws regarding military leave and reinstatement to ensure that an employee serving at the request of the government in a time of war, natural disaster, or other similar circumstances, does not suffer unnecessary hardship or adverse employment action because of such service to their country.

Extended Leave of Absence without Pay – An employee who has been employed by the City for at least three continuous years may be granted an extended leave of absence without pay for a

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period not to exceed 30 days, provided such leave can be scheduled without adversely affecting the operations of the City. Requests for an extended leave of absence without pay shall be made, in writing, and directed to the City Manager, and shall contain reasonable justification for approval. No employee shall receive more than 30 days leave of absence in any three year period.

Approval of a request for an Extended Leave of Absence without Pay shall be at the sole discretion of the City Manager, but such decision shall not limit or infringe on an employees' rights under any legally established leave entitlement.

All costs of benefits otherwise afforded the employee shall be charged to the employee during the absence, except that the employee may request that benefits lapse during the leave. An employee on a leave of absence without pay pursuant to this section shall maintain their accrued leave balances but shall not accrue leave for the duration of the leave. Any employee granted an Extended Leave of Absence shall be required to sign a statement acknowledging their understanding of the terms and conditions of their leave.

7.02.6 Reporting Leaves of Absence Employees must record on their timesheet all leaves taken and properly designate the type of leave and, if appropriate, the reason for the leave (i.e., FMLA, OFLA, OMFLA, etc.). In the event an employee exhausts all accrued, paid leave and an absence results in a loss of pay for any period of time, such time shall be reflected on the employee's timesheet and their compensation for the applicable pay period adjusted accordingly. An unapproved absence without pay may result in disciplinary action up to and including termination.

Leaves without Pay will be reported to PERS in accordance with PERS rules, and to other benefit providers in accordance with applicable plan documents.

7.02.7 Leave Accrual while on Leave of Absence

Paid Leave – Employees on paid leaves of absence shall accrue leaves in accordance with applicable bargaining agreement language, City policy, or state or federal law. As a general rule, an employee using accrued, paid leave shall accrue leaves as if they were working.

Unpaid Leave – Employees on unpaid leaves of absence shall not accrue leaves except as otherwise required by law, policy or bargaining agreement.

7.03 Sick Leave

It is the policy of the City of Central Point to make paid sick leave available to eligible employees for the purpose of not losing pay on those occasions when, because of illness or injury, the employee cannot or should not come to work.

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7.03.1 Accrual and Eligibility Sick leave shall accrue for each regular full-time employee at the rate of four (4) hours for each full pay period worked. Regular full-time employees working less than full time due to unpaid leave and regular part-time employees shall accrue sick leave on a prorated basis per the collective bargaining agreement or management compensation plan.

7.03.1 Newly hired employees not covered by a collective bargaining agreement including paid interns, temporary, and seasonal employees will be front-loaded a pro rata percentage of the sick leave hours they would be entitled to for the entire year. Thereafter, those employees shall have 40 hours front-loaded at the beginning of each calendar year. Sick leave use eligibility begins on the 91st day of employment. The maximum sick leave accrual is 80 hours.

Sick leave shall generally not accrue during any period of absence without pay. An employee who is recalled from a layoff or returns from an approved leave without pay shall be credited with any sick leave balance they had at the time they were laid off or began the unpaid leave.

7.03.2 Use of Sick Leave Employees may utilize their accrued sick leave, in a minimum of quarter hour increments, when unable to perform their work duties by reason of their own illness or injury, for necessary medical or dental care, or when by attendance in the workplace they would expose others to contagious disease or otherwise endanger the health of others. Employees may utilize sick leave to care for a "covered family member" as well as medical diagnosis, care, or treatment of an illness, injury or health condition and preventative appointments of a covered family member. Employees may also utilize accrued sick leave for an "immediate family member" for a health conditions covered under Federal and State Medical Leave Acts. Allowable use includes making arrangements for or providing actual assistance to the ill immediate family member. Use of sick leave for family members should be limited to those instances where an alternate caregiver is unavailable or impractical. Use of sick leave allowable under the Family Medical Leave policy, a current collective bargaining agreement, or state or federal law shall also be considered acceptable use under this policy.

7.03.3 Employee Responsibility Employees must notify their supervisor of an absence due to illness or injury at the beginning of each workday during the absence in accordance with the department's established call in procedure. Exceptions to this include when notice has been given that the absence will be for an extended period of time, when advance notice has been given, or when it is not possible or practicable such as in the event of a serious accidental injury. It is the employee's responsibility to ascertain whether accrued sick leave is available for use at any particular time. Except as provided for under the Family Medical Leave policy and Sick Leave Bank policy, if an employee calls in sick (and does not report to work) when the employee has no accrued sick leave available, doing so may constitute good cause for discipline, up to and including termination. The fact that the employee may have other paid leave available shall be of no consequence. Under such circumstances, other available paid leave may be utilized to prevent a loss of pay for the missed work, but shall have no bearing on any disciplinary action taken.

An employee who is unable to report to work shall notify his or her supervisor in accordance with the manner or form established by the department Director. The reporting employee shall provide sufficient information for the supervisor to determine if the reason for the absence qualifies for protected leave. Paid sick leave may not be permitted if proper notification has not been made.

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7.03.4 Return to Work In absences of three days or more, the City may, at its discretion, require the employee to provide a written statement from a physician certifying that the employee's condition, or the condition of the employee's family member, prevented him/her from appearing for work. Additionally, an employee who is absent for three days or more may be required to present a physician's release to return to work without restrictions.

7.03.5 Abuse of Sick Leave Abuse of the sick leave privilege shall be cause for discipline, up to and including termination. The following list includes examples of what might be considered abuse of sick leave. This is not an inclusive or exclusive list and is meant solely to provide examples. All incidents of possible sick leave abuse shall be considered on a case by case basis.

Examples of what might be considered abuse of sick leave:

- Calling in sick when employee or employee's eligible family member is not sick or injured
- Calling in sick to avoid using another type of leave
- Failure to report absences in accordance with department "call in" policy
- Running out of sick leave on a regular basis including calling in sick with no available sick leave (except under approved FMLA/OFLA use)
- Failure to accurately record use of sick leave on a timesheet or leave report
- Using significantly more sick leave than the average amount used by others in the department/City without any particular condition to account for the absences
- A pattern of sick leave use that indicates possible abuse such as use adjacent to weekends, holidays, vacation, and paydays.

7.03.6 Definition of Family Members for Sick Leave Use "Covered Family Member" include your spouse, Oregon registered same-sex domestic partner, child, child of your Oregon registered same-sex domestic partner, parent, parent-in-law, parent of your Oregon registered same-sex domestic partner, grandparent, grandchild, other relative living in the employee's household, or other individual for which the employee has a legitimate and ongoing caretaker relationship. Per FMLA/OFLA, "Immediate Family includes spouse, same-gendered domestic partner, parent (custodial, non-custodial, foster, biological, step, in-law, parent of same-gender domestic partner), grandparent or grandchild of the employee, or a person with whom the employee is or was in a relationship of in loco parentis, child (biological, adopted, foster, step, or child of same-gender domestic partner). Child may be either a minor or an adult.

7.03.7 Separation/Reinstatement of employment Unused sick leave accrual shall be reported to PERS at the time of separation from employment, including layoff, resignation, retirement, or dismissal, but shall not be compensated in any way at the time of separation, except as specifically set forth in the 7.01.14 Retirement section of this policy manual. If you leave employment and are reemployed with us within 180 days, we will restore up to 80 hours of your accrued sick leave balance at time of separation.

7.03.8 Short-Term Wage Replacement Plan. This plan effective date is January 1, 2020. This plan replaces the City's Sick Leave Donation Plan.

An employee is only entitled to benefits under this plan if he or she is eligible in accordance with the terms of the City of Central Point Short-Term Wage Replacement Plan (CP-STWRP).

7.03.8.1 Plan Information

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Effective Date: January 1, 2020
Classification: All Eligible Employees
Minimum Work Hours Required: 30 hours per week
Eligibility Waiting Period: Six months of consecutive employment for the City of Central Point in which the Employee has been working the Minimum Work Hours Required prior to Disability
When the Coverage Begins: The first day of the month that coincides with or follows the day the Employee completes the *Eligibility Waiting Period*.
Elimination Period: First 30 calendar days of the Employee's *disability*.
Benefits: Two-thirds (2/3) of Employee's *hours regularly scheduled to work* once the Employee has exhausted all *available leave.*
Maximum Benefit Period: The earlier of 90 calendar days of absence from work due to the Employee's disability or when the Employee is released to return to regular duty or modified duty that the City can accommodate.
Annual Maximum Benefit: Employee may receive a maximum of 60 calendar days of *benefits* in a twelve month period.
Survivor Benefit: None available.
Termination of the Plan: The plan will terminate the earlier of the City's election to terminate the plan or on January 1, 2023, the effective date of the Oregon Family and Medical Leave Insurance Plan (FAMI).
Plan Changes/Termination of Plan: The City may make changes at any time to the plan including but not limited to benefit amount, elimination period, maximum benefit period, or termination of the plan.
Appeal Process: An Employee may appeal a benefit denial to the City Manager within five business days of denial. Appeals must be in writing and state why you believe you are eligible for benefits under this plan. The City Manager's decision is final.

7.03.8.2 Definitions
The definitions set forth below shall apply to both the singular and plural versions of the defined term.
Available leave: Employee's accrued sick, vacation, holiday, compensatory time, and management leave.
Actively Working, Active Work means an Employee is performing the normal duties of his or her regular job for the City of Central Point on a regular and continuous basis 30 or more hours each week. An Employee will be considered to be actively working on any day that is a regular paid holiday or day of vacation, or regular or scheduled non-working day, provided the Employee was actively working on the last preceding regular work day.
Benefits: Employee is eligible to be paid two-thirds (2/3) of hours regularly scheduled to work, not to exceed the 90th day of disability. Employee must exhaust all *available leave* accruals including sick; vacation; holiday; compensatory time; and management leave prior to being eligible for benefits. See Exclusions.
Disability and *Disabled* mean that because of a non-work related Injury or Sickness, a significant change in the Employee's mental or physical functional capacity has occurred in which they are prevented from performing at least one of the material duties of their regular job that requires the Employee to miss a minimum of 30 or more continuous calendar days of work documented by a physician's certification.
Eligibility Waiting Period: Six months of Actively Working for the City of Central Point.
Elimination Period: The Elimination Period begins on the first day of disability and runs 30 calendar days of continuous disability. Elimination period runs concurrent with use of accrued leave: sick; vacation; holiday; management leave; compensatory time; or unpaid leave, if the

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Employee has no remaining available leave. If the Employee is not continuously disabled, a new *Elimination Period* may apply.

Employee means a person who is:

a) a citizen or permanent resident of the United States; or

b) lawfully and legally able to work in the United States pursuant to applicable federal and state laws; and

c) receiving compensation from the City of Central Point for work performed at:

1. the City's usual place of business;
2. an alternative work site at the direction of the City; or
3. a location to which the employee must travel to perform the job.

An employee does not include a person:

a) who resides outside the United States ;

b) is working on a seasonal or temporary basis; or

c) is performing services for the City as an independent contractor, including persons reporting income on a 1099 form or subject to the terms of a leasing agreement between the City and a leasing organization.

Exclusions: Additional compensation the Employee receives from the City for time or duties beyond those normally required or to accommodate specific working conditions, including, but not limited to:

a) on-call pay;

b) K-9 pay;

c) stand-by pay

Hours scheduled to work: Hours the employee is regularly scheduled to work, this does not include days the employee is not normally scheduled such as weekends and does not include legal holidays.

Our, We, Us means the City of Central Point.

Physician means any of the following licensed practitioners:

a) a doctor of medicine (MD), osteopathy (DO), podiatry (DPM) or chiropractic (DC);

b) a licensed doctoral clinical psychologist;

c) a Master's level counselor and licensed or certified social worker who is acting under the supervision of a doctor of medicine or a licensed doctoral clinical psychologist;

d) a licensed physician's assistant (PA) or nurse practitioner (NP); or

e) where required by law, any other licensed practitioner of a healing art who is acting within the scope of his/her license.

Physician does not include:

a) a naturopathic doctor;

b) an acupuncturist;

c) a physician in training; or

d) You, Your Spouse, any person who lives with You, a child, brother, sister or parent of You or Your Spouse.

Plan Effective Date means January 1, 2020.

7.03.8.3 Short Term Wage Replacement Benefits

If you become Disabled due to an Injury or Sickness, after you have completed the eligibility waiting period, the City will pay the Benefit as defined above in accordance with the terms of the Plan. Benefits will begin after You satisfy the Elimination Period defined above.

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7.03.8.4 When Short-Term Wage Replacement Benefits End

Benefits will be paid during a period of non-work related Disability until the earliest of the day:

a) You are no longer Disabled;
b) You die;
c) the Maximum Benefit Period ends as described above;
d) You fail to provide satisfactory proof of continuous Disability;
e) You have been incarcerated or imprisoned for 31 days or longer;
f) You are not under Regular and Appropriate Care and Treatment for the Injury or Sickness by a Physician as defined herein that caused the Disability;
g) You are able to return to work with the City on a part-time or Full-Time basis as evidenced by your Physician and do not do so; or
h) You are no longer employed by the City of Central Point.

7.03.8.5 Exclusions

We will not pay benefits for any Disability or loss which:

a) was a work related illness or injury
b) results from an act of declared or undeclared war or armed aggression;
c) your commission of or attempt to commit a felony or any type of assault or battery;
d) is caused by Alcohol and Drug Abuse and/or Substance Abuse, while You are not being actively supervised by and receiving continuing treatment from a rehabilitation center or designated institution approved for such treatment by an appropriate body in the governing jurisdiction, or if none, by Us;
e) occurs while You are incarcerated or imprisoned for any period exceeding 31 days; or
f) is solely a result of loss of a driver's license, professional license, occupational license, or certification.

7.03.8.6 How to obtain plan benefits for Disability

Forward the completed Short-Term Wage Replacement claim form along with a completed physician certification to:
Human Resources Director
City of Central Point
140 S. 3rd St.
Central Point, Oregon 97502
You will be responsible for any fees charged by Your Physician for completing a claim form.

7.03.8.7 Proof of Disability

A Short-Term Wage Replacement Claim Form can be requested from the Human Resources Director or obtained on the City's Citywide folder.
A claim should be made within 20 days after a Disability occurs or as soon as reasonably possible.

7.03.8.8 Mode of Payment for disability

Disability benefits will be paid by us through regular semi-monthly paychecks after We receive acceptable proof of Disability. Benefits will be paid to you.

7.03.8.9 Refund to Us

If it is found that We paid more benefits than We should have paid under the Plan, We have the right to a refund from You or the recipient of benefits.

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We also have a right to a refund for any payments due to:

a) fraud or misrepresentation; or

b) any error We make in processing a claim.

You or the recipient of benefits must reimburse Us in full. We will determine the method by which the repayment is to be made.

7.04 Family & Medical Leave

It is the policy of the City of Central Point to comply with the Oregon Family Leave Act, the Federal Family and Medical Leave Act, Oregon Victims of Certain Crimes Leave Act (OVCCLA) and the Oregon Military Family Leave Act, which entitle eligible employees to job-protected leave every 12 months for family, medical and military reasons. The intent of the policy and these laws is to allow City employees to balance their work and family life by taking reasonable, unpaid leave of absences for the reasons specified in these rules and regulations.

The City's family medical leave policy combines benefits required by the Federal Family and Medical Leave Act (FMLA), the state's Oregon Family Leave Act (OFLA), Oregon Victims of Certain Crimes Leave Act (OVCCLA) and Oregon Military Family Leave Act (OMFLA). Employees with specific questions about the policy or these procedures are encouraged to consult with Human Resources/Payroll. In all cases, applicable Oregon and federal laws, rules, policies and collective bargaining agreements govern the employee's and the City's rights and obligations, not this policy. Required family and medical leave posting notices, which are incorporated here by reference, can be found posted with required employment posters and on the Department of Labor and Oregon Bureau of Labor and Industries websites.

FMLA and OFLA are not optional. The law requires the City to provide the leaves of absence under FMLA and OFLA and their respective entitlements, even if an employee would prefer to not take FMLA/OFLA leave. Leave under Oregon and federal law will run concurrently when permitted.

7.04.1 Eligibility

FMLA: Employees must have worked for the City of Central Point for at least 12 months, although not necessarily 12 consecutive months, and must have worked at least 1250 hours during the 12-month period immediately preceding the start of the leave.

OFLA: Employees must have been employed by the City of Central Point for at least 180 days immediately preceding the leave and worked an average of at least 25 hours per week during that 180-day period. The minimum hours requirement does not apply to employees taking parental leave to care for a newborn, adopted, or newly placed foster child.

OVCCLA: An employee is eligible for OVCCLA leave beginning on his/her first day of employment.

OMFLA: For purposes of Oregon Military Family Leave Act leave, the employee need have only worked 20 hours per week (no minimum length of employment required). A different calculation method applies for reemployed service members under USERRA who seek OMFLA leave. Contact HR for more information.

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In determining the 12 calendar months (FMLA) and the 180 calendar days (OFLA), the City will count the number of days an employee has been on the payroll, including all paid and unpaid time. However, the 1250 hour and 25 hour per week minimums are based on actual hours worked.

7.04.2 Qualifying Reasons For Taking Leave

- **Employee's Serious Health Condition –** to recover from or seek treatment for an employee's serious health condition[1] including pregnancy–related conditions and prenatal care. See the definition of "serious health condition[1]" at the end of this document.
- **Family Member's Serious Health Condition** – to care for a family member[2, 6] with a serious health condition[1].
- **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.
- **Pregnancy Disability Leave** – for incapacity due to pregnancy, prenatal medical care or birth.
- **Sick Child Leave –** to care for a minor child[5] who suffers from an illness or injury that does not qualify as a serious health condition[1] 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. *Qualifies under OFLA only*.
- **Safety Leave - OVCCLA** – to seek legal or law enforcement assistance to ensure the health and safety of the employee or the employee's minor child or dependent, including preparing for and participating in protective order proceedings or other civil or criminal legal proceedings related to Domestic Violence, Harassment, Sexual Assault or Stalking (DVHSAS), seek medical treatment, obtain counseling for minor child or dependent, obtain services from a victim services provider, or take steps to relocate or secure an existing home to ensure the health and safety of the employee or the employee's minor child.
- **Call to Active Duty - Exigency–** eligible employees with a spouse, son, daughter or parent on active duty or call to active duty status in the regular Armed Forces, National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain "qualifying Exigencies." "Qualifying Exigencies" may include attending certain military events, arranging for alternative child care, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. This type of leave is available under FMLA only; however, under OFLA, specifically under the Oregon Military Family Leave Act, during a period of military conflict, as defined by the statute, eligible employees with a spouse or registered same-sex domestic partner who is a member of the Armed Forces, National Guard, or military reserve forces of the U.S. and who has been notified of an impending call or order to active duty, or who has been deployed, is entitled to a total of 14 days of unpaid leave per deployment after the military spouse or registered same-sex domestic partner has been notified of an impending call or order to active duty and before deployment and when the military person is on leave from deployment. (May also be referred to qualifying exigency leave).
- **Servicemember Family Leave –** eligible employees may take up to 26 weeks of leave to care for a "covered service member" during a single 12-month period. A "covered servicemember" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who

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has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. Under some circumstances, a veteran will be considered a "covered servicemember." An eligible employee is the spouse, son, daughter, parent, or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty. *Qualifies under FMLA only.* (May also be referred to as military caregiver leave).

- **Bereavement Leave – OFLA** Eligible employees may take up to two weeks of unpaid bereavement leave per death of a family member, to a maximum of 12 weeks per calendar year to make arrangements necessitated by the death, to attend the funeral or memorial service, or to grieve. For the purpose of this policy, Family Member is defined as the employee's spouse or registered same-sex domestic partner, and the employee's or registered same-sex domestic partner's child, parent, parent-in-law, grandparent or grandchild.

  Employees who wish to take bereavement leave under this policy must inform the City and take the leave within 60 days of receiving notification of the family member's death. Although prior notice is not required, oral notice must be provided within 24 hours of beginning the leave. Written notice must be provided to the employer within three days of returning to work. The unpaid bereavement leave runs concurrently with any paid bereavement leave provided in applicable collective bargaining agreements or the Management Compensation Plan. An employee may utilize sick leave or any other paid leave available for up to two weeks. Qualifies under OFLA only.

7.04.3 Duration of Leave In any one-year calculation period, eligible employees may take:

- Up to 12 weeks of Parental Leave, Serious Health Condition Leave, Family Member's Serious Health Condition Leave, Sick Child Leave, Bereavement Leave or Call to Active duty Leave.
- In some cases, an additional twelve 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; and
  - In some cases, an employee who takes 12 weeks of OFLA Parental Leave may take an additional 12 weeks of Sick Child Leave.
- Parental leave must be taken in one uninterrupted period and must be completed within 12 months of the birth, adoption or placement of the child. Requests for exceptions must be specifically detailed, in writing, and subject to advanced approval by the department director. Parental leave taken for the purpose of arranging the adoption or placement of a child in foster care does not have to be taken in one, uninterrupted period. In any case, any intermittent or reduced-hour schedule, if allowed, must be approved, in advance, by the department director.
- When leave is taken for Servicemember Family Leave, an eligible employee may take up to 26 weeks of leave during a single 12-month period to care for the servicemember. During the 12-month period in which Servicemember Family Leave is taken, an eligible employee is entitled to a combined total of 26 weeks of FMLA Leave (some of which may include other types of FMLA-specific leaves of absence.)

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- Employees taking OMFLA for an impending call or order to active duty or impending leave from deployment of a spouse are entitled to a total of fourteen (14) days of unpaid leave per deployment before deployment and/or during leave from deployment.
- Taking leave on an intermittent basis or on a reduced work schedule may be permitted by the City if necessary to take care of an ill family member[2, 6] or because of the employee's own health condition[1]. In either case, documentation by a medical professional is necessary. Leave of this nature must be approved in advance by the City and employees must make a reasonable effort to minimize disruption in the work unit. Intermittent leave will be calculated on an hourly basis which computes to 480 hours per year for a full time (40 hours/week) employee.

7.04.4 <u>One-Year Calculation Period</u> The "One-Year Calculation Period" during which leave is available (also referred to as the "twelve-month period") will be measured on a calendar basis. The City will determine the amount of leave available under this provision by subtracting any FMLA/OFLA leave used between January 1 and December 31 of the current year from the 12-week entitlement. During the one-year calculation period in which Service member Family Leave is taken, an eligible employee is entitled to a combined total of 26 weeks of FMLA (some of which may include other types of FMLA-specific leaves of absence).

7.04.5 <u>Spouses/Family Members Working for the Same Employer</u> Under FMLA, if both parents work for the City and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent with a serious health condition, the two employees may only take a combined total of 12 weeks of leave. Under OFLA, the City is not required to allow both parents to take parental leave at the same time, but each may take the full 12 weeks. Employers must apply the law that is most favorable to the employee, therefore, parents could take a combined total of 12 weeks concurrently (FMLA), after which they could take the balance of the 12 weeks each has remaining, but separately unless the City agrees to allow all of the leave to be concurrent.

Also under OFLA, family members working for the same employer may not take family leave at the same time unless one of the employees is suffering from a serious health condition[1], the child[2] is suffering from a serious health condition[1], the leave is to deal with the death of a family member[6], or the employer allows the taking of concurrent leave.

7.04.6 <u>Compensation and Use of Paid Leaves</u> FMLA/OFLA, OVCCLA, and OMFLA protected leave is unpaid, except that the time off may be paid, unpaid, or a combination of both, depending on the availability of paid leave to the employee.

Employees are required to use all of their own accrued paid leave, including sick leave, floating holidays, vacation, compensatory time and banked holiday and management leave, if eligible, prior to FMLA/OFLA protected leave being unpaid. If all accrued leaves are exhausted, the employee will be placed on Leave Without Pay status during the remaining period of FMLA/OFLA leave. Employees are expected to notify their supervisor or Payroll of the order in which other accumulated paid time is to be used during the period of time they are on OFLA/FMLA leave. Absent such notification, Payroll will apply leave in the order of Sick leave, Comp Time, Vacation, Floating Holiday, banked holiday and management leave. In the event an employee is going to lose leave due to calendar/fiscal year end or accruing over maximum accrual cap, payroll will utilize those leaves to prevent the leave loss.

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7.04.7 Intermittent Leave Intermittent or reduced schedule leave may be taken during a period of Family Member or Employee Serious Health Condition Leave, Victims of Certain Crimes Leave or Service member Family Leave. Additionally, Call to Active Duty Leave may be taken on an intermittent or reduced leave schedule basis. An employee may be temporarily reassigned to a position that better accommodates an intermittent or reduced schedule; employees covered by OFLA will not be reassigned without their express consent and agreement. Employees must make reasonable efforts to schedule planned medical treatments to minimize disruption or City operations, including consulting management prior to the scheduling of treatment in order to work out a treatment schedule that best suits that needs of both the City and the employee. Intermittent leave for Parental Leave is not available. Except as provided by an applicable bargaining agreement, state law, and/or federal law, use of paid leaves for intermittent leave shall be subject to established call in and advance notice provisions

7.04.8 Concurrent Leave Where allowed by federal or state law, use of leaves will run concurrently with federal family medical leave and Oregon family leave entitlements. This includes any paid leave (sick leave, vacation, comp time, floating holiday, holiday bank, or other paid leave) used during time off taken for a qualifying reason; worker's compensation time loss; unpaid leave; and/or leave taken as a reasonable accommodation for a qualified individual with a disability. All applicable leave use will be governed by City policies, bargaining agreements, state laws, and/or federal laws.

7.04.9 Holiday Pay While on Leave Employees using paid leave during a portion of approved Family Medical Leave in which a paid holiday occurs will qualify to receive holiday pay. Employees who are on unpaid leave during a paid holiday will not qualify to receive holiday pay.

7.04.10 Exempt Employee Pay In the event an exempt employee using family or medical leave has exhausted all paid leave, the exempt employee's pay will not be docked for FMLA/OFLA use of less than a full day. Pay will be docked for absences of a full day or more if the exempt employee has exhausted all paid leave.

7.04.11 Employee's Responsibilities

- The employee is to notify their supervisor of any anticipated or pending leave of absence and contact Human Resources/Payroll for additional details of their OFLA/FMLA rights. The "Request for Family and Medical Leave" form should be used to provide proper notification.
  - When leave is foreseeable or anticipated, such as in the case of an expected birth, placement for adoption or foster care, planned medical treatment for a serious health condition of the employee or of a family members, or the planned treatment for a serious injury or illness of a covered service member, notice must be provided at least 30 calendar days prior to the start of leave. If 30 days' notice is not practicable, such as because of a lack of knowledge of approximately when leave will be required to being, a change in circumstances, or a medical emergency, notice must be provided as early as practicable.
  - For Call to Active Duty Leave, notice must be provided as soon as practicable, regardless of how far in advance such leave is foreseeable.
  - Employees must inform the City if the requested leave is for a reason for which FMLA or OFLA leave was previously certified.
  - 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 must let their supervisor know as

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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 their supervisor within three business days, or as soon as possible.

- Regardless of the reason for leave, or whether the need for leave is foreseeable, employees are required to comply with the City's normal call-in procedures. Employees who fail to comply with call in procedures may be denied leave, may be subject to discipline, or the start date of the employee's protected leave may be delayed.
- The employee must submit any required written verification from the treating physician or health care provider[3] based on the timeframes and guidelines identified under the "Medical Certification" section below.
- The employee should make arrangements with their supervisor for the completion and submittal of timesheets during their leave of absence. The timesheet is to accurately reflect any time off taken for FMLA/OFLA leave.
- The employee should keep their supervisor apprised of their leave status on a regular basis and should inform their supervisor of their intent to return to work as soon as their treating physician has informed them of the release date.
- The employee should forward any required medical release documentation from their treating physician or health care provider[3] to their supervisor or Human Resources at least one day prior to returning to work.
- The City requires the employee to provide their supervisor with a status report at least every 30 days. In addition, the employee must inform their supervisor of their intent to return to work at least one day before returning to the job.
- If an employee decides they will not return to work following the conclusion of their family medical leave absence, the employee must notify the City of such decision as soon as possible.

7.04.12 Supervisor's Responsibilities

- When a supervisor becomes aware of a pending, or current absence which might qualify for OFLA/FMLA/OVCCLA/OMFLA leave, the supervisor will provide the employee with resource information on their OFLA/FMLA/OVCCLA/OMFLA rights and advise the employee to contact Human Resources/Payroll for more details. The supervisor should immediately advise Human Resources/Payroll of this referral.
- Upon receiving a FMLA/OFLA leave request, the supervisor should immediately route the request form to the appropriate signing authority (i.e., department director). It is the supervisor's responsibility to assure that all necessary signatures are acquired and that the signed leave request form is submitted to Human Resources/Payroll as soon as possible after receipt from the employee.
- All medical documentation must be forwarded directly to Human Resources. No medical files shall be retained at the supervisor's desk or in the department. Additionally, the supervisor must protect the confidentiality of the employee. Information should be shared only on a legitimate business-related "need to know" basis and no specifics should be shared with the employee's co-workers.

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- If it is not evident on the leave request form, the supervisor must provide Human Resources/Payroll with sufficient information regarding the dates and nature of the leave for the City to adequately process the request.
- The supervisor should make arrangements with the employee for the completion and submittal of timesheets during the employee's absence. Timesheets need to be processed by standard Payroll procedures. The supervisor is responsible for monitoring timesheets to ensure they reflect accurate OFLA/FMLA leave recording.
- The supervisor should make every effort to maintain ongoing communication with the employee during his/her absence for the purpose of acquiring status reports especially in regards to the employee's return to work date. Contacts should take place at least every 30 days.
- The supervisor should notify Human Resources/Payroll of the employee's pending return to work and acquire any necessary medical release information prior to the employee's return to the job.

7.04.13 The City's Responsibilities It is the City's right and responsibility to determine and designate leave as OFLA/FMLA/OVCCLA/OMFLA if the eligibility standards are evident. Such a designation will be based on information obtained from the employee or his/her spokesperson (e.g., spouse, parent, physician, etc.) in the event the employee is incapacitated. OFLA and FMLA are not optional. The law requires the City to provide OFLA/FMLA leave and its entitlements even if an employee would prefer not to use OFLA/FMLA leave.

- If the City (specifically the employee's supervisor, Human Resources/Payroll, or any other management employee) acquires knowledge that an employee may qualify for or need to take OFLA/FMLA leave for any of the reasons specified in these policies, the City will inform the employee, in writing within 5 working days, of their entitlement to request leave.
- If an employee has not requested Family Medical Leave but has been absent due to illness or injury for more than three (3) consecutive workdays, the City may make inquiries in order to determine if the employee's absence qualifies under FMLA or OFLA leave provisions. Examples of appropriate initial questions that might be asked to determine if an absence qualifies under the leave acts might include, "Is this a serious or chronic health condition[1]?" and, "Have you obtained medical treatment[‡]?"
- If an employee takes paid sick leave for a condition that progresses into a serious health condition[1] and the employee qualifies for FMLA/OFLA leave as provided under the policy/procedure, the City may designate all or some portion of related leave taken as leave under this policy/procedure, to the extent that the earlier leave meets the necessary qualifications and proper notice is given.
- While employees requesting protected leave under this policy/procedure are expected to notify the City of their need for leave, the City may, with or without a request from the employee, count qualifying absences as FMLA and/or OFLA, provided the employee is given proper notice that the leave is being counted against their FMLA and/or OFLA entitlement.
- Upon receipt of a request, the City will furnish the employee with a copy of this document (or direct them to the electronic copy on the City's network), a leave request form, and the required medical certification form. This information is to be completed and returned to the employee's supervisor within the timelines stipulated under "Employee's Responsibilities."

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- Upon receiving a completed leave request form, the City will determine the employee's eligibility and make an entitlement designation, in writing, within 5 working days of receipt of the completed request.
- If the City is unable to confirm that the requested leave qualifies as OFLA/FMLA leave, the City may declare a preliminary designation regarding eligibility. However, upon receipt of requested medical information, the City must either withdraw or finalize the preliminary designation in writing to the employee.
- See also "continuation of benefits" in this policy.

7.04.14 Medical Certification

- Generally speaking, employees must provide sufficient information for the City to determine if the leave may qualify for FMLA or OFLA protection 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, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for either Call to Active duty or Service member Family Leave.
- Employees requesting serious health condition leave for themselves or to care for a covered family member may be required to provide certification from the health care provider of the employee or the covered family member to support the request.
- Employees must furnish the City's requested medical certification information in a timely manner-normally 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 no cost to the employee. Employees may also be required to submit subsequent medical verification.
- Employees requesting sick child leave under OFLA may be required to submit, at a minimum, a note from a doctor 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 period.
- Employees will not be asked for, and they should not provide, any genetic information about themselves or a family member in connection with a FMLA/OFLA medical certification.
- If the required medical certification does not validate the necessity for OFLA/FMLA leave, the leave will be retracted. In this situation, the employee may be placed on unapproved leave of absence and the time originally counted toward their OFLA/FMLA entitlement will be revoked.
- For employees on approved intermittent family medical leave, additional medical certification may be required upon expiration of the current medical certification or every 30 days, as deemed necessary by the City.
- In the case of the employee's own serious illness, a medical release form will be required before returning to work.

7.04.15 Continuation of Health Insurance Benefits While an employee is on approved FMLA/OFLA , the City will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

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If the employee chooses not to return to work for reasons other than a continued serious health condition[1] of the employee or the employee's family member[2], or a circumstance beyond the employee's control, the employee may be required to reimburse the City the amount the City paid for the employee's health insurance premium during the leave period.

If, under current City policy/procedure or collective bargaining agreement, the employee pays a portion of the health care premium, the City will continue to make payroll deductions to collect the employee's share of the premium while the employee is on paid leave. While on unpaid leave, and absent other arrangements, in writing and approved by the Finance Director, the employee must continue to make this payment. The payment must be received by Payroll by the first day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. The City will provide 15 days' written notification to the employee prior to the employee's loss of coverage and the employee will be notified of COBRA rights. Upon the employee's return to work, the City must restore the employee to the health coverage equivalent to that which the employee would have had if leave had not been taken and the premium payments had not been missed, without any waiting period or preexisting condition limitations.

7.04.16 Continuation of Other Benefits If the employee contributes to a life insurance or disability plan, the City will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay their portion of the premiums, or discontinue the benefits. Alternately, the employee may request the City pay the employee's share of the premium payments to maintain such benefits during their leave. The City may, at its discretion, elect to continue these payments on the employee's behalf, provided the employee agrees to repay the City through a payroll deduction upon return from leave. If the employee does not return to work at the conclusion of the FMLA/OFLA period, the City may recover the costs incurred for paying the employee's share of any premiums.

7.04.17 Transfer to Alternative Position The City may temporarily transfer an employee to an available, alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule. Temporary transfer may be used when the leave is for the employee or employee's family member that is foreseeable, and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, adoption, or placement in foster care. The transfer to an alternate position will be used only when there is no other reasonable option available that would allow the employee to use intermittent leave or reduced work schedule and if the transfer is consistent with any applicable collective bargaining agreement.

7.04.18 Reinstatement / 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 if the position has been eliminated under circumstances where the law does not require reinstatement.

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.

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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.

7.04.18.1 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.

7.04.18.2 Failure to Return Except as otherwise provided for by state or federal law, an employee who fails to return to work within three business days after their FMLA/OFLA leave entitlement is exhausted shall be deemed to have resigned from City service.

7.04.19 On-the-Job Injury or Illness Periods of employee disability resulting from a compensable on-the-job injury or illness will qualify for FMLA Leave if the injury or illness is a "serious health condition" as defined by applicable law.

OFLA 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" as defined by Oregon law and the employee has refused a bona fide offer of light-duty or modified employment, OFLA leave will commence.

If the employee's serious health condition is the result of the on-the-job injury, the employee may qualify for workers' compensation time-loss benefits.

7.04.20 More Information More information is available on the Internet or from Human Resources. For information about the Family and Medical Leave Act and Oregon Family Leave Act, see 29 CFR Part 825 and ORS 659.479, or visit the Department of Labor website at www.dol.gov/esa/whd/fmla or the Bureau of Labor and Industries at www.oregon.gov/boli. To locate the nearest Wage and Hour office, call toll-free 1-866-4USWAGE (1-866-487-9243), or visit www.wagehour.dol.gov.

7.04.21 Definitions

FMLA

[1]Serious Health Condition - Under Federal law, "Serious Health Condition" means an illness, injury, impairment, or physical or mental condition that involves:

1. Hospital Care - Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity[†] or subsequent treatment[‡] in connection with or consequence to such inpatient care.

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2. Absence Plus Treatment‡ - A period of incapacity† of more than three consecutive calendar days (including any subsequent treatment‡ or period of incapacity† relating to the same condition), that also involves:
   a) Treatment‡ two or more times by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapists) under orders of, or on referral by, a health care provider; or
   b) Treatment‡ by a health care provider on at least one occasion which results in a regimen of continuing treatment‡ under the supervision of the health care provider.
3. Pregnancy - Any period of incapacity† due to pregnancy, or for prenatal care.
4. Chronic Conditions Requiring Treatments‡ - A chronic condition which:
   a) Requires periodic visits for treatment‡ by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
   b) Continues over an extended period of time (including recurring episodes of a single underlying condition); and
   c) May cause episodic rather than a continuing period of incapacity† (e.g. asthma, diabetes, epilepsy, etc.).
5. Permanent/Long-term Conditions Requiring Supervision - A period of incapacity† which is permanent or long-term due to a condition for which treatment‡ may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment‡ by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.
6. Multiple Treatments (Non-Chronic Conditions) - Any period of absence to receive multiple treatments‡ (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity† of more than three consecutive calendar days in the absence of medical intervention or treatment‡, such as cancer (chemotherapy, radiation, etc.) severe arthritis (physical therapy), kidney disease (dialysis).

†"Incapacity" means the inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment‡ thereof, or recovery therefrom.

‡"Treatment" includes examinations to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examinations or dental examinations.

#"Regimen of continuing treatment" includes, for example, a course of prescription medication (e.g., antibiotics), or therapy requiring special equipment to resolve or alleviate the health condition. A regimen of treatment does not include the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider.

[2]Family Member - Spouse, child or parent. Spouse means a husband or wife as defined or recognized under state law for purposes of marriage in the state where the employee resides. Child means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age or 18 years of age or older and incapable of self-care because of a mental or physical

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disability. Incapable of self-care means that the individual requires active assistance or supervision to provide daily self-care in several of the "activities of daily living'' (ADLs) or "instrumental activities of daily living'' (IADLs). Activities of daily living include adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing and eating. Instrumental activities of daily living include cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc. Parent means the biological, adoptive, foster, or step parent of an employee.

[3]Health Care Provider - for the purpose of this policy/procedure, a health care provider is:

1. A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state in which the doctor practices; or
2. Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment[‡] consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice in the state and performing within the scope of their practice as defined under state law; and
3. Nurse practitioners, nurse-midwives and clinical social workers who are authorized to practice under state law and who are performing within the scope of their practice as defined under State law; and
4. Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts.
5. Any health care provider from whom the employer or the group health plan's benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits.
6. A health care provider as defined above who practices in a country other than the United States, who is licensed to practice in accordance with the laws and regulations of that country.

[4]Qualifying Exigency - Until the federal Department of Labor issues regulations defining what constitutes a "qualifying exigency," the City of Central Point retains sole discretion to determine what qualifies as an "exigency." Such determinations will be made on a case-by-case basis taking into account all the relevant circumstances of the situation.

OFLA

[5]Child (for purposes of OFLA Sick Child Care) - "Child" for the purposes of parental and sick child leave only (not for the purposes of serious health condition leave), means a biological, adopted, foster or stepchild, the child of an employee's domestic partner, or a child with whom the employee is or was in a relationship of in loco parentis. The child must be:

a) Under the age of 18; or
b) An adult dependent child substantially limited by a physical or mental impairment as defined by ORS 659.100(2)(d).

[6]Family Member (for purposes of OFLA leave only) - "Family Member" means the spouse, domestic partner, parent, adoptive parent, foster parent, parent-in-law, parent of domestic partner or a person with whom the employee is or was in a relationship of in loco parentis. It also includes the biological, adopted, foster or stepchild of an employee or the child of an employee's domestic partner, and grandparent and grandchild. For the purposes of OFLA, an employee's child in any of these categories may be either a minor or an adult at the time serious health condition leave is taken.

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7.05 Employee Development/Training

It is a goal of the City of Central Point to "strive for excellent service to the community by supporting a staff of well trained, motivated and professional City employees." To that end, and subject to available funding, the City Manager shall encourage training opportunities for all employees and supervisors in order that services rendered to the City will be more effective.

The City Manager and Human Resources office shall assist department directors in meeting training needs in their departments and in developing training programs designed to meet immediate Citywide personnel needs and, where appropriate, prepare employees for promotion to positions of greater responsibility.

7.05.1 Minimum Requirements at Time of Appointment All City of Central Point employees are expected to possess the required minimum qualifications for their position at the time of appointment without the need for additional education or training.

7.05.2 Attaining Minimum Requirements Within Certain Time Frame When, as stated in the approved job description, a job requires that an employee attain certain certification, a college degree, or specific training within a specified period of time after the date of hire, promotion or transfer, it is the responsibility of the employee to meet this requirement. However, the City may, at its option, elect to pay for, or assist with the cost of such training or certification, pursuant to applicable personnel policies and collective bargaining agreement provisions.

7.05.3 Job-related Training Employees may request and/or be directed to attend training that is relevant to their current position or provides knowledge, skills and abilities to successfully perform new job duties assigned to that employee, or perform other duties in the City service. When training is at the direction of, or authorized by the City, the City shall bear the costs of such training and training time shall be considered work time. Training may be conducted on-site, or off-site, classroom-based or online/computer-based, in an individual or group setting.

7.05.4 Employee Development Employees may request the City pay for costs associated with education or training that is intended to develop knowledge, skills and abilities that will enhance their performance or prepare the employee for possible promotion to positions of greater responsibility. When funds are available, and with approval of the department director, such requests may be granted.

7.05.5 Conflicting Training Requests In the event of a conflict between employee requests for training requests and development opportunities, priority will be given to relevant training for current positions over those for personal growth or development for promotional opportunities.

7.05.6 Approval and Denial of Training Requests The City shall reserve the sole right to approve or deny any training and/or employee development requests for any non-discriminatory reason including, but not limited to, not wanting to expend funds, not wanting the employee to be away from work, because the training covers content the employee should already know, because more cost effective training on the

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requested subject is available, the employee has had other training/development opportunities already, etc.

7.05.7 Employer Expectation Employees attending training at the direction or approval of the City are expected to attend the training and make every effort to derive full benefit from the training. When the City expends funds for employee-requested employee development, it is with the expectation that the City will reap some benefit from the expense. Where an employee has requested and received employee development training at a significant cost to the City and then uses that training to obtain a position with another employer shortly thereafter, the City may request that the employee reimburse the City for some portion of the cost of the training or education. Such reimbursement shall be limited to the actual cost of the training (i.e., registration or tuition, examination fees, books or study guides), shall not include employee time or travel expense, and shall be limited to a timeframe of two (2) years from the date of the expense. The request for such reimbursement shall be at the discretion of the City Manager and such decision shall be based on the individual circumstances involved except that no decision shall be arbitrary or discriminatory.

7.05.8 Educational Financial Assistance The City of Central Point encourages the continued education and professional development of its staff by assisting employees with certain tuition and education-related expenses as described in City policy, procedures and practices, or current, applicable collective bargaining agreements. This section deals with education programs voluntarily undertaken by the employee.

Limitations on Education Assistance – At the discretion of the City Manager, employees may request reimbursement of the actual paid educational expenses in any calendar year of up to $5,250 but not above the amount the IRS excludes from wages; up to a maximum "lifetime" aggregate of $15,000. Reimbursement will be made only when requests have been timely and properly submitted and approved in advance. Within the dollar limits established herein, the City Manager or his/her express designee has sole and final discretion to determine the amount of assistance, if any, to be allowed for an employee, whether courses or expenses qualify for this program, the specific process for making requests, eligibility, and exceptions. However, no such decision shall be arbitrary or discriminatory.

Eligibility – This benefit is available only to regular, full-time employees. Coursework should be college-level, related to the employee's current position or provide a legitimate benefit to the City, and be from a regionally accredited institution of higher education. Expenses paid by any source other than the employee (i.e. scholarships, grants, etc.) shall not be eligible for reimbursement under this policy. Under extraordinary circumstances, the City Manager may, at his or her sole discretion, elect to provide tuition assistance to a probationary or part-time employee.

Request and Approval Process – A detailed, written request outlining the employee's educational goals, specific course plan, anticipated timeframe, and what, specifically, they are requesting as financial assistance must be submitted to and approved by the department director prior to any reimbursement being paid. Educational assistance under this policy shall be on a reimbursement basis only. The employee must pay all associated costs of the course and may request reimbursement only after successful completion of the course.

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Proof of expenses paid, along with proof of satisfactory completion of coursework (grade of C or better), a written statement of the reimbursement agreement including the dollar amount or percentage and type of expenses to reimburse, and approval of the department director must be received in Human Resources prior to any reimbursement being made. Reimbursements may be subject to taxation under state and federal tax codes.

Approval of requests under this policy shall be contingent upon the availability of funds. Details of the request, including relevance of coursework, commitment to a program of study (i.e., completion of a degree or certificate), cost consciousness (i.e., taking 100 and 200 level courses available from a community college from a university rather than from a community college, etc.) will be considered when determining the amount, if any, of reimbursement to approve.

Expectations – When the City expends funds for education assistance, it is with the expectation that the City will reap some benefit from the expense. Where an employee has requested and received education assistance and then resigns their position with the City shortly thereafter, the City may request that the employee reimburse the City for some portion of the assistance received. Such reimbursement shall be limited to the actual amount paid to the employee, and shall be limited to a timeframe of two (2) years from the date of the assistance payment. A request for such reimbursement shall be at the discretion of the City Manager and such decision shall be based on the individual circumstances involved.

7.06 Health Promotion and Social Committee

The City is committed to supporting employee health and wellness and to allow employee participation in organized wellness infrastructure utilizing research-based, best practice models and culturally relevant worksite wellness programs and activities that:

- Raise awareness among employees regarding the importance of behaviors that promote health and provide employees with information and resources on how to reduce risk for chronic diseases;
- Promote changes to workplace policies and environments that support employees in eating better, moving more, quitting tobacco, and taking charge of their health;
- Provide programs and activities in the workplace that offer employees increased opportunities for eating better, moving more quitting tobacco, and taking charge of their health;
- Provide incentives to encourage participation;
- Elicit ongoing feedback to plan and implement programs that meet the needs and interests of employees.

7.06.1 Statement of Policy The focus is to develop policies, incentives, modified work environments and voluntary activities to support the health and well-being of our employees. In addition to the benefits for

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employees, positive benefits may extend to families, resulting in better health for families and their extended community.

7.06.2 Program components The primary components of a healthy lifestyle include healthy eating, physical activity, tobacco cessation, stress management and alcohol control.

General examples may include:

Healthy Eating

- Offering healthy food options in break room, vending machines and at city-sponsored events.
- Accommodations for food preparation and storage, as well as, sinks, refrigerators, and microwave ovens are provided to encourage and support employees to bring healthy lunches and snacks to work.

Physical Activity

- Fitness/weight management reimbursement per collective bargaining agreements/management compensation plan.
- Fitness Challenges.
- Active workstations such as sit/stand desks or balance ball chairs.
- Programs that encourage biking or walking to work.

Voluntary Employee Assistance Program

- In the event an employee encounters work or personal problems related to his/her use of alcoholic beverages, drugs, or other controlled substances, s/he is encouraged to seek appropriate medical care or counseling. The City's Employee Assistance Program (EAP) can provide information about substance abuse treatment programs.
- The City's group health insurance benefits provide coverage for certain medical services related to drug or alcohol dependency treatment.

Smoke & Tobacco Free Workplace and Tobacco cessation

- All city facilities, including city-owned buildings, vehicles, individual employee offices, the "corporation yard," and any facilities rented or leased by the city are non-smoking areas unless specifically posted by the City as a smoking area.
- Smoking cessation programs through employee insurance coverage and employee EAP program.

Stress Management

- The City's Employee Assistance Program (EAP) is available to aid benefited employees and their family members experiencing stress in the workplace or in their personal/family lives, including but not limited to, mental health issues.
- Yoga/Stretching Challenges

Socialization

- The City has a formal Social Committee to plan social events encourage employee socialization. Events have included: Quarterly Birthday/Anniversary celebration, Thanksgiving luncheon, City

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retirement parties, Finance Department Cinco de Mayo luncheon, Public Works Luau, Potato Bar, Pizza Parties, etc. Events vary based on employee feedback and City staff availability.

City Events

Events may take place during work hours or during breaks or meal periods and may include:

- Employee Benefits Fair
- Employee Health & Safety Fair – Safety Committee driven
- Employee Recognition Breakfast
- Lunch & Learn Sessions
- Online and In-person training sessions

Incentives may include:

- Paid time off
- Meals
- Awards – certificates, trophies, and monetary awards
- Prizes - monetary prizes, gift cards, movie tickets, coffee cards, etc.
- Swag – free promotional items provided by vendors or local businesses
- Events that take place during City hours
- City Longevity Torch – the employee with the greatest City seniority carries the "Longevity Torch" until they leave City employment and then ceremonially hands the torch to the employee with the next greatest City seniority.

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7.07 Other Benefits

The City recognizes to create and cultivate a meaningful culture within the organization some other benefits can help meet those employee needs. These benefits are considered part of the employee's official compensation package per ORS 244.040 (2) (a).

7.07.1 Air Miles and Other Purchase-Related Benefits Although most employees are issued purchasing cards for making authorized, work-related purchases, it is understood that, occasionally, under certain limited circumstances, the use of a personal purchasing card for making work-related purchases may be warranted. The use of personal cards for work-related purchases shall be infrequent. An employee shall be entitled to any benefit or rewards, such as air miles, hotel points, or cash back, associated with work related purchases and such benefits or rewards shall be considered part of the employee's salary and compensation.

7.07.2 Travel, Training, and Education Expenses 9.01 City's Training and Travel Policy outlines the City's policy of the expectations when traveling and having training paid by the City. In addition to those expectations and benefits received as part of 9.01, employees may receive training materials, training aids, devices, gifts, prizes, etc. Employees are allowed to personally keep such materials, provided to, or received by, attendees at the training, conferences, or courses paid for or reimbursed by the City as part of the employee's total salary and compensation.

7.07.3 Use of City Resources The use of City resources on a limited and occasional basis shall be considered part of the employee's total salary and compensation. Examples of such use may include photocopiers, printers, computers, tablets, phones or other technology, provided such use does not violate the City's acceptable use policy. Additionally, except for items such as portable information technology (i.e. laptop, iPad, etc.) such use of city resources shall not include taking items off City premises (i.e. this provision does not allow for taking tools or equipment home.)

7.07.4 City sponsored events The City sponsors community events such as the Wild Rogue Pro Rodeo, Battle of the Bones, and BOOM Fest. Gifts such as event tickets, special seating, prizes, etc. that are given from the event organizer to the City may be distributed by the City to employees and are considered part of the employee's official compensation package.

7.07.5 City Parks and Recreation discount City employees and their immediate family members living in the employee's household may receive a discount of 40% on all City recreation programs that are offered by the City of Central Point's Recreation Division and one free park gazebo reservation for two hours per family each calendar year. All class registrations and gazebo reservations are subject to availability and some restrictions. Gazebo reservations must be made no later than one week prior to use.

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7.07.6 Beverages Beverages such as coffee, tea, or hot chocolate provided at City Hall breakrooms consumed during the course of the workday is considered part of the employee's official compensation package.

7.07.7 Snacks The City will make snacks and other beverages available, for purchase, in most breakrooms at or near City cost. These snacks and beverages are for employee convenience and is considered part of the employee's official compensation package.

7.07.7 Misc. items. A manager may allow employees to take home items of minimal value that original purpose has been utilized and item is set to be discarded such as cardboard boxes that items were shipped to the City, used empty paint buckets, or left over food from City events that would otherwise be thrown away. Such items typically have little or no value and would normally be discarded.

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8.00 Other

8.01 Volunteers

This manual contains policies and procedures only and is not a contract.
City policies and procedures may be changed or discontinued at any time.

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8.01 Volunteers

The City of Central Point recognizes the valuable contribution volunteers provide to the City. Volunteers serve in a variety of capacities including sitting on boards, councils and commissions, performing necessary tasks to complement the paid workforce, and assisting with special events. This procedure is designed to provide guidelines that support participation and community involvement through volunteer opportunities with the City of Central Point.

8.01.1 Definition A volunteer is any person approved to donate their time and/or services to the City without pay or reimbursement for that time or services other than for approved incidental expenses where appropriate.

8.01.2 Eligibility Only those who meet the following criteria are eligible to serve as volunteers for the City of Central Point:

- Must be eighteen (18) years of age or older. However, depending on the nature of the volunteer assignment, children under the age of eighteen (18) may be approved to volunteer with the written permission of a parent or legal guardian.
- Has completed and submitted all required paperwork.
- Has successfully passed any criminal background check and/or reference check appropriate to the assignment.
- City employees may be allowed to volunteer service to the City provided the work is entirely at the employee´s initiative; the work is outside of normal or regular work hours; the work is performing religious, charitable or other community service without contemplation of payment; and the employee is performing a task outside of the regular job functions performed for the City. For example, a City Parks Maintenance employee cannot volunteer to mow City parks on a day off.
- Members of boards, commissions and committees shall be appointed pursuant to municipal code.

8.01.3 Not Considered Volunteers The following individuals are not considered volunteers:

- Inmate workers,
- Individuals performing court-ordered community service,
- Anyone who has not been officially appointed as a volunteer by an authorized representative of the City of Central Point,
- Students receiving college or high school hours or credits for work performed,
- City employees who are coordinating and/or supervising a volunteer effort as part of their job duties,
- Individuals providing service as participants of a civic group (i.e., Boy Scouts, Rotary, church group),
- Individuals participating in a school project,

8.01.4 Volunteer Opportunities The decision to involve the service of volunteers requires approval of the City Manager. The following considerations must be made prior to creating volunteer opportunities:

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- Volunteer jobs must be for the purpose of supplementing and supporting City staff, not to replace paid positions.
- Volunteer positions should be part-time in nature with flexible scheduling options and be of limited duration, or be for a specific event or series of events.
- Prior to embarking on a volunteer program, a paid staff member must be identified as the supervisor of the volunteers. This staff member will be responsible for ensuring all required paperwork is submitted, background and reference checks are completed, and volunteer hours are recorded.
- Volunteers for service on boards, commissions and committees shall be handled in accordance with City code.

Volunteer opportunities with the City include, but are not limited to, Parks and Recreation volunteers for 4th of July, Battle of the Bones, City special events and recreation programs; Volunteers in Police Service (VIPS); Police Explorers; Police Reserves; CERT Team; and various commissions and committees as provided for in City ordinances.

8.01.5 Recruitment Volunteers become involved in City programs in a variety of ways. Some may approach the City requesting to volunteer while others are solicited for individual events or ongoing programs. In any event, it is the responsibility of the City employee designated as the volunteer supervisor to recruit and screen volunteers.

Volunteers may be recruited through the use of website postings, newspaper advertising, flyers, word of mouth, or other means. The recruitment effort will normally be dependent on the nature and duration of the volunteer opportunity. Any solicitation or request for volunteers must be done in a non-discriminatory manner.

8.01.6 Selection The City of Central Point is responsible for ensuring the safety and security of staff, citizens and participants in community events, therefore, only those individuals who have satisfactorily met the selection criteria for the volunteer opportunity will be accepted in volunteer positions. No one shall be denied the opportunity to volunteer on the basis of race, color, religion, gender, age, national origin, status as an individual with a disability, or other protected status, in accordance with applicable state and federal employment opportunity laws.

At a minimum, no individual will be allowed to volunteer their time or services to the City if that individual has not completed all paperwork requested by the volunteer supervisor. Paperwork requirements may vary based on the nature of the volunteer opportunity.

All individuals volunteering to work with or around children or compromised adults will require a criminal background check and reference checks to exclude any individual(s) who pose a significant risk. Written documentation of reference and background check information shall be kept on file in Human Resources in accordance with records retention laws, and shall only be used for the purpose of approving or denying the volunteer service.

Individuals volunteering for any position or program associated with the Central Point Police Department shall be subject to a background investigation to the extent deemed appropriate by the Police Chief or designee.

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8.01.7 Documentation of Volunteer Hours Generally, each individual approved for volunteer service must complete and sign a volunteer agreement form. The volunteer supervisor will sign the form and forward it to Human Resources.

Each department is responsible for keeping a record of all volunteer hours for each individual volunteer including specific dates and times worked. Upon request, volunteer supervisors are to submit to Human Resources a record of all active volunteers for each month. Additionally, a record of volunteer hours including dates and times of all volunteer service is to be submitted to Payroll upon request.

Each volunteer supervisor will be responsible for evaluating the service of volunteers and the maintenance of such evaluation records.

8.01.8 Volunteer Responsibilities All City of Central Point volunteers are required to abide by all City personnel policies, department rules and regulations, state and federal laws and City codes.

8.01.9 Safety in the Workplace Volunteers are required to follow all City and department policies, procedures and rules. Departments are responsible for providing volunteers with safety guidelines for specific jobs and work locations. When personal protective equipment is required for the position, the volunteer must either provide his or her own or be properly equipped by the department and trained in the use of the equipment prior to engaging in any work requiring such equipment. Volunteers may only perform tasks requiring a valid license or certification if they currently possess the license or certification and proof of such is on file with Human Resources.

8.01.10 Accident Insurance Coverage Accident insurance may cover authorized City of Central Point Volunteers pursuant to the City's worker's compensation carrier's coverage provisions and passage of an annual resolution by the City Council to extend such coverage. Volunteers who are covered by other insurance through an organization or sponsor such as school, church, Boy Scouts, Rotary, etc. may not be covered by the City's worker's compensation insurance. Volunteers are required to abide by the City's accident/injury reporting procedures.

> **Worker's Compensation Coverage** – Designated volunteers who are properly recorded as volunteers in advance of service shall be covered by worker's compensation coverage. Coverage is subject to the requirements of the worker's compensation carrier. Volunteers covered by worker's compensation serve in an ongoing capacity such as the VIPS program, police Explorer or Reserve programs, or serve on the City Council or are duly appointed to a City committee or commission.
>
> **Accident Insurance Coverage** – Designated volunteers who are properly authorized in advance of service shall be covered by an accident policy provided by the City. Coverage is subject to the provisions of the accident policy. Volunteers covered by the accident policy serve at special events sponsored by the City such as Battle of the Bones, Community Christmas, etc.

8.01.11 Separation When an individual is no longer volunteering their time or services to the City, for whatever reason, the volunteer supervisor will make a notation on the monthly volunteer records indicating the last day of volunteer service. Any City property issued to or in the possession of the volunteer shall be returned to the City upon separation.

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Volunteers, like paid staff, may be dismissed or released from volunteer service. Volunteer supervisors shall be responsible for clearly communicating department or assignment expectations to volunteers and for documenting any problems that may arise and any corrective action taken. Volunteers may be dismissed for any reason, except that no volunteer will be dismissed on the basis of any protected status.

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9.00 Policies

9.01 Training and Travel Policy
9.02 Drug and Alcohol Testing Policy for Commercial Driver's License Holders
9.03 Purchasing Policy and Procedures
9.04 Purchasing Card Policy and Procedures
9.05 Information Security/Identity Theft Protection Policy

This manual contains policies and procedures only and is not a contract.
City policies and procedures may be changed or discontinued at any time.

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9.01 Training and Travel Policy

The purpose of this policy is to establish procedures for the proper expenditure of public funds, the authorization and approval of travel and related expenses and the required documentation and audit trail for all expenses. This policy applies to all employees and individuals traveling on behalf of the City. It is the policy of the City of Central Point to pay or reimburse for approved, actual and reasonable business-related expenses incurred by employees in the performance of assigned job responsibilities. Such expenses incurred must be pre-approved by the supervisor before reimbursement will be made. As public officials, City employees are expected to be prudent and responsible when spending public funds. To the extent any applicable collective bargaining agreement (CBA) conflicts with this policy, the CBA shall apply. Training that is eligible for the Education Reimbursement Program is not covered by this Policy.

9.01.1 Training/Meetings The City of Central Point may require or authorize employees to avail themselves of training and educational opportunities in support of their job functions, and such training and education may involve travel. The following guidelines apply with respect to registration, travel, lodging, meal and other approved expenses in connection with meetings, seminars, workshops, etc., attended by the employee at the request of, or with authorization of the department director or City Manager.

9.01.2 Attendance Employees are expected to take full advantage of learning opportunities for which the City has paid registration, travel, meals, or lodging costs, and/or the employee is being compensated for their time in attendance at the events. For non-exempt employees, social events such as evening receptions/mixers are not required and time spent attending these events is not compensable. Exempt employees are encouraged to attend these social events. Employees are to report to their department of their learning experience for the benefit and development of other staff.

9.01.3 Transportation Travel out of town may be by City vehicle, vehicle rental, personal vehicle, or public carrier. Public carrier is strongly encouraged for trips over 300 miles one way, when the use of a vehicle will result in substantial loss of City time, or when the public carrier is less expensive to the City than the use of a personal vehicle. If driving is selected for trips over 300 miles one way, the cost of a round trip ticket must be obtained and included with the Travel Authorization Form. The reimbursement is limited to the lesser cost of travel. Travel time should be a factor when making a determination on what mode of transportation to take. Air travel reservations must be made at least 14 days before departure, if this is not possible before making the reservation, the employee must inform their direct supervisor of the situation and get pre-approval before making the reservation.

Generally, any additional costs associated with employee preference in travel arrangements will not be paid by the City. To determine what is reimbursed for driving a vehicle, see 9.01.13 Vehicle Options & Reimbursement Schedule. Mileage reimbursement is considered reimbursement for all vehicle-related expenses including fuel, maintenance, oil and other fluids, storage, insurance, etc. Necessary parking expenses related to the business purpose of the trip, as opposed to personal preference or expediency shall be reimbursed separately, with proper documentation and authorization.

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Travel routes must be the most direct and normally traveled route, or by the least expensive itinerary. The routes and mileage will be determined by MapQuest, Google Maps, or equivalent program. If employees travel by an indirect route or more expensive route for personal reasons, the employee is responsible for any additional costs.

9.01.4 Voluntary/Involuntary Bumping An employee may not voluntarily elect to give up their seat for transportation while on a trip paid by the City. If an employee is involuntarily "bumped" on a flight or other transportation, the employee must receive the denied boarding compensation as a credit to their P-card or as check/cash. Employees may not receive travel vouchers as compensation from the carrier. Any compensation received by the employee must be turned over to the City. Employees may not keep such compensation. Employees who are "bumped" may use hotel and food vouchers provided by the airline. Employee may not seek reimbursement from the City for meals and/or hotel lodging that were provided by the airline. Unused food vouchers in excess of $50 and unused hotel vouchers are to be turned over to the City.

9.01.5 Registration/Lodging Necessary lodging arrangements and class registration/fee requests shall be submitted in accordance with approved department procedures. Registration fees and charges for reasonable hotel lodging at the single room rate will be paid by the City. If a spouse or others accompany an employee, the City will not be responsible for any additional registration and/or lodging costs.

9.01.6 Meals The City will pay reasonable* costs associated with meals and incidental expenses associated with attendance at authorized events/activities as a City of Central Point representative. Meals not associated with travel outside Jackson County or meals purchased in Jackson County prior to travel or after returning from travel outside Jackson County are treated the same as a normal workday's meal period and will not be paid or reimbursed.

For travel outside Jackson County, the first and last meals paid on departure and arrival day			
When leaving Jackson County	First meal paid for the day	Arrival back to Jackson County	Last meal paid for the day
Prior to 7:00 a.m.	Breakfast	Prior to 11:00 am	Breakfast
Between 7 a.m. and 2 p.m.	Lunch	Between 11 a.m. – and 6 p.m.	Lunch
After 2:00 p.m.	Dinner	After 6 p.m.	Dinner

When travel times are not strictly constrained, arrangements should be made to minimize costs to the City wherever possible.

The value of meals paid for by the City will be taxed in accordance with current IRS rules. Generally, meals paid in association with travel involving an overnight stay are not taxed; meals not associated with travel involving an overnight stay are taxed.

If meals are included in the cost of lodging (i.e. breakfast), as part of the conference, workshop, or seminar program attended, the meal shall not be compensated twice. Employees electing not to participate in such included meals shall be personally responsible for any additional meal expenses. No compensation will be offered in lieu of the meal not eaten.

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The City will not usually pay for meals of spouses/significant others unless the meal is associated with a City group function where the attendance of the employee is required and it is customary and expected* to bring a spouse/significant other.

The City will pay for reasonable costs* associated with meals in the course of the City business under the following circumstances:

- The meal is associated with travel requiring an overnight stay.
- The meal is consumed with one or more City officials, City representatives, or individuals in a business relationship with the City.
- The meal is part of an occasional departmental event approved in advance by the appropriate supervisor/director.
- The City will not pay for alcoholic beverages.

**If an employee is uncertain as to whether an expense is reasonable; whether a meal is covered and/or will be reimbursed; or whether a guest's meal is "associated" and reimbursable, the employee should broach this uncertainty with the event coordinator or activity representative at the time such uncertainty arises, and request prior approval from the City.*

Meal Costs This policy covers only meals actually purchased and consumed during travel authorized for work purposes, and is limited to authorized meals and amounts. City employees are expending public funds and therefore should be mindful of costs and use good judgment in making meal purchases. Authorized meals should be purchased using the City-issued purchasing card whenever possible. The following are guidelines for meal purchase amount limits: Breakfast $10.00, Lunch $13.00, Dinner $21.00. The total allowable amount for three meals in any one day will be the aggregate of $44.00. If an employee's approved travel involves more than one meal due to the actual length of the trip, the employee may spend up to the authorized combined total amount for those meals, at their discretion, as long as the total expense for the allowable meals does not exceed the aggregate amount allowed for those meals. The City realizes that some locales have higher costs associated with travel. The City will use the General Services Administration website https://gsa.gov/portal/category/104711 as a guide when approving meal allowances, on a case-by-case basis.

9.01.7 Paying for Travel Expenses When practical, a City purchase order or purchasing card shall be used to book travel arrangements and pay registration fees and meals. The City-issued purchasing card is not to be used to pay for personal expenses, alcohol, or additional costs associated with a spouse or others accompanying the employee. If travel plans include a spouse/others, or involves an additional excursion in conjunction with attendance at an authorized workshop or seminar, and it is more cost-effective and efficient to not use the purchasing card or a purchase order, the employee may request prior approval to make the arrangements and then submit a request for reimbursement upon return from the trip.

The City will pay for the cost of travel by employees to approved meetings, training and educational workshops and seminars, using mileage rates set forth in this policy for auto travel and/or actual coach class airfare for airline travel. Where appropriate, a spouse/others may accompany an employee to these events, but the City will not be responsible for any additional travel or lodging costs associated with or because of the spouse/significant other's travel.

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9.01.8 Proof of Expense Approved travel-related expense will be reimbursed when supported by itemized receipts or other acceptable proof of expenditures. Reimbursement requests and supporting documentation are to be submitted within 30 days following return from the trip. Approved travel-related expenses made on a City purchasing card will require receipts pursuant to the City's purchasing card procedures. An employee who fails to submit proper documentation risks forfeiture of reimbursement and may be required to reimburse the City for any expenses paid directly by the City. Meal receipts are to include the date of purchase, the business establishment's name and location, and an itemized list of purchases and costs. An employee purchasing meals for another or alcoholic drinks should request that the check be split and the employee submit receipts with only the employee's allowable meal purchase. If an employee requesting reimbursement using a receipt that includes non-reimbursable items, such as purchases for a spouse, purchase of alcohol, or purchases in excess of an approved amount must clearly identify the non-reimbursable items and only request reimbursement for reimbursable items. An employee shall not use a City purchasing card for any unauthorized purchases. See City's Purchasing Policy for details. Employees are to include the conference/meeting schedule with the reimbursement request.

9.01.9 Other Authorized expenses Authorized expenses include but are not limited to reasonable and necessary lodging, local transportation, and airline baggage fees. Employees may tip up to 20% of the cost of meals/transportation to servers and drivers. Tips above 20% and for other services shall not be reimbursed by the City.

9.01.10 Compensation for Travel Time Travel time shall be paid in accordance with state and federal law. For travel that keeps an employee away from home overnight, employees are considered on-duty while as the driver, attending training/meeting, or while traveling during their scheduled work hours for the workweek. For a one-day assignment to a location more than 30 miles from the employee's regular work site, all travel time is paid. An employee's normal "meal periods" are not considered as hours worked while traveling. Oregon BOLI website: http://www.oregon.gov/boli/TA/pages/t_faq_tatrav.aspx

In cases of an employee whose normal work shift is for 10 or 12 hours, a department may alter an employee's work schedule for any workweek in which training/meeting is scheduled to minimize overtime expenses for training and travel time, which is to be addressed prior to travel. The supervisor may approve flextime or payment of travel time outside the regular work hours for extenuating circumstances.

9.01.11 Additional information

- The City will never reimburse the cost of alcoholic beverages.
- Lodging after a conference/training/meeting will not be reimbursed, without prior written approval from the appropriate department director
- Generally, entertainment expenses are not paid for by the City, with the exception of entertainment included in the basic registration fee related to a conference.
- Travel awards such as frequent flyer miles, hotel/flight discounts, coupons, and credit card rebates are considered part of the employee's official compensation. However, travel vouchers due to voluntary/involuntary bumping are not part of an employee's official compensation, therefore employees are not allowed to accept them. Any denied boarding compensation paid to the employee due to "bumping" shall be turned over to the City.

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- Employees representing the City at City-paid functions are required to conduct themselves in a professional manner at all times.

9.01.12 Vacation in conjunction with City travel The City may approve an employee taking vacation in conjunction (before/after) with the City travel under the following conditions.

9.01.12.1 Expenses The employee is to document airfare, hotel costs, meals, and estimated travel time to show what the expenses would have been without the travel extension for the vacation. The employee cannot use the City P-card when the expenses to extend the trip are more than they would have been. (i.e. employee is flying to San Diego and would normally fly out on Tuesday morning and return on Friday evening, under normal circumstances. The cost for this roundtrip flight is $200. The employee wishes to add vacation time to the trip so the employee would fly out on Saturday and return on Saturday; the airfare is $270. The City would reimburse the airfare of $200 and the employee would not use the City's P-card for this purchase but would receive reimbursement when the employee returned from the training. (If the airfare were $180, the employee would use the City P-card for the purchase since the cost was less than $200)

9.01.12.2 Hotel Costs Using that example, the City would pay for the hotel stay for Tuesday – Thursday night. If there were an additional charge for more occupants in the room, the employee would need to pay the difference.

9.01.12.3 Meals Meals for the employee only, that were not provided by the hotel or included in the training, are eligible for reimbursement for Tuesday through Friday.

9.01.12.4 Travel Time Travel time is compensated as provided by Oregon state and federal law. Generally, employees traveling during their normal work hours would be compensated for travel. Travel time outside of normal work hours are not compensated unless the employee is the driver. To determine travel time, with approval of the supervisor, the employee would determine the approximate travel time, had the employee not taken vacation in conjunction with the trip. Vacation time would be taken for all other days missed. (In this example, Monday would be a vacation day)

Employees may use vacation time before or after the conference/meeting if approved by the direct supervisor. Vacation time is deemed to end at the time the employee would have traveled to the conference/meeting and to begin when the employee would have otherwise returned from the conference/meeting. The employee will pay additional expenses incurred because of the vacation.

9.01.13 Vehicle Options & Reimbursement Schedule

Vehicle Options & Reimbursement schedule			
Method of Travel	Gasoline/Mileage	Passengers	Insurance
Assigned City Vehicle	P-card should only be used for gasoline Mileage: No	None except for business necessity*; personal travel is not allowed	City

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City Vehicle Available; Employee uses Own Vehicle	Gasoline: No Mileage: City reimburses mileage at 75% of IRS rate	Passengers allowed. Personal travel allowed but City will not reimburse for personal mileage.	Personal insurance
City Vehicle Not Available; Employee Uses City-Rented Vehicle	City pays for vehicle rental; gasoline and collision damage waiver	None except for business necessity*; personal travel is not allowed	City
City Vehicle & Rental Not Available; Employee Uses own Vehicle	Gasoline: No Mileage: City reimburses at IRS rate	Passengers allowed. Personal travel allowed but City will not reimburse for personal mileage.	Personal Insurance
City Vehicle Not Available; Employee Rents Vehicle Personally	City reimburses for car rental at government rates and gasoline for business travel	Passengers allowed. City will not be charged for gasoline for personal use.	Personal Insurance
Order of Transportation request: City vehicle, vehicle rental, then personal vehicle. *Business necessity examples: • Two or more local government employees (including elected officials or employees of other local government units such as those of a county or local school district) car-pooling in a single vehicle to a training conference or meeting. • A City employee showing other government employees or prospective business developers City properties or development sites.			

NOTE: Any traffic citations, including parking tickets, are the sole responsibility of the employee and will <u>not</u> be reimbursed by the City. The City shall not be responsible for any damage to a personal vehicle.

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9.02 Drug and Alcohol Testing Policy for Commercial Driver's License Holders

All City employees are covered by the 5.03 Substance Abuse policy of the employee handbook. This policy is for the implementation of the Omnibus Transportation Employee Testing Act of 1991. The City is committed to providing and maintaining a safe and healthy work environment for its employees and a safe and dependable workforce for the public. The use of controlled substances and/or alcohol can adversely affect the ability to perform safely, and may constitute a threat to the health and safety of the public and other employees and the efficient operation of the City. Therefore, the City shall establish a work environment where its employees are free from the effects of controlled substances and/or alcohol.

It is the intent of this policy to achieve a controlled substance and alcohol free workforce in the interest of health and safety of employees and the public; to enhance worker productivity and safety; and to encourage employees to seek assistance and treatment for controlled substance and/or alcohol related problems before such problems affect performance and safety. The policy sets forth the City's intent to comply with the rules established by the Federal Highway Administration in 49 Code Federal Regulation (CFR) part 382, et seq: and to comply with the Drug Free Workplace Act of 1988.

The objectives of this policy are to:

- Maintain a safe, efficient, controlled substance- and alcohol- free work environment;
- Maintain the City's compliance with applicable Federal regulations; and
- Promote use of the City's Employee Assistance Program (EAP) for the help with problems related to controlled substances and alcohol.

9.02.1 Scope of Policy This policy applies to all employees who are required to hold or voluntarily hold, use a Commercial Driver's license (CDL), and/or perform safety-sensitive work as defined by 49 CFR 382.107 in the course of employment with the City.

Currently, these include, but are not limited to employees in the following job classifications:

Parks & Public Works Supervisor (CDL is voluntary)
Public Works Foreman (CDL is voluntary)
Public Works Senior Worker
Public Works Utility Worker
Parks Maintenance Worker
Parks Lead

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9.02.2 Prohibited Conduct

Alcohol Concentration: No employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.02 or greater.

Alcohol or Controlled Substance Possession: No employee shall be on duty or operate a commercial motorized vehicle while the employee possesses alcohol or a controlled substance, unless the alcohol or controlled substance is manifested and transported as part of a shipment.

On-Duty Alcohol Use: No employee shall use alcohol while performing safety-sensitive functions. Also, no employee who may, during the course of the workday, be assigned to perform safety-sensitive functions shall use alcohol during the workday.

Pre-Duty Alcohol Use: No employee shall perform safety sensitive functions within four hours after using alcohol.

On-Call Alcohol Use: An employee who is on-call shall not consume alcohol.

Controlled Substances (Drug) Use: No employee shall report to duty or remain on duty requiring the performance of safety-sensitive functions when the employee uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely operate a commercial motorized vehicle.

Controlled Substances Use Detection: No employee shall report to duty, remain on duty, or perform any safety-sensitive functions if the employee tests positive for controlled substances.

Alcohol or Controlled Substances Use Following an Accident: No employee involved in an accident which involves injury, property damage, or for which the employee receives a citation under State or local law for a moving traffic violation arising from the accident shall use alcohol for eight hours following the accident or until the employee undergoes a post-accident alcohol test, whichever occurs first.

No employee shall use any controlled substances for 32 hours following the accident or until the employee undergoes a post-accident controlled substances test, whichever occurs first.

9.02.3 Testing

Tests and Cutoff (Threshold) Concentration Levels: Controlled substance testing shall consist of a urinalysis for marijuana, cocaine, opiates, phencyclidine (PCP), amphetamines, and barbiturates. Alcohol testing will be performed by the use of breath alcohol testing methods. The threshold concentration levels shall be as permitted by law, as established with the City contracted testing facility.

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Pre-Employment Testing: All applicants for employment in safety-sensitive positions or individuals requesting to be transferred or promoted into safety-sensitive positions must submit to and pass urine testing for controlled substances.

Failure of a controlled substance test will disqualify an applicant for employment in or transfer to a safety-sensitive position. A verified positive result on a controlled substance test is considered to be a failure of the controlled substance test. Unless otherwise provided by law, an applicant who has failed a pre-employment controlled substance test will be ineligible for hire and will be ineligible to submit another application for employment with the City for a period of six months from the date of the test.

No current employee who has not been subject to this policy previously shall perform safety sensitive functions until the employee has been tested for controlled substances and received a negative controlled substances test result as verified by the Medical Review Officer.

Random Testing Requirements and Procedures: Employees covered by this Policy shall be placed in the pool for anonymous random selection by the City's Contractor. Each employee shall have an equal chance of being selected in each random selection event and will remain in the random selection pool even after being tested. For example, it is possible for some covered employees to be tested several times in one year, and other covered employees not to be tested for several years. The City shall conduct a reasonable number and type of tests per year necessary to meet the minimum federal requirements. As of the date of this Policy, the tests include urinalysis for marijuana, cocaine, opiates, phencyclidine (PCP), amphetamines, and barbiturates of at least 50 percent of the covered employees per year; and breath alcohol testing for alcohol concentrations of at least 25 percent of the covered employees per year. The results shall be reviewed by a Medical Review Officer. The Medical Review Officer will report each verified test result to the City and will notify each covered employee who has a verified positive test result.

Post-Accident Testing Requirements: An employee covered by this Policy who is involved in an accident (as defined in Part 382.303 of the Federal Regulation – human fatality regardless who is cited, employee cited when bodily injury with immediate medical treatment away from scene, employee cited when disabling damage to any motor vehicle requiring tow away) while performing his/her assigned duties shall be required to submit to a controlled substance testing as mandated by Federal Highway Administration rules. The employee shall remain readily available for testing unless there is a life-threatening occurrence requiring the employee to do otherwise.

Any covered employee involved in an accident must remain readily available for controlled substance and/or alcohol testing for up to eight hours after the accident. The covered employee is responsible for notifying the City of his or her location if he or she leaves the scene of the accident prior to submission to testing. Failure by the covered employee to remain readily available may be determined to be a refusal to submit to testing.

If the covered employee to be tested was injured in the accident, the requirement to test for controlled substances and alcohol should not delay necessary medical attention, but said testing

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could be administered simultaneously to the covered employee receiving necessary medical attention.

Reasonable Suspicion Testing: Testing may be required for reasonable suspicion when an employee is judged, based upon observations by one or more trained supervisors, that the employee's appearance, behavior, speech, or body odor give the supervisor(s) cause to believe that the employee may be in violation of the alcohol or controlled substance prohibitions of the City policy. Supervisor's observations will be reduced to writing as soon as reasonable after the tests are conducted.

Confirmation Testing and Employee Testing Options: The City shall perform a confirming breath alcohol test for alcohol concentrations immediately should the initial test indicate concentrations above 0.02. Cost of the second test shall be borne by the City.

Employees who question the validity of the controlled substance test may request, in writing, a split sample test within 72 hours of the results of the original test. Cost of the second test shall be borne by the employee.

Return to Duty after Specimen Collection: A covered employee who is required to submit to random or follow-up controlled substance testing may be returned to duty immediately following specimen collection. If the covered employee is also subject to random or follow-up alcohol testing, the covered employee's return to duty will be dependent upon the outcome of the breath alcohol testing.

A covered employee who is required to submit to a reasonable suspicion or post-accident controlled substance test will not be permitted to return to duty and will be placed on a paid leave pending the receipt by the City of a verified test result.

Reporting and Transportation to Collection Site: When a covered employee has been notified that he/she will be required to submit to reasonable suspicion, post-accident, or random selection controlled substance and/or alcohol testing, he/she must report immediately to the City's contracted collection site designated by the City. **Transportation to and from the collection site will be provided by the City or other authorized representative.** Employees selected for random selection may drive to collection site. The covered employee will not be permitted to use restroom facilities, consume beverages, or smoke/vape/chew until specimen collection is complete.

Refusal to Submit to a Required Alcohol or Controlled Substance Test: No employee shall refuse to submit to a post-accident alcohol or controlled substances test, a random alcohol or controlled substances test, a reasonable suspicion alcohol or controlled substances test, the initial controlled substances test, or a follow-up alcohol or controlled substances test required under 49 CFR 382 or this policy.

Inability to Provide Adequate Specimen: If the covered employee is unable to provide at least 45 ml of urine, the covered employee will be permitted to drink not more than 24 ounces of fluids during a period of up to two hours. If the covered employee is still unable to provide an adequate

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specimen in a three hour period, the testing will be discontinued, the City will be notified, and the Medical Review Officer designated by the City will refer the covered employee to a physician approved by the City for a medical evaluation to determine whether the covered employee's inability to provide a specimen is genuine or constitutes a refusal to submit to a controlled substance test.

If the covered employee attempts and fails to provide an adequate amount of breath for the breath alcohol test, the Contractor's technician will note this on the alcohol testing form and notify the City. The covered employee will be required to submit to a medical evaluation, by a physician of the City's choice, concerning the covered employee's medical ability to provide an adequate amount of breath. If no medical reason is determined, then the covered employee's inability to provide an adequate amount of breath will be considered to be a refusal to submit to a test.

Testing Costs: The City shall pay all costs for the implementation and administration of this controlled substance and alcohol testing policy as described herein; except those costs for employee requested additional testing or retesting shall be the responsibility of the employee.

9.02.4 Employee Consequences and Responsibilities

Voluntary Referral

Employees who admit to alcohol misuse or controlled substances use are not subject to the referral, evaluation and treatment requirements of CFR Part 40 rules, provided that:

- The employee does not self-identify in order to avoid testing under Part 40 rules;
- The employee makes the admission of alcohol misuse or controlled substances use prior to performing a safety sensitive function (e.g., prior to reporting for duty); and
- The employee does not perform a safety sensitive function until the City is satisfied that the employee has been evaluated and has successfully demonstrated compliance with any education or treatment requirements in accordance with the recommended treatment plan as established by the evaluator.

The City will take no adverse action against an employee making a voluntary admission of alcohol misuse or controlled substances use within the parameters of this policy. The City will allow the employee up to fourteen calendar days to complete the evaluation process. If the employee has failed to complete the evaluation within fourteen calendar days from the date of referral, it will be considered misconduct and the City will take disciplinary action up to and including discharge. Employees who have voluntarily admitted use are not qualified to perform safety sensitive functions and will be placed on medical leave (the employee shall use sick, vacation, or other leave available; if the employee has no leave available then the medical leave shall be unpaid) or assigned non-safety sensitive work duties if available or appropriate.

Employees voluntarily entering substance abuse treatment may apply for accommodations under the Americans with Disabilities Act (ADA) and Amendments Act (ADAAA) or paid/unpaid leave under the Family Medical Leave Act or Oregon Family Leave Act, if applicable.

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The employee will be allowed to return to safety sensitive duty when the evaluating counselor determines that the employee is in full compliance with the recommended education or treatment and has an established follow-up program in place. The employee will be required to take and pass a non-Department of Transportation return-to-duty drug and/or alcohol test prior to safety sensitive duty.

Any employee returned to duty following a voluntary admission may be required to consent to follow-up, non-Department of Transportation random testing at an interval and number established by the evaluating counselor. An Employee who returns to duty following voluntary admission shall be required to sign a last chance agreement with the employer.

If during the follow-up period, the employee fails to comply with the recommended treatment or fails a follow-up drug and/or alcohol test, it will be considered prohibited conduct under 49 CFR Part 40. The employee who has engaged in prohibited conduct will be required to comply with all applicable requirements under the Department of Transportation rules. Employees who have engaged in prohibited conduct are subject to immediate disciplinary action by the employer up to and including termination.

Test Refusal: Federal rules prohibit a covered employee from refusing to submit to required alcohol or control substance testing. Employees who refuse to submit to testing or who fail to cooperate with the requirements of this policy, or who obstruct, tamper with, or adulterate the testing process shall:

- Not be allowed to return to work until the required unobstructed, untampered, or unadulterated test or tests are taken;
- Immediately be placed on unpaid administrative leave for the remainder of his/her shift; and
- Be subject to discipline up to and including employment termination.

In no event shall an employee be allowed to return to work without submitting to such testing.

Test Results: An employee who tests positive for a controlled substance, or a 0.04 or greater concentration level of alcohol, or who otherwise engages in prohibited conduct, shall be:

- Placed on unpaid administrative leave for the remainder of his/her shift;
- Referred to the Substance Abuse Professional (SAP) for evaluation;
- Be advised of the resources available through the City's contracted EAP to evaluate and assist in resolving alcohol and/or controlled substance misuse or abuse; and
- Not be permitted to return to work until the employee undergoes a return-to-duty alcohol test with a result of less than 0.02 and/or a controlled substances test with a verified negative result.

An employee whose test results indicate an alcohol concentration level between 0.02 and 0.039, shall be ordered off the work site for at least 8 hours and placed on unpaid administrative leave for the remainder of his/her shift and may not drive a vehicle requiring a commercial driver's license for at least 24 hours following the test. A covered employee with a breath alcohol

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concentration level of 0.02 or greater will be provided transportation to his/her residence. If the covered employee insists on driving, law enforcement will be notified.

Required Treatment: In the event that a continuing covered employee is referred to treatment by a SAP, said covered employee will be required to satisfactorily complete an approved controlled substance or alcohol treatment program and aftercare as a condition of continuing employment.

Work absences for treatment purposes may qualify for available sick leave benefits and/or personal medical leave, provided the covered employee is following the prescribed treatment program. If sick leave and personal medical leave have been exhausted, the covered employee will be placed on a medical leave of absence without pay. Covered employees working under the agreement that they satisfactorily complete an approved program of controlled substance and/or alcohol dependency treatment, will be required to submit to follow-up controlled substance and/or alcohol dependency treatment, will be required to submit to follow-up controlled substance and/or alcohol testing to verify continued abstinence from controlled substances and/or alcohol for at least 12 but not more than 60 months. The frequency and duration of the follow-up testing will be recommended by the SAP, with a minimum of six tests during the first 12 months after the covered employee has returned to duty.

Return to Work Agreement: Covered employees who test positive on a controlled substance test, have a confirmed breath alcohol concentration level of 0.04 or greater, or who are referred to a controlled substance and/or alcohol treatment which requires them to be away from work, will be required to sign a return to work agreement prior to being permitted to return to his/her safety-sensitive position. The agreement may include, but is not limited to, the following requirements:

- A release to work statement from an approved treatment specialist
- A negative test for controlled substances and/or alcohol
- An agreement to follow-up testing
- A statement of expected work-related behaviors
- An agreement to follow specified aftercare requirements
- An expressed understanding that violation of the return to work agreement may result in discipline, up to and including termination of employment.

No employee shall be automatically entitled to a return to work agreement. Covered employees working under a return to work agreement must also follow all other City policies and procedures. The return to work agreement is not a guarantee of continued employment.
The City is not required to provide or pay for rehabilitation.

Other Testing: Follow up testing may be required by the treatment provider, SAP, or EAP, during any rehabilitation process. If an employee identified by the SAP as needing assistance in resolving alcohol and/or controlled substance abuse problems and who is returned to duty, the employee shall be subject to a minimum of six unannounced follow-up tests within twelve months. Employees seeking treatment shall have the right to choose their treatment provider based on the needs identified in the medical recommendations.

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Treatment and Counseling Costs: Employees who utilize the recommended treatment and counseling programs shall be responsible for the costs incurred, unless as covered in the City-provided health insurance and Employee Assistance Program (EAP).

Disciplinary Action: This section does not limit the City's options with regard to disciplinary action.

9.02.5 Drug & Alcohol Clearinghouse The United States Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA) established a secure on-line database that gives employers, FMSCA, State Driver Licensing Agencies, and State law enforcement personnel real-time information about CDL driver drug and alcohol program violations, thereby enhancing safety on the Nation's' roadways.

9.02.5.1 City Use The City is responsible to report drug and alcohol violations, check that no current or prospective employee is prohibited from performing safety-sensitive functions, such as operating a Commercial Motor Vehicle, due to a drug and alcohol program violation for which a driver has not successfully completed a Return-To-Duty process.

9.02.5.1.1 Reporting The City will report the following violations:

a. Report for duty/remain on duty for safety-sensitive function with alcohol concentration of 0.04 or greater or while using any drug specified in the regulations (Part 40), other than those prescribed by a licensed medical practitioner.

b. Alcohol use while preforming, or within four hours of performing, a safety-sensitive function.

c. Alcohol use within eight hours of an accident, or until post-accident test, whichever occurs first.

d. Refusing to submit to a required alcohol or drug test.

9.02.5.2 Employee Use The employee (CDL Driver) can view their own record, provide consent to current or prospective employers to access details about any drug and alcohol program violations, and select a Substance Abuse Professional, if needed.

9.02.6 General

Right to Inspection When the City has reasonable grounds to believe an employee is in improper possession of controlled substances or alcohol on City property, that employee may be requested to permit an inspection of his or her person, personal property, clothing, or personal vehicle. The City will have at least one witness present when conducting an inspection of an employee or an employee's personal property, clothing, or personal vehicle. Refusal to submit to such an inspection may result in discipline, up to and including termination of employment. The City reserves the right to search City property (i.e. desks, file cabinets, lockers, vehicles, equipment, etc.) at any time, including when this policy is violated.

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Prescription or Over-the-Counter Controlled Substances A covered employee may possess or use medically authorized prescription or over-the-counter controlled substances at work as long as the prescription or over-the-counter controlled substance does not have a disabling effect or otherwise affect the covered employee's fitness for duty or job performance. Covered employees must report the use of prescription or over-the-counter controlled substances which could have a disabling effect or otherwise adversely affect the employee's fitness for duty or job performance to their immediate supervisor. Failure to report the use of prescription or over-the-counter controlled substances which have disabling effects or otherwise affect the employee's fitness for duty while at work and failure to provide proper evidence of medical authorization to work may result in discipline, up to and including termination of employment.

Support of Controlled Substance and Alcohol Free Environment The City expects and requires the support of all covered employees in meeting its commitment to provide a controlled substance and alcohol free environment. Each employee who observes or has knowledge of a covered employee in a condition which impairs his/her ability to perform his/her job duties or who poses a serious hazard to the safety and welfare of others, has an assertive responsibility to report the information to his or her immediate supervisor, the employee's supervisor, or the City Manager.

Records Confidentiality The City shall maintain all testing records in a secure manner designed to prevent disclosure to unauthorized persons. Release of such testing records to a third party shall be in accordance with the employee's written request or as required or allowed by law or federal rules.

Training In accordance with 49 CFR 382.601 and .603, the City shall be responsible for training and informing all supervisors and employees about this program including objective methods of detecting controlled substance and alcohol abuse. The training shall be mandatory for all employees covered by this policy and their supervisors. Attendees shall be required to sign a statement of attendance.

Policy Administrator The City Manager or his/her designee shall have the responsibility to administer the policy. The Public Works Department shall be responsible for all liaison activities with the vendor of testing services or any Contractor who provides administrative services relative to the Federal rules. The Human Resources Director or assignee is the Designated Employer Representative (DER) who receives confidential test results and takes immediate action to remove employees from their safety-sensitive duties when they violate drug and alcohol testing rules.

Amendments This policy is subject to amendment from time to time as the need arises.

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9.03 Purchasing Policy and Procedures

9.03.1 Introduction This purchasing policy applies to all departments within the City of Central Point. This policy has been prepared to provide guidelines for personnel directly or indirectly involved in the purchasing function and to define objective, policies, and procedures which will contribute to a fiscally responsible procurement program.

Our purchasing system, not unlike any other city operation, centers upon economy and efficiency. Translated to the purchasing activity equates to: obtaining supplies, equipment, and services as economically as possible and to procure materials which are best suited to the specific needs of each department making the purchase. Needed materials should be in sufficient supply and ordered in quantities to last six months whenever possible.

9.03.2 Program Objectives

- To purchase items of optimum quality, at the best price and in the most efficient way possible
- To conform with State and other legal requirements
- To create a more efficient and reliable purchasing process
- To reduce the overhead cost of buying
- To reduce the volume and streamline the flow of paperwork
- To purchase all supplies and equipment required by any department within budgeted limits

9.03.3 Delegation of Purchasing Authority The authority for purchasing supplies and materials for the City belongs to the City Manager or designee appointed by the City Manager to exercise the authority of the Purchasing Agent. The Purchasing Agent is authorized to acquire quality materials, equipment, and services at the least cost to the City. Purchasing is exclusively limited to City/Government business.

Contracts for the construction of public improvements, real property purchases, wholesale electrical energy purchases, and employee benefit programs and acquisition of professional services (such as engineering and architectural consulting are not the responsibility of the Purchasing Agent, unless so directed by the City Manager.

9.03.4 Ethics Purchases are to be made for authorized City business only. The City may receive a discount on materials or services, but at no time is an employee to receive the same discount by using the City as the reason for purchasing. When making purchases ask yourself. "If this were personal business/money would I still be making this purchase?" According to Oregon Revised Statutes, any public official who expends public money in excess of the amounts, or for other or different purposes, than those authorized by law shall be civilly liable for the return of the money. Under no circumstances should a City of Central Point employee have an interest in a City of Central Point awarded contract.

9.03.5 Misuse of Purchasing Authority Splitting purchase orders to stay below established dollar limits is a flagrant misuse of purchasing authority and should be avoided.

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9.03.6 Definitions/Explanations

Payments A purchase order must be received by accounts payables to authorize the payment of an invoice for goods or services. Checks will be mailed directly to the vendor and will not be distributed to the originating departments. **If the check requires documentation to be sent with it, attach the documentation to the purchase order and note it in some form.** If a copy of the check is desired for department records it should be requested from accounts payable before the check is mailed. Copies of canceled checks are kept in the Finance Department.

Purchase Order A purchase order (PO) is a legally binding instrument which expresses the City's obligation on a contract of sale. The purchase order serves a variety of purposes. The most essential function is to inform a vendor that the City desires to purchase the items specified on the order. Other functions of the PO are to inform the accounting department of the purchase made and what account number should be used. The PO also acts as a checklist to ensure all goods are received. The purchase order is used for any monetary amount and is distributed as follows: Accounts Payable, Vendor Copy and Department.

The City will review small purchases on a three year basis to assure that materials such as tires, equipment parts, paper, etc., are purchased via the City bidding process.

Receiving/Packing Slips A packing slip is an inventory sheet of the supplies/materials shipped which is included with the shipped goods. The packing slip should be double checked immediately when the supplies/materials are received. Make any corrections on the packing slip, attach it to a copy of the appropriate purchase order or purchasing card statement and route it immediately to Accounts Payable.

Requisitions A requisition is a request for supplies/materials. It is the basis for developing and issuing a purchase order. The City will accept either of the following requisitions;

Formal Requisition Form— this form is prepared and assigned a number in the cities purchasing software. Copies are sent to the Purchasing Agent.

Electronic Mail—E-Mail requests will be accepted from authorized departmental personnel in the event they do not have access to the requisition module. The E-mail request should contain the following information: vendor (if known), requested delivery date, quantity, number or units, description, account number for each item, method of delivery, and point of delivery.

9.03.7 Purchasing Materials and Supplies

Less than $50 Petty cash is set up for *infrequent* payment of small amounts for small urgent supplies costing less than $50. Payment by check in such cases could result in unnecessary delay and expense. Petty cash may be used to reimburse individuals for City costs on amounts less than $50. Petty cash funds are replenished by the Finance Department as needed.

Purchases from $0 to $1000 When a department purchases supplies or materials for less than $1,000 the department has the option to either use the Purchasing Agent or order its own materials or supplies. It is recommended that departments complete these transactions

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themselves by using a city issued purchasing card. An employee can contact the vendor and place an order. The invoice must be mailed to accounts payable. Once the materials or supplies have been received, a copy of the receipt must be sent to accounts payable indicating that all materials/supplies have been received in good order and are available for use.

Purchases $1,000 to $2,500 A requisition is a request for supplies/materials. It is the basis for developing and issuing a purchase order. The requisition is written by the requesting department and serves as the department authorization for the expenditures. The requesting department shall submit requisitions for all single item purchases exceeding $1,000 to the Purchasing Agent. Requests must be submitted sufficiently in advance to allow proper purchasing and bidding procedures to be carried out.

Purchases $2,500 to $9,999 Single purchases costing more than $2,500 and no more than $9,999 require a requisition to be completed and sent to the Purchasing Agent. The agent will then request a quote from the vendors in writing.

Purchases $10,000 or more Purchases of $10,000 or more must have a formal bid and be authorized by the City Manager. Bids will be solicited by the Purchasing Agent or the City Contract Manager. The City will send the appropriate information and form to any potential bidder who requests it. Once the deadline for bid submissions has expired, the Purchasing Agent will award the bid to the lowest qualified bidder. Once the vendor has been selected, the purchase order must be signed by the City Manager and Purchasing Agent.

9.03.8 Contracts Initiated by Departments A contract is a written understanding between two or more persons, (agencies, companies, etc.) under which one person (the contractor) agrees to perform a service and the second person (the City) agrees to compensate that person for the service performed. Contracts are divided into several major categories as follows:

9.03.8.1 Professional Services Professional service contracts for the following are appointed annually through resolution and a Request for Proposal (RFP) every 3-5 years:

Attorney
Auditor
City Engineer
Judge

9.03.8.2 Any Personal Services Contract Personal services contracts in any amount may be awarded under a publicly advertised request for competitive sealed proposals.

Research for best vendor using written quotations, etc.
Prepare an approved contract
Send to Purchasing Agent for PO
Send to City Manager for signature if in excess of $10,000

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5.01.2.1 Personal Services Not Exceeding $150,000 Contracts for personal services for which the estimated contract price does not exceed $150,000 may be awarded using an informal solicitation for proposals. Level set to parallel the statutory threshold for informal solicitation of goods and services.

Research for best vendor using written quotations, etc.
Prepare an approved contract
Send to Purchasing Agent for PO
Send to City Manager for signature if in excess of $10,000

9.03.8.4 $75,000 Award from Qualified Pool Contracts for personal services for which the estimated contract price does not exceed $75,000 may be awarded by direct appointment without competition from a Qualified Pool.

9.03.8.5 Personal Service Contracts Not Exceeding $20,000 per Year Contracts for which the Solicitation Agent estimates that payments will not exceed $20,000 in any fiscal year or $150,000 over the full term, including optional renewals, may be awarded under any method deemed in the City of Central Point's best interest by the Solicitation Agent, including by direct appointment.

Research for best vendor using written quotations, etc.
Prepare an approved contract
Send to Purchasing Agent for PO
Send to City Manager for signature if in excess of $10,000.

9.03.8.6 Personal Service Contracts for Continuation of Work Contracts of not more than $150,000 for continuation of work by a contractor who performed preliminary studies, analysis or planning for the work under a prior contract may be awarded without competition if the prior contract was awarded under a competitive process and the Solicitation Agent determines that use of the original contractor will significantly reduce the costs of, or risks associated with, the work.

Prepare an approved contract
Send to Purchasing Agent for PO
Send to City Manager for signature if in excess of $10,000.

9.03.8.7 Hybrid Contracts The following classes of contracts include elements of construction of public improvements as well as personal services and may be awarded under a request for proposals, unless exempt from competitive solicitation.

9.03.8.7.1 Design/Build and CM/GC Contracts Contracts for the construction of public improvements using a design/build or construction manager/general contractor construction method shall be awarded under a request for proposals. The determination to construct a project using a design/build or construction manager/general contractor construction method must be approved by the City Councilor designee, upon application of the Solicitation Agent, in which the Solicitation Agent submits facts that support a finding that the construction of the improvement under the proposed method is likely to result in cost savings, higher quality, reduced errors, or other benefits to the City of Central Point.

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Prepare an approved contract
Send to Purchasing Agent for PO
Send to City Manager for signature if in excess of $10,000.

9.03.8.7.2 Energy Savings Performance Contracts Unless the contract qualifies for award under another classification, contractors for energy savings performance contracts shall be selected under a request for proposal in accordance with the City of Central Point's Public Contracting Regulations.

Prepare an approved contract
Send to Purchasing Agent for PO
Send to City Manager for signature if in excess of $10,000.

9.03.8.8 Contracts for Goods and Services

Any Procurement
The procurement of goods or services, or goods and services in any amount up to $150,000 may be made under either an invitation to bid or a request for proposals.
Prepare an approved contract
Send to Purchasing Agent for PO
Send to City Manager for signature if in excess of $10,000.

9.03.9 Emergency Purchases It is recognized that emergencies such as equipment and vehicle breakdowns and damage caused by storms cannot be anticipated. Emergency purchases may be made in these instances, but only if Departmental operation would be seriously impaired if immediate action were not taken. Emergency purchases may be made by either the user department or the Purchasing Agent.

9.03.9.1 Emergency purchases during business hours To initiate an emergency purchase the authorized employee shall contact the Purchasing Agent, report the nature of the emergency, and request a purchase order number. Under no circumstances are prior arrangements to be made with a vendor for materials or services, except for information, before a purchase order number is obtained. The department will then prepare and issue a requisition in the usual manner and send it to the Purchasing Agent with some form of communication stating the materials or services have been ordered. The purchase order will be attached to the requisition as a cross reference.

9.03.9.2 Emergency purchases during weekends, holidays or nights If an emergency should arise during a time when the Purchasing Agent is not available, the using department will follow the same procedure as above, except that a purchase order number will not be used at the time of the transaction. The sales ticket or invoice will be attached to the requisition and forwarded to the Purchasing Agent the following workday along with a memo describing the circumstances. A "confirming" purchase order will then be generated at that time

9.03.10 Disciplinary Action Any City employee or representative, who violates the provisions of this policy, shall be subject to disciplinary action up to and including termination.

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9.04 Purchasing Card Policy and Procedures

9.04.1 Purpose The Purpose of this directive is to set forth the City's policy as it relates to purchasing cards.

The provisions of this directive apply to all departments of the City of Central Point who authorize employees to use purchasing cards to purchase goods, services, travel costs or for specific expenditures incurred under conditions approved by this policy.

9.04.2 Program Objectives

- To promote operational efficiency in the procurement of goods and services for the City
- To provide a convenient source for funding for employees who travel on behalf of the City
- To supplement purchase orders, check requests and travel requests in accordance with the purchasing policy, travel policy, budget limitations and all other City ordinances and policies
- To ensure appropriate internal controls are established within each department procuring with purchasing cards
- To minimize the City's exposure to legal liability from inappropriate use of purchasing cards through training of card users
- To ensure that purchasing card services are obtained in a competitive manner

9.04.3 Department Authorization Department directors may elect to use purchasing cards subject to this policy if they desire. Department directors will determine whether or not cards will be issued to employees in their department. The City of Central Point and the user's name will appear on the face of each purchasing card. In the event purchasing cards are not used, all purchases will go through the requisition process.

9.04.4 Spending Limits Spending limits are as defined on the attached Purchasing Hierarchy

Department directors may establish lower limits for employees.

The total of a single purchase to be paid for using the card may be comprised of multiple items, however, may not exceed the authorized single invoice limit. Purchases will be denied if the total purchase price exceeds the single invoice limit. Payments for purchases are not to be split on multiple orders to stay with the single invoice limit. Splitting purchases to stay below established dollar limits is a flagrant misuse of purchasing authority and must be avoided.

9.04.5 Purchasing Card Use The purchasing card is to be used for City purchases only and any other use will be grounds for disciplinary action. **Under no circumstances may the card be used for personal expenses.**

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Use of the purchasing card must meet the following conditions: Purchasing cards may be used to purchase (1) items in stock from vendors necessary to continue the efficient operation of the City and deliverable within 30 days; (2) transportation, registration, lodging or meals for approved business purposes.

9.04.5.1 Travel Each person may be responsible for their own travel arrangements (flights, hotel, rental car, etc.) or you may request the Purchasing Agent to make your travel arrangements.

Travel per diem is still available. The check request must be submitted to Accounts Payable a minimum of two weeks before the check is needed. A copy of the event itinerary must be submitted with the request. ***Check requests will be returned without the event itinerary attached****.*

Purchasing cards may not be used in conjunction with purchase orders. Goods and services purchased through the use of a purchasing card will be paid on the purchasing card monthly billing, not a purchase order.

Employees are personally responsible for maintaining proper documentation. If an employee does not submit an itemized receipt for a meal the employee's request will be processed at the current per diem rate. If an employee does not submit an itemized receipt for non-meal expenditures, the employee will be required to reimburse the City. If for some extreme circumstance documentation is not available, the responsible employee must attach an explanation that includes a description of the item, date of purchase, merchant's name and why there is not supporting documentation. This documentation must be signed by the department director. A pattern of missing documentation may result in revocation of purchasing card privileges.

9.04.6 Card Restrictions The following list covers purchases for which purchasing card use are expressly prohibited:

- Personal Expenses (alcohol is a personal expense)
- Cash advances through bank teller or automated teller machines
- Purchase of items purchased centrally unless required for immediate needs
- Purchase of gasoline for personal vehicles
- Computer software and hardware, except as noted
- Capital items

9.04.7 Requests for Initial, Additional or Changes to Purchasing Cards All requests for new cards or changes to cards will require a completed request form. The form will be processed through the Finance Department, which will in turn forward the request to the purchasing card issuer. All requests for purchasing cards must be approved by the Department Director.

When the purchasing card is received, the Program Administrator will notify the cardholder and the cardholder will be required to sign for the purchasing card. The Program Administrator will provide orientation on the operation of the purchasing card program to each user.

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9.04.8 Payment and Invoice Procedures Each cardholder will receive a monthly purchasing card statement reflecting purchases made on their card directly from the card issuer. The cardholder will review the statement, attach copies of all itemized receipts received at the time of each purchase, any other appropriate documentation and will note any errors or discrepancies contained in the statement. Details of accounts to be charged must be attached to the front of the purchasing card statement, date and sign and forward to the Accounts Payable within 48 hours of receipt of the monthly statement. Non-compliance may result in denial of future purchasing card use. Departments are urged to assign personnel other than cardholders to be responsible for reviewing and assigning account codes prior to submission to the approving official. This will strengthen internal controls at the department level for ensuring proper purchasing card use.

It will be the responsibility of the cardholder to provide his/her departmental approving official with the itemized receipts for that month should travel or extended leave be scheduled at the time the statement is due and he/she will not be able to complete the statement. The approving official will complete a copy of the statement for the absent employee and the statement will be forwarded to Accounts Payable with the rest of the cardholders' statements.

Interest charges and late fees resulting from untimely submission of Statement of Accounts will be charged to the responsible department. Three (3) late submissions will result in card cancellation.

9.04.9 Approval Department heads are required to look at each cardholder's purchases and at the merchant who made the sale in order to determine if these items were for official use and if they were items allowed to be purchased in accordance with this policy and any departmental instructions provided. If for any reason the Department head questions the purchase(s), it is their responsibility to resolve the issue with the cardholder. If they cannot be satisfied that the purchase was necessary and for official use, then the cardholder must provide a credit voucher proving item(s) had been returned for credit, or a personal check for the full amount of that purchase. Resolution for improper use of the purchasing card will be the responsibility of the approving Department head.

9.04.10 Disputes If items purchased with the purchasing card are defective or the repair or services faulty, then the purchase of the item will be considered to be in dispute. It is the responsibility of the cardholder to resolve the disputed item.

It is essential that the time frames and documentation requirements established by the purchasing card issuer be followed to protect the cardholder's rights in dispute.

9.04.11 Lost or Stolen Purchasing Cards Should a purchasing card be lost or stolen it is the responsibility of the cardholder to immediately notify their Department head, the purchasing card issuer and the Program Administrator of the lost or stolen purchasing card. The Department head or their designee will be required to make a written report to the Finance Director within five (5) work days that will include the complete information on the loss, the date the loss was discovered, the location where the loss occurred (if known), the purchases that the cardholder had made prior to the loss and any other information relevant to the situation.

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9.04.12 Terminating/Transferring Employee Purchasing cards issued to individual employees must be collected and destroyed at the time the employee terminates employment. The Department head will be responsible to collect cards and deliver them to the Finance Director or Accountant. The Finance Department will contact the financial institution that issued the card that the card has been destroyed.

Should a cardholder be transferred within the City to another department it will be the new Department head who will determine if the cardholder retains his/her purchasing card.

In the event the Department head is unable to collect the purchasing card when an employee leaves, the Department head shall notify the Finance Director immediately by telephone and follow-up with a memo to take action to insure the purchasing card is voided.

9.04.13 Annual Inventory of Purchasing Cards On an annual basis, the Finance Department will provide a list of purchasing cards issued to employees for each department. Departments will conduct a physical inventory of purchasing cards and provide a report to the Finance Director of the results of the inventory. Physical inventory of the purchasing cards may take place more frequently if deemed necessary by the Finance Director.

9.04.14 Purchasing Card Services Purchasing card services will be obtained through a competitive selection process. Services should be evaluated every 3 to 5 years.

9.05 Information Security/Identity Theft Protection Policy

9.05.1 Goal of the Information Security/Identity Theft Policy The goal of the Information Security Program is to ensure that the confidentiality, integrity and availability of each piece of information owned by or entrusted to the City of Central Point is protected in a manner that is consistent with the value attributed, the risk the city is willing to accept and the cost the City is willing to pay, whether the information exists on printed media (forms, reports, Laserfiche, or publications) computers, the network, magnetic or optical storage media (flash drives, CD, diskette), physical storage environments (offices, filing cabinets, drawers).

9.05.2 Purpose In response to the passage of the Oregon Identity Theft Protection Act, the Federal Trade Commission's Red Flags Rule, and because the City of Central Point recognizes that, due to the nature of the services we perform, we may need to collect sensitive information about employees, customers, and contractors, and in order to minimize the potential risk for identity theft resulting from improper security of such information, this policy has been adopted to help protect employees, customers, and contractors, as well as the city, from damages related to loss or misuse of sensitive information. This policy will define sensitive information, discuss the physical security of data when it is printed on paper and the electronic security of data when stored and distributed.

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9.05.3 Scope This policy applies to all employees, contractors, consultants, temporary employees, interns, volunteers, or anyone working for or under the auspices of the City of Central Point, including all personnel affiliated with third parties.

All information gathered and maintained by employees for the purpose of conducting business is considered institutional information and each individual who uses, stores, processes, transfers, administers or maintains this information is responsible for, and will be held accountable for its appropriate use.

9.05.4 Definition of Sensitive Information Sensitive information includes but is not limited to, the following items, whether stored in electronic or printed format:

- Credit card information including credit card number (in whole or in part), expiration date, cardholder name and cardholder address
- Tax Identification Numbers including social security number, social insurance number, business identification number, employer identification number
- Payroll information including pay checks, pay stubs and individual employee pay rates
- Medical information including doctor names and claims, insurance claims, prescriptions, and any other personal medical information such as diagnosis, prognosis, and requests for health related leave
- Physical characteristics data used to authenticate identification during a financial transaction such as fingerprint, retina, or iris image
- Health insurance policy number or health insurance subscriber identification number in combination with any other unique identifier used by health insurers
- Personal information including first name or initial and last name combined with "any other information or combination of information that a person reasonably knows or should know would permit access to the consumer's financial account."
- Other personal information belonging to customers, employees, and contractors such as date of birth, address, phone numbers, maiden name, customer number, driver's license numbers, state identification card number, passport or other United States issued identification number, or financial, credit, or debit card number along with a security code or password that would allow someone to access that person's financial account
- Corporate information including company, employee, customer, vendor, supplier, confidential, proprietary information or trade secrets
- Proprietary and/or confidential information, including other things such as-business methods, customer utilization information, retention information, sales information, marketing and other company strategy, computer codes, screens, forms, information about or received from Central Point's current, former and prospective customers, sales associates or suppliers or any other non-public information. Proprietary and/or confidential information also includes the name and identity of any customer or vendor and the specifics of any relationship between them and the City of Central Point
- Any document marked "Confidential," "Sensitive," "Proprietary," or similarly labeled

Attachment: Policy Manual October 2020 (1321 : 2020 Personnel Policies & Procedures Manual)

Collection and use of any of the above pieces of information should be limited to situations where there is legitimate business need and no reasonable alternative. Managers must ensure their employees understand the need to safeguard this information, and that adequate procedures are in place to minimize this risk. Access to such information may only be granted to authorize individuals on a need to know basis.

9.05.5 Limitations on Sharing Personally Identifying Information All non-public information gathered and maintained by employees for the purpose of conducting business that personally identifies any living or deceased individual name(s) is considered "confidential" unless otherwise specified.

Some pieces of personally identifiable information are considered public information and may be shared such as: directory information, including name, office address and phone number and e-mail address. These can be made generally available over the city's website. Other public information may be released in response to reasonable requests.

9.05.6 Exchanging Information via E-Mail or Other Network Facilities Electronic mail (e-mail) may in some situations be considered an insecure mechanism for exchanging information. The privacy of information contained within e-mail messages can be exposed, especially when either the sender or any of the recipients utilize a wireless network connection. The use of mechanisms that exchange information in a readable form, such as "ftp," "chat" and "instant messaging," between computers also places confidential information at risk.

If information must be exchanged with an individual or entity using e-mail or any other network facility that transfers data, it must be encrypted using hardware or software based mechanism approved by the Information Technology (IT) Department.

All business-related e-mail containing "confidential" or "highly confidential" information sent to recipients must include a similar disclaimer:

> *"This electronic communication, including any attached documents, may contain confidential and/or legally privileged information that is intended only for use by the recipient(s) named above. If you have received this communication in error, please notify the sender immediately and delete the communication and any attachments."*

9.05.7 What is a "Red Flag" A "pattern, practice, or specific activity that indicates the possible existence of identity theft."

9.05.7.1 Identification of Red Flags In order to identify relevant Red Flags, the City of Central Point considers the types of accounts that it offers and maintains, the methods it provides to open its accounts, the methods it provides to access its accounts, and its previous experiences with Identity Theft. The following red flags have been identified in each of the listed categories:

A. Notifications and Warnings From Credit Reporting Agencies
Red Flags
1) Report of fraud accompanying a credit report

Attachment: Policy Manual October 2020 (1321 : 2020 Personnel Policies & Procedures Manual)

2) Notice or report from a credit agency of a credit freeze on a customer
3) Notice or report from a credit agency of an active duty alert for a customer
4) Indication from a credit report of activity that is inconsistent with a customer's usual pattern or activity

B. Suspicious Documents

Red Flags

1) Identification document or card that appears to be forged, altered or inauthentic
2) Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document
3) Other document with information that is not consistent with existing customer information (such as if a person's signature on a check appears forged)
4) Application for service that appears to have been altered or forged

C. Suspicious Personal Identifying Information

Red Flags

1) Identifying information presented that is inconsistent with other information the customer provides
2) Identifying information presented that is inconsistent with other sources of information
3) Identifying information presented that is the same as information shown on other applications that were found to be fraudulent
4) Identifying information presented that is consistent with fraudulent activity
5) Social security number presented that is the same as one given by another person
6) An address or phone number presented that is the same as that of another person
7) A person fails to provide complete personal identifying information on an application when reminded to do so
8) A person's identifying information is not consistent with the information that is on file

D. Suspicious Account Activity or Unusual Use of Account

Red Flags

1) Change of address for an account followed by a request to change the account holder's name
2) Payments stop on an otherwise consistently up-to-date account
3) Account used in a way that is not consistent with prior use
4) Mail sent to the account holder is repeatedly returned as undeliverable
5) Notice to the city that a customer is not receiving mail sent by the City of Central Point
6) Notice to the city that an account has unauthorized activity
7) Breach in the city's computer system security
8) Unauthorized access to or use of customer account information

E. Alerts from Others

Red Flags

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1) Notice to the City from a customer, identity theft victim, law enforcement or other person that it has opened or is maintaining a fraudulent account for a person engaged in Identity Theft

9.05.8 Discarding Information Physical documents containing information that has been classified as "confidential" must be shredded prior to being discarded.

Any computer hard drive or removable magnetic medium, such as a diskette, magnetic tape, zip disk, etc., that has been used to hold any kind of "confidential" or "highly confidential" information must be electronically "scrubbed" prior to being discarded or being transferred to any other device. On such media, the mere deletion of confidential data is not sufficient, as deleted information is still accessible to individuals possessing any of a number of available software tools. Any non-erasable medium, such as a CD, that has been used to hold any kind of "confidential" information must be physically destroyed before being discarded.

9.05.9 Subpoenas The full range of information collected on any living or deceased individual in hard copy or electronic form may be subpoenaed and entered into the public record of a court case. Appropriate discretion should be exercised in the drafting of any document that will be stored in any City of Central Point file.

9.05.10 Reporting of Security Breaches or Suspicious Activity Any member of staff who comes across any evidence of information being compromised or who detects any suspicious activity that could potentially expose, corrupt or destroy information must report such information immediately to his or her supervisor, Information Technology Director or Finance Director.

9.05.10.1 Notification of Security Breach The City will notify customers/employees that there has been a data security breach in the most expeditious manner possible, without unreasonable delay and not later than 45 days after discovering or being notified of the security breach.. Notification may be made in one of the following methods:

- Written notification
- Electronic notice - if this is the customary means of communication
- Telephone notice – direct contact must be made with the affected individual

9.05.10.2 Security Breach of more than 250 individuals The City will notify the Oregon Attorney General for breaches of more than 250 individuals

9.05.10.3 Exceptions to the notification requirement Notification is not required if either of the following is true:

- An investigation or consultation with a federal, state, or local law enforcement agency determines that there is no reasonable likelihood of harm to consumers. This determination must be made in writing and maintained for at least five years.
- The personal information was encrypted or made unreadable.

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9.05.10.4 Credit Reporting Agencies notification If the security breach affects more than 1,000 consumers, the City will report the timing, distribution and content to the three credit reporting agencies (TransUnion, Equifax, and Experian), without delay.

9.05.11 Awareness Prior to Obtaining Access to Confidential Information All employees, vendors, and contractors must review and sign the "Protection of Confidential Information Agreement" before being given access to confidential information contained within the City of Central Point's computer systems, network, and physical facilities.

9.05.12 Requirements for Information Technology Director The Information Technology Director is responsible for ensuring that specific data's requirements for confidentiality, integrity and availability are being satisfied within their environments. This includes the development of a cohesive architectural policy; product implementation and configuration standards, procedures and guidelines for administering network and system accounts, and access privileges in a manner that satisfies security requirements; and an effective strategy for protecting information against generic threats posed by computer hackers.

9.05.13 Potentially Applicable Laws As summarized below, a number of federal and state laws may also apply to information collected and maintained. Questions regarding the applicability of these laws and other potential legal issues should be directed to the appropriate legal counsel.

9.05.14 Computer Fraud and Abuse Act (CFAA) Enacted in 1984 (and revised in 1994), the CFAA criminalizes unauthorized access to a "protected computer" with the intent to defraud, obtain any information of value, or cause damage to the computer.
Under the CFAA, a "protected computer" is defined as a computer that is used in interstate or foreign commerce or communication or that is used by or for a financial institution or the government or a branch of the government of the United States. For example, the act of "hacking" into a secure web site from an out-of-state computer may violate the CFAA.

9.05.15 Electronic Communications Privacy Act (ECPA) Enacted in 1986, the ECPA broadly prohibits (and makes criminal) the unauthorized use or interception of the contents or substance of wire, oral or electronic communications. In addition, the ECPA prohibits unauthorized access to, or disclosure of, electronically stored communications or information. Such prohibitions may apply to employees who willfully exceed the scope of their duties or authorizations by accessing certain databases housed within the City of Central Point's system. The ECPA does not, however, prohibit the monitoring of network usage levels and patterns in order to ensure the proper functioning of its information systems.

9.05.16 Health Insurance Portability and Accountability Act (HIPAA) Enacted in 1996, HIPAA sets national privacy standards for the protection of certain types of health information to the extent such information is electronically transmitted by health plans, health care clearinghouses, and health care providers. The City of Central Point is subject to HIPAA as a provider of employee group health plans. Further information regarding compliance with HIPAA is available from the city's Human Resources/Risk Manager.

9.05.17 The Financial Services Modernization Act of 1999 (Also known as the Gramm-Leach-Bliley Act (GLBA) Enacted in 1999, the GLBA requires financial institutions to carefully protect customers' financial

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information. The city is a "financial institution" by virtue of our loan servicing (Local Improvement District) and therefore must comply with GLBA provisions. The GLBA has two relevant components: (1) "safeguarding" rules and (2) privacy rules. All personally identifiable financial information must be safeguarded against foreseeable risks of disclosure, intrusion and systems failure. More information is available on the Federal Trade Commission web site: http://www.ftc.gov/privacy/glbact/index.html.

9.05.18 State Laws In addition to the federal laws summarized above, there may be particular state laws that apply to the handling of confidential information. For example, state laws may govern the collection or use of information. Before establishing new practices with regard to the handling of confidential information, employees are encouraged to consult counsel in order to determine whether specific Oregon laws apply.

9.05.19 Subpoenas and Other Compulsory Requests Many of the federal and state laws described above create exceptions allowing for the disclosure of confidential information in order to comply with investigative subpoenas, court orders and other compulsory requests from law enforcement agencies. If in doubt about releasing information, contact legal counsel before taking any action.

9.05.20 Vendor Agreements When negotiating contracts with third party vendors, employees should consider whether such vendors require access to databases or to other filing systems containing confidential information. Agreements providing third party vendors with access to such information must ensure that the vendor is subject to obligations of confidentiality that will enable the city to comply with its own obligations under the applicable privacy laws. In addition, such vendors should be contractually obligated to implement data protection and security measures that are commensurate with city practices. By the same token employees must be careful not to disclose confidential information entrusted to their care by an outside party, especially when such information is governed by the terms of a confidentiality agreement or clause with that party.

Attachment: Policy Manual October 2020 (1321 : 2020 Personnel Policies & Procedures Manual)

Acknowledgment of Receipt

City of Central Point
Personnel Policy Manual revised October 2020

It is important that every employee of the City of Central Point be fully aware of the policies and procedures that govern their employment. Therefore, every employee shall receive a copy of the City's Personnel Policy Manual and shall have an opportunity to ask questions and receive clarification on any matters of confusion. In order to document that each employee has received a copy of the Personnel Policy Manual and has had the opportunity to ask questions and receive clarification on all matters, each employee must acknowledge receipt of the manual by signing this Acknowledgement of Receipt form. This form will be placed in the employee's personnel file and serve as prima facie evidence of knowledge or awareness of the policies herein.

My signature below acknowledges that:

1. I have received a copy of the City of Central Point Personnel Policy Manual revised October 2020.
2. I understand that I am responsible for becoming and remaining familiar with these policies, procedures, requirements, and other information contained or referenced in the manual.
3. I understand that an electronic copy of current policies will be maintained on the City's network and/or Intranet or other electronic system accessible and available to employees.
4. I understand that from time to time policies and procedures may be revised, added or deleted.
5. I understand that I will receive notification via "Citywide email" of any significant changes in the City's Personnel Policy Manual, that the changes will be posted to the electronic version of the manual, and that I am responsible for reviewing the policies and procedures on a regular basis.
6. I understand that the City of Central Point Personnel Policy Manual revised July 2020 supersedes all prior City Personnel Policies and Procedures and statements of the City of Central Point which conflict, or may conflict, with it.
7. I understand that department rules and regulations that do not conflict with the policies in this manual remain in effect.
8. I understand that **this manual is not a contract**; that the manual's statements of policies, procedures, requirements, or other information, or any representations made by any management representative at the time of hire or at any time during employment are not to be interpreted as a contract between the City of Central Point and any employee(s) unless expressly so stated, in writing, and signed by the City Manager.

_____ _____

Employee Signature **Date of Signature**

_____

Employee Name (Please print legibly)

Submit signed and dated acknowledgement to Human Resources

City of Central Point
Staff Report to Council

ISSUE SUMMARY

TO: City Council

DEPARTMENT: Human Resources

FROM: Elizabeth Simas, Human Resources Director

MEETING DATE: October 8, 2020

SUBJECT: Resolution No. _____, A Resolution Approving the July 1, 2020 - June 30, 2021 Revised Classification Pay Plan

ACTION REQUIRED:

RECOMMENDATION:

BACKGROUND/HISTORY:

The Council is asked to approve the Classification Pay Plan with any revisions from the prior approved plan. This proposed, revised pay plan reflects changes for all employee groups since the last pay plan approved by Council on May 14, 2020, and has an effective date as of July 1, 2020.

December 2010, the council adopted a Management Compensation Plan (MCP). The plan specifies that to maintain a competitive compensation plan that minimum and maximum salary bands will increase based on the US City Average CPI-U July to July effective January of the following year. In most cases, a change to the minimum or maximum salary does not change a manager's salary as increases are performance based. At a minimum, management salaries are to be reviewed at least every three years which was done for 2017 and the salaries were reviewed in 2020.

For the past three years, the salary schedule range increases to the Management Compensation Plan have been limited to the CPI-U not to exceed 2.5%. The salary schedule increase for 2018 was 1.7%; 2019 2.5% (CPI-U was 2.9%); and 2020 was 1.8%. The CPI-U July 2019 to July 2020 was 1%. The City has been working on a Citywide Pay Equity Analysis and found that the sworn Police Management salaries needed to be increased around 5% due to compression issues with the Police Bargaining Unit and pay equity of similar situated supervisory positions. The City also did a market salary survey with other local jurisdictions and although our salaries are fairly competitive and it could be justified to request greater increases to the salary bands, the financial impacts of COVID-19 are yet to be fully realized so we are proposing the salary band increases are limited to 1% except as outlined below in Part C.

The adjustments to the pay plan are to the salary range minimums and maximums, not to

individual salaries. Pay changes for management employees are tied to performance and limited to the parameters set by the Management Compensation Plan.

The following changes are being proposed to the Classification Pay Plan:

- **Part A of the pay plan (General Service Bargaining Unit**) - No changes.

- **Part B of the pay plan (Police Bargaining Unit**) - No changes.

- **Part C of the pay plan (management/non-represented)**

  - Sworn Police Management: Increase the Police Lieutenant band (P-I) to be equivalent to Band II Managers which is about a 5.2% increase, change the Police Captain Band (P-II) to be equivalent to the Director Band III which is about a 4.5% increase, and increase the Police Chief Band (P-III) by 5%.
  - Update the salary schedule by 1% to the minimum and maximums of the scales effective January 1, 2021. (The CPI-U for July 2019 - July 2020 was 1.0%.)
  - Due to transition of the Accountant/Finance Supervisor to Accountant which is a non-supervisory position, the City reduced the Pay Band by approximately 15% to reflect the reduction of responsibilities for this position.
  - Move part-time Workplace Safety Manager to full-time Safety & Risk Manager to Band I.
  - Increase the Salary Band "C" 2.75% for the Human Resources Assistant to be consistent with similarly situated administrative support staff in the other departments within the City.

The Council is asked to approve the 2020-2021 Classification Pay Plan with any revisions from the prior approved plan.

RECOMMENDATION:

Motion to approve Resolution_____, A Resolution 2020-2021 Revised Classification Pay Plan.

ATTACHMENTS:

1. 2020-2 Classification Pay Plan Resolution
2. 2020-2 Proposed Pay Plan
3. MCP 2021 Final

RESOLUTION NO. _____

A RESOLUTION APPROVING THE JULY 1, 2020 – June 30, 2021 REVISED CLASSIFICATION PAY PLAN AND MANAGEMENT COMPENSATION PLAN

RECITALS:

1. Chapter 2.48 of the Central Point Code authorizes and directs the City Council to approve rules relating to personnel matters.

2. Policy #3.06.2 of the Personnel Policies and Procedures provides that the Council shall, by resolution, adjust the salaries and rates of compensation and benefits for all City officers and employees. The City Council deems it to be in the best interest of the City to make revisions thereto.

The City of Central Point resolves as follows:

The Classification Pay Plan for bargaining unit and Management Compensation Plan, as attached, is hereby ratified and approved.

Passed by the Council and signed by me in authentication of its passage this _____ day of October, 2020.

_____
Mayor Hank Williams

ATTEST:

_____
City Recorder

Attachment: 2020-2 Classification Pay Plan Resolution [Revision 1] (1319 : 2020-2021 Revised Classification Pay Plan)

Classification Pay Plan Effective July 1, 2020 - June 30, 2021

Part A: General Service Bargaining Unit Positions (hourly) (monthly) **Schedule Effective 7/1/20**

Position#	Classification Title	Grade	Step A	Step B	Step C	Step D	Step E	Step F	Step G
	Grade 2-3	**GS2-3**	*16.76*	N/A					
122	Utility Laborer		**2,905**						
	Grade 2-3	**GS2-3**	*16.76*	*17.60*	*18.48*	*19.40*	*20.37*	*21.39*	*22.46*
100	Office Assistant		**2,905**	**3,051**	**3,203**	**3,363**	**3,531**	**3,708**	**3,893**
	Grade 4	**GS4**	*18.28*	*19.19*	*20.15*	*21.16*	*22.22*	*23.33*	*24.50*
101	Account Clerk: Finance/Public Works		**3,169**	**3,326**	**3,493**	**3,668**	**3,851**	**4,044**	**4,247**
102	Community Development Specialist								
103	Parks Maintenance Worker								
104	Recreation Specialist								
105	Utility Worker								
	Grade 5	**GS5**	*20.54*	*21.57*	*22.65*	*23.78*	*24.97*	*26.22*	*27.53*
106	Assistant Engineering Technician		**3,560**	**3,739**	**3,926**	**4,122**	**4,328**	**4,545**	**4,772**
107	Customer Service Technician								
108	Equipment Maintenance Technician								
109	Planning Technician								
110	Recreation Programs Coordinator								
111	Senior Utility Worker								
	Grade 6	**GS6**	*22.75*	*23.89*	*25.08*	*26.33*	*27.65*	*29.03*	*30.48*
112	Acctg/Business Services Coordinator		**3,943**	**4,141**	**4,347**	**4,564**	**4,793**	**5,032**	**5,283**
113	Parks Lead								
114	Recreation Coordinator: Special Events/Mktg								
123	Stormwater/Erosion Control Tech								
	Grade 7	**GS7**	*25.08*	*26.33*	*27.65*	*29.03*	*30.48*	*32.00*	*33.60*
115	Community Planner I		**4,347**	**4,564**	**4,793**	**5,032**	**5,283**	**5,547**	**5,824**
116	Foreman: Streets, Water								
117	Park Planner								
124	Facility Management Coordinator								
	Grade 8	**GS8**	*28.06*	*29.46*	*30.93*	*32.48*	*34.10*	*35.81*	*37.60*
118	Community Planner II		**4,864**	**5,106**	**5,361**	**5,630**	**5,911**	**6,207**	**6,517**
119	Construction Management Coordinator								
120	Environmental Services/GIS Coordinator								
121	Information Technology Specialist								
	Grade 9	**GS9**	*31.15*	*32.71*	*34.35*	*36.07*	*37.87*	*39.76*	*41.75*
	vacant		**5,399**	**5,670**	**5,954**	**6,252**	**6,564**	**6,892**	**7,237**

Part B: Police Bargaining Unit Positions **Schedule Effective 7/1/20**

Position#	Classification Title	Grade	Step A	Step B	Step C	Step D	Step E	Step F
200	Police Support Specialist	P110	3,490	3,665	3,848	4,040	4,242	4,454
201	Community Services Officer	P117	3,703	3,888	4,082	4,286	4,500	4,725
202	Police Officer	P145	4,747	4,984	5,233	5,495	5,770	6,059
203	Corporal	P150	5,250	5,513	5,789	6,078	6,382	6,701

Attachment: 2020-2 Proposed Pay Plan (1319 : 2020-2021 Revised Classification Pay Plan)

Classification Pay Plan Effective July 1, 2020 - June 30, 2021

Part C: Non-Bargaining Unit, Management Positions Schedule effective 1/1/20 - 12/31/20

Position#	Classification Title	Band	Minimum	—	Maximum
002	Human Resources Assistant (Part-time)	C	17.79	Hourly	23.84
003	Workplace Safety Manager (Part-time)	D	30.54	Hourly	40.72
500	Accountant/Finance Supervisor	I	5,479	Monthly	7,357
501	City Recorder	I	5,479	Monthly	7,357
502	Parks & Recreation Manager	I	5,479	Monthly	7,357
503	Parks & Public Works Supervisor	I	5,479	Monthly	7,357
507	Police Office Manager	I	5,479	Monthly	7,357
504	Parks & Public Works Operations Mgr	II	6,574	Monthly	8,504
505	Building Division Manager	II	6,574	Monthly	8,504
506	Principal Planner	II	6,574	Monthly	8,504
511-515	Department Director (CD, FIN, HR, IT, PPW)	III	6,940	Monthly	9,757
508	Police Lieutenant (non-exempt)	P-I	6,052	Monthly	8,087
509	Police Captain	P-II	7,252	Monthly	9,339
510	Police Chief	P-III	8,401	Monthly	10,696

Part C: Non-Bargaining Unit, Management Positions Schedule effective 1/1/21 - 12/31/21

Position#	Classification Title	Band	Minimum	—	Maximum
002	Human Resources Assistant (Part-time)	C	18.28	Hourly	24.50
516	Accountant (non-exempt)	I-NE	4,700	Monthly	6,465
500	Finance Supervisor	I	5,534	Monthly	7,431
501	City Recorder	I	5,534	Monthly	7,431
502	Parks & Recreation Manager	I	5,534	Monthly	7,431
503	Parks & Public Works Supervisor	I	5,534	Monthly	7,431
507	Police Office Manager	I	5,534	Monthly	7,431
517	Safety & Risk Manager	I	5,534	Monthly	7,431
508	Police Lieutenant (non-exempt)	P-I	6,640	Monthly	8,589
504	Parks & Public Works Operations Mgr	II	6,640	Monthly	8,589
505	Building Division Manager	II	6,640	Monthly	8,589
506	Principal Planner	II	6,640	Monthly	8,589
509	Police Captain	P-II	7,010	Monthly	9,855
511-515	Department Director (CD, FIN, HR, IT, PPW)	III	7,010	Monthly	9,855
510	Police Chief	P-III	8,905	Monthly	11,338

Approved_____ by Council, Resolution # ____

City of Central Point

Management Compensation Plan

Chris Clayton, City Manager

ADOPTED BY COUNCIL December 9, 2010
REVISED October 8, 2020
EFFECTIVE January 1, 2021

Attachment: MCP 2021 Final (1319 : 2020-2021 Revised Classification Pay Plan)

Attachment: MCP 2021 Final (1319 : 2020-2021 Revised Classification Pay Plan)

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Attachment: MCP 2021 Final (1319 : 2020-2021 Revised Classification Pay Plan)

This compensation plan is NOT A CONTRACT or bargained agreement. This plan and the salary and benefits outlined herein may be changed at any time with approval of the City Council.

INTRODUCTION

Our City

Central Point is a small town, with a population of just over 17,700, in beautiful southern Oregon. It borders a city of approximately 82,000 and smaller communities with populations of less than 8,000. Central Point is bisected by both a major interstate highway and a rail line. An international airport is within 2 miles. Local medical and educational facilities are excellent, including several hospitals, clinics, a community college and state university. The area enjoys warm summers and mild winters and, although it is 200 or more miles in any direction to a larger metropolitan area, Central Point has wonderful theater, musical, and indoor and outdoor recreational opportunities within minutes of driving time.

The City of Central Point is a full-service municipal organization with a council-manager form of government. Although the town has been incorporated for over 125 years, as recently as 15 years ago the population was less than half the current figure and, as the city grows, so grows the organization. It is currently in the growth phase of its organizational life cycle. In 2007, the City Council adopted the following mission as part of the City's strategic plan update. In 2017, the City Manager adopted the following vision, values, and expectations for our employees.

Our Mission

It is the Mission of the City of Central Point to build and maintain a highly livable community by working in harmony and being a catalyst for partnership with all the members of the community, public and private.

Vision Statement

A better experience for those living in, working in, or doing business with, the City of Central Point.

Statement of Values:

1. **Be Owners** – We own the work that is produced at the City of Central Point. To that end, we only allow quality products, documents and services to be delivered from our organization. Furthermore, when we fail to meet expectations, we accept responsibility, apply what we have learned, and move forward in a positive direction.

2. **Be Real** – Simply stated, be authentic/genuine in your communications with the public and with your colleagues.

3. **Be Bold** – Take appropriate risk and make compelling/constructive arguments; don't take unnecessary risks or be argumentative.

Attachment: MCP 2021 Final (1319 : 2020-2021 Revised Classification Pay Plan)

4. **Be Better** - Know your strengths and weaknesses and constantly seek ways to improve self, perspective, and performance. To "Be Better" requires being self-aware which promotes pluralism, allows us to be open to new ideas/solutions, and find long-term positive outcomes via our short-term failures.

Expectations:

1. **Embrace the concept and ideals of "public service."** The City of Central Point was incorporated in 1889 in order to serve the community and citizens. It is essential that those employed by, or volunteering for, the City of Central Point never lose sight of the fact that we exist to serve the Central Point community. The concept of commitment to the principles of civic duty should be at the heart of everything the City of Central Point does each and every day.

2. **Place an emphasis on excellent customer service.** It is essential that we serve the public in a courteous and professional manner. It is also important for the Central Point staff to be perceived as fair and equitable. Of course, as an organization we will not be able to say "yes" to every request or inquiry. However, in those instances when we must say "no," it is important to deliver this message in a professional manner and to constantly seek alternate solutions for the public.

3. **Maintain the highest ethical standards.** It is essential that the City of Central Point staff earn and maintain the trust and respect of the organization and community. Consequently, it is essential that the City of Central Point establish and maintain a positive culture that is based on honesty and integrity. Each and every member of the city organization should always lead by example. We do the right thing, for the right reason, regardless of circumstance.

4. **Value cooperation, teamwork coordination, and partnership.** It remains essential that the City's various departments and divisions work together to improve our community. The City of Central Point is an organization increasing in size and complexity. A primary component of our success depends on the willingness of every employee and volunteer to work in concert and have a unified organization mind-set.

   It is also essential for the Central Point management team to work with various stakeholders in the community and the community itself to solve the challenges and problems that face Central Point. The City of Central Point has earned the reputation as a "partner" to business, development and citizens, and we must do all we can to foster this well-deserved reputation.

5. **Hold ourselves accountable to the community for our actions.** It is appropriate to tout organizational accomplishments; however, it is also just as important to take responsibility for our failures and shortcomings, and work as a group to solve

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problems and minimize our shortcomings. This approach will help the entire organization earn the trust and respect of the community.

6. **Be innovative and results-oriented.** Each and every member of the Central Point staff should continuously seek out new strategies, ideas and solutions to improve the organization. The organization should continually strive for excellence and consistently question the "status quo."

7. **Genuinely listen and treat each other with respect.** The quality of our employees dictates how well the City of Central Point is able to serve the community. Therefore, it is essential that we value each other and provide support needed in order to be successful. In addition, it is important to empower each other via communication so our decisions are well informed. Finally, the City's management team and City's labor organizations must work well together and embrace common goals and objectives. If differences arise, we must solve them in a professional and productive manner.

8. **Maintain a strong financial position.** It is imperative Central Point staff manage fiscal resources in a responsible and conservative manner. The City of Central Point's taxpayer and ratepayers deserve nothing less than this level of care. Likewise, it is necessary for all employees to ensure that the City operates in an efficient and economical manner.

9. **Communicate very well, both within the organization and with the community**. It is essential that staff communicate in an honest and straightforward manner with each other and with the community as a whole. The City of Central Point should be candid and forthright, regardless if the news is positive or negative. It is also essential to maintain good lines of communication within the organization. We should actively listen to employees and follow up on ideas and suggestions. Finally, staff should always be open to new ideas, approaches, and solutions.

10. **Maintain a strong work ethic.** Regardless of circumstance, we should always do our best.

In summary, the City's mission is to create, maintain, and sustain livability of the community. As a City, we recognize that to provide the best service to our clients, the citizens of Central Point, we must seek to have a management team that shares the mission, vision, values, and expectations of the City. To that end, an aligned management compensation plan has been created to encourage current and future managers of the City of Central Point to work as a team to create a government organization that puts the needs and desires of the citizens of Central Point above their own preferences, and strive to provide the necessary services in the most efficient and effective manner possible.

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Section 1. The Management Team

1.1 Management Team

The City's Management Team is comprised of the Executive Management Team and First and Second Tier Managers and confidential employees. The Management Team's job duties include: governmental accounting; budget; records management; city governance; public safety and law enforcement; public works including street construction, water distribution, storm water and flood hazard management; land use and urban planning; parks maintenance and recreation programming; human resources management; risk management; information technology; and facilities management.

The City's Management Team is composed of professional employees who have years of experience working in their profession or in local government. At a minimum, most positions in the management team require a college degree or equivalent experience, training, and certification.

The jobs covered by this plan are professional-level positions that require specialized training, certification and/or extensive experience. These are professional people in key positions of responsibility; it is important for the City to recognize this and compensate them at a fair, professional level.

1.2 Executive Management Team members report directly to the City Manager and include the Finance Director, Community Development Director, Parks and Public Works Director, Human Resources Director, Police Chief, Information Technology Director, and City Recorder.

1.3 First Tier Managers report to a department director and include Police Captain, Parks and Recreation Manager, Public Works Operations Manager, Building Division Manager, Principal Planner, and Accountant/Finance Supervisor.

1.4 Second Tier Managers report to a first tier manager and include the Police Office Manager, Police Lieutenants, and Park/Public Works Supervisor.

1.5 Confidential Employee is an employee classified as a confidential employee under ORS 243.650.

1.6 Non-Covered Positions This Plan shall not cover anyone in a temporary position, in a position covered by a collective bargaining agreement, or anyone with an individual employment agreement.

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Section 2. Management Compensation Plan

2.1 Previous Strategy

At the time this plan was originally adopted in 2010, the management compensation strategy had not been reviewed in at least five years. It was basically an extension of the negotiated compensation for the two bargaining units, taking into consideration what other cities in the region were paying for management-level positions. There was no written pay strategy. When a position became vacant, the pay was reviewed at that time. The City prefers to promote current employees when possible and there is a written policy to this effect, but there was no established plan to address pay changes for promotional situations.

2.2 Management Compensation Plan – Strategic Purpose

The purpose of having a written management compensation plan is to develop a compensation strategy that is tied to the mission, vision, values, and expectations of the City of Central Point and the 2007 Strategic Plan. The compensation plan must be fair, legal, consistent, and understood by all. Having a written plan should eliminate, or at least reduce, the likelihood of inconsistencies, misunderstandings, and real or perceived discrimination.

2.3 Compensation Philosophy

This management compensation program is designed to provide adequate pay for all management employees. The goal of our total management compensation program is to foster and reward performance and dedication, while at the same time attracting suitable candidates, when needed, to fill vacancies.

2.3.1 Principles

- Management pay ranges will be determined, by using the market average for the appropriate labor market as a target. Individual pay within the range will be merit-based and performance-driven.
- Benefits will include adequate health insurance at a reasonable cost to employees, and other benefits that promote a comfortable, secure workforce and encourage dedication to the City.
- Additional perquisites will include deferred compensation, health reimbursement arrangements, paid time off, and other consideration as specified in this plan.
- Incentives may be offered as part of the performance-driven pay structure codified in this plan, provided the parameters of the plan are adhered to.

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2.3.2 Strategies

- Because the City of Central Point's success is dependent on capable and dedicated leaders, our compensation goals will strive to attract and retain individuals who share the mission and vision of the City.
- Our total compensation will be industry competitive and appeal to the type of professional employees we wish to attract and retain.
- We will adequately compensate all managers but we will reward those who go above and beyond in the furtherance of our mission.
- We will hold managers accountable for the duties and responsibilities of their positions. Regular and meaningful evaluations will be conducted to gauge accomplishments and assess deficiencies.
- We will endeavor to provide benefits that offer the most value to, and are appreciated by, our employees.
- We will promote dedication by providing growth and development opportunities to employees at all levels.
- We will strive to cultivate and promote future managers from within the organization whenever it is practical to do so.
- We will embrace an organizational culture that rewards excellent service to the citizens of Central Point.

This compensation plan is NOT A CONTRACT or bargained agreement. This plan and the salary and benefits outlined herein may be changed at any time with approval of the City Council.

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Section 3. Salary Ranges

3.1 Establishing Ranges

Each manager's pay will be established on a scale that includes a minimum and maximum range. Ranges will be proposed by the City Manager, with average salaries for comparable positions in comparable cities (as determined by a wage study of the appropriate labor market) being considered a "target" point. The market will be surveyed not less than every three years. Factors to be considered in determining the range for each position or position class should include:

- **Market Survey:** average minimum and maximum pay for comparable positions in comparable cities and cost of living changes
- **Scope of the position:** duties and responsibilities, authority, liability, number of employees supervised, size and complexity of budget administered
- **Total compensation value:** takes into consideration the comparability of total compensation and benefits

Pay bands will be established by grouping similar positions and pay ranges.

3.1.1 Changes to Salary Ranges

To attract and retain high quality professional employees, it is important to maintain a competitive compensation plan that incorporates current economic conditions. Beginning January 1, 2018, the minimum and maximum salary for each band will increase based on the U.S. City Average CPI-U July – July; not to exceed 2.5%. Changes to the salary schedule do not change a manager's salary unless the manager's salary is less than the minimum for the band; in such case, the manager's salary would increase to the minimum salary.

The salary range for each pay band may be adjusted by the City Manager not more than once in any 12-month period and, generally, any change in either the minimum or maximum of the range shall not be more than 10%. Any changes to the pay bands shall be brought to the City Council for approval in the form of a resolution setting forth the employee compensation plan.

3.2 Assigning Positions to Pay Bands

3. 2.1 New Positions

Any new management position shall be approved in accordance with City policy. New positions shall be assigned a pay band based on the recommendation of the Human Resources Director as supported by a market study described in Section 6 of this Plan and similarity with existing management positions. New management positions covered under this Plan shall be incorporated into the first revision of the Plan following approval of the position.

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3.2.2 Revised Positions/Job Changes

When a current management position covered under this Plan substantive changes in job duties, requirements or responsibilities, as delineated in an approved, written position description, the revised position shall be assessed. A market study of the revised position will be conducted and the position will be placed in the appropriate pay band and placement of the incumbent within the pay band's salary range will be done in accordance with 3.3 Individual Placement within Salary Ranges. A change in job title or job duties will not necessarily result in a change in pay band.

3.3 Individual Placement within Salary Ranges

Each manager's pay will be set within the approved salary range of the pay band for their position according to their qualifications, competencies, and the relative value of those qualifications and competencies to the position and to the City of Central Point, as determined by the City Manager. Factors to be considered in determining individual pay within the established range include, but are not limited to:

- **Competency:** demonstrated level of relevant knowledge, skills and abilities and training
- **Credentials:** formal education degrees and certifications
- **Experience:** job performance and relevant work history in comparable position(s)
- **Responsibility:** authority, liability, or other responsibility not already considered in establishing the range for the position
- **Performance:** performance of the duties and responsibilities of the position as documented in an annual performance evaluation
- Any **other relevant factor**(s) that warrant consideration

Placement on the salary range shall be at the discretion of the City Manager, except that such decision shall not be arbitrary or discriminatory.

3.3.1 Initial Placement upon Promotion

In the event an employee is promoted from a non-management position to a management position, the employee shall be placed on the salary range for the management position in accordance with this plan. Incentive pay received by a bargaining unit employee prior to promotion shall be considered in respect to competency, credentials, and experience, but shall not be continued as incentive pay, except as specifically allowed for under this plan.

3.4 Individual Pay Changes

The City Manager shall have the sole authority to approve changes in individual managers' pay, provided the change does not result in more than a 6% increase in any one calendar year, and provided the salary remains within the approved pay range. In the event the City Manager wishes to increase any managers' pay by more than 6%, the City Manager must consult with the Mayor and justify the reason(s) for the increase.

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In no case shall a change cause a manager's pay to fall outside of the approved salary range for that position's pay band. For example, if a manager is paid at the top of the approved salary range, he or she may not receive a pay increase until such time as the salary range is adjusted upward, substantive changes to the position warrant a change in pay bands, or other circumstances result in the decision of the city council to approve pay outside the approved salary range.

3.4.1 Market-driven pay changes When a salary survey conducted pursuant to this plan indicates that the pay range for positions in that pay band is significantly lower or higher than comparable positions in comparable cities, the pay range may be adjusted up or down accordingly. When the salary range for any individual position(s) within a band is significantly higher or lower than comparable positions in comparable cities, and other positions in the same pay band, the City Manager may propose moving a position from one pay band to another.

3.4.2 Performance-driven pay Individual salary changes will be based on the outcome of a bi-annual performance evaluation or goal setting session. To qualify for any performance-driven pay increase, the manager's final, bi-annual performance evaluation must, at a minimum, be "fully satisfactory" or from the outcome of the goal setting session. However, receiving satisfactory ratings alone shall not be an automatic basis for a pay increase. In the event a manager's performance falls below average or "need improvement," the City Manager may reduce the manager's pay. The City Manager shall be the sole grantor of pay changes for all managers, but the recommendation of the department director shall be considered prior to the City Manager making any pay changes for first or second tier managers. All performance-driven changes in pay must be specified in writing via the Personnel Action Form (PAF).

3.4.3 Timing Prior to January 1 each year, or following the completion of performance evaluations or goal setting sessions, whichever is later, the City Manager shall determine the amount of pay change, if any, to be made for each manager for the following calendar year. If performance evaluations or goal setting sessions are not completed prior to January 1, the City Manager may, in his or her judgment, opt to make pay changes retroactive to January 1 for some or all managers.

3.5 FLSA Exemption/Overtime

Positions covered by this plan that are exempt under the Fair Labor Standards Act are not subject to, or eligible for, overtime compensation for hours worked in excess of 40 in a week or any specific amount in a given day. Exempt managers are paid on a monthly salary basis to perform the duties of their position and are not required, nor expected, to keep track of the number of hours they work except as noted in Section 5.4.5 Recordkeeping. However, it is expected that exempt managers will work sufficient hours to complete their job duties in a timely manner and that they will generally be available during working hours. Additionally, managers are expected to attend meetings, conferences and other functions appropriate to their work assignment, which may fall outside the typical "Monday through Friday, 8 to 5" schedule.

Non-exempt positions covered under this plan are eligible for overtime in accordance with the Fair Labor Standards Act and state law for hours actually worked in excess of 40 in a workweek. Non-exempt managers must submit an approved timesheet accounting for all hours worked. A non-exempt employee may elect to receive compensatory time (comp-time) in lieu of overtime pay as the

form of compensation for any approved overtime worked. Comp-time shall accrue at a rate of 1-1/2 the overtime hours actually worked with accrual balances reflecting the number of hours available to the employee. Compensatory time may be accumulated to a maximum of 80 hours. At the end of the fiscal or calendar year, comp-time balances may be paid off, at the City's option, at the employee's straight-time hourly rate.

3.6 Appealing Pay Decisions

If a manager believes that he or she is not paid fairly, he or she may challenge the City Manager's decision to increase, decrease, or make no change to the Manager's pay. Any challenge must be made, in writing, to the City Manager within 15 calendar days after notification of any decision about pay. The written challenge must contain the specific amount of pay the manager believes he or she should receive, and a clear explanation of why the manager believes the City Manager's decision is unjust. The City Manager shall review the challenge and meet with the manager regarding the appeal before making a final decision. The City Manager's decision shall be final.

If a manager believes any decision is discriminatory based on race, color, gender, age, national origin, religion, sexual orientation, or other protected class, they should notify the Human Resources Director.

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Section 4. Performance Evaluation

4.1 Bi-Annual Evaluation and Goal Setting Sessions

The performance of all managers covered by this plan shall be evaluated at least bi-annually. Any performance-driven pay changes will be based on the outcome of an annual evaluation of the managers' overall job performance or based on the goal setting session. The City Manager, or department director, in the case of a first or second tier manager, will take into consideration the manager's self-evaluation as well as peer and/or staff evaluations in preparing the final performance evaluation. The results of the final evaluation must support any performance-driven pay change.

4.2 Self Evaluation

The annual self-evaluation is an opportunity for the manager to expound on his or her goals and accomplishments during the evaluation period. The evaluator (City Manager or department director) will review the self-evaluation prior to evaluating the manager. The self-evaluation is to be completed and submitted to the evaluator on or before the date set by the evaluator, except that the manager shall be afforded not less than two weeks to complete and submit the self-evaluation.

Goal Setting and Attainment: The self-evaluation will focus on goal setting and attainment, professional development, and overall contribution to the organization, and include, as an example, such information as:

- Has the manager set and attained departmental and professional development goals, and do these goals serve to further the city's' strategic plan or City Mission and Values?
- Has the manager kept up with the latest issues in their profession?
- How has the manager contributed to the overall success of the organization?
- How does the manager perceive his or her peers and subordinates to view the manager's contribution to the organization/job performance?
- A list of accomplishments for the year should be provided

4.3 Peer and Staff Evaluation

The peer and staff evaluations will be conducted bi-annually prior to the bi-annual performance evaluation and will focus on cooperation and teamwork, integrity and respect, leadership, supervision, policy application, communication, responsiveness and the manager's impact on the organization as perceived by peers, subordinates and others.

Like the self-evaluation, the peer and staff evaluation results will not be used independently in the final evaluation, but rather, will be provided to the manager for use in the self-evaluation and to the City Manager/department director for incorporation into the final evaluation.

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4.4 Final Performance Evaluation

The City Manager's evaluation, or department director's evaluation with the City Manager's approval, will be the final, official performance evaluation and will be the instrument used to substantiate any performance-driven pay changes. The final evaluation will be based on the City Manager's or department director's own assessment of the manager's job performance, taking into consideration the self-evaluation and peer and/or staff evaluation. The City Manager shall consult with the department director regarding all first and second tier manager evaluations and the department director shall defend his or her assessment of the manager's performance and final evaluation rating(s) *prior* to the department director meeting with the manager about the evaluation. The City Manager's signature on a Personnel Action Form approving a performance-based pay change shall serve as evidence of the City Manager's concurrence with the department director's evaluation of a first or second tier manager.

4.5 Evaluation Factors

The evaluation factors used for the final performance evaluation will include the following, or variations thereof at the City Manager's discretion:

a. Job Knowledge and Job Performance

How well has the manager demonstrated the knowledge, skills and abilities required to accomplish the assigned tasks and goals of their job?

b. Integrity, Respect and Ethics

How dependable is this manager in respect to honesty, follow through, fairness, accountability, respecting others, ethical standards, and adhering to City policies and collective bargaining agreements?

c. Performance Management/Supervision and Administrative Duties

How well does this manager manage the personnel aspect of his or her department? Are personnel matters dealt with appropriately and in a timely manner? Are meaningful and timely performance evaluations completed? Does the department head hold supervisors accountable? Is proper documentation maintained? Are timesheets turned in on time and correctly? Does this manager adequately account for his or her time?

d. Leadership and Goals (city, department, professional)

How well has this manager furthered the mission of the city and vision, values, goals and expectations of the organization, set and attained department goals, and set and attained professional goals? How do this manager's peers and staff feel about his or her leadership ability and contribution to the organization?

e. Commitment to Organization/Teamwork

How well does this manager demonstrate a commitment to the organization and to teamwork, focusing on the whole organization as opposed to a department first focus?

f. Commitment to Safety and Limiting Liability to the City

How committed is this manager to employee and citizen safety as evidenced by training, type and frequency of injuries or incidents relative to the position/department? Do they give effort and commitment to reducing liability for the city, including following and applying policies and leading by example?

g. Communication

Does this manager effectively communicate with others? Are his or her interactions effective and appropriate? Are they responsive to staff and coworkers? Does he or she provide timely information; maintain cooperative business relationships; and is communication respectful, courteous and focused on the issue at hand?

h. Problem Solving and Judgment

How effectively and efficiently does the manager contribute to solving problems encountered by the organization as the organization works toward accomplishing its goals?

i. Attitude, Motivation and Work Ethic

How does this manager's attitude, motivation and work ethic impact their job performance and overall contribution to the success of the city?

j. Overall

Overall, how well does this manager perform, taking into consideration the performance of the various duties and responsibilities of his or her job; their attendance as it relates to availability, participation and reliability; and their general conduct with respect to honesty, integrity, accountability, dependability, trust, teamwork and respect?

4.6 Evaluation Ratings

The factors used in the determination of performance will be rated on a scale such as 3 = exceeds expectations, 2 = fully satisfactory, 1 = below average, and 0 = unacceptable. Each evaluation rating shall be supported by comments provided in the evaluation document. The final evaluation shall take into consideration the self-evaluation, peer and staff evaluation, department director's assessment for first and second tier managers, and City Manager's assessment, as well as any other source of input the City Manager deems appropriate to make the assessment. The City Manager may revise the evaluation criteria, provided that any substantive change in evaluation criteria be communicated to the managers.

Managers should have completed evaluations of their own subordinate employees prior to their own evaluation being done.

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4.7 Timeline

Performance evaluations or goal setting sessions for managers are to be completed prior to December 31st.

4.8 Unsatisfactory Performance

In addition to being subject to a potential performance-driven pay decrease that year, any manager who receives a rating of below average or unacceptable in *any* factor on the final evaluation may be placed on a work plan for the purpose of improving performance. A work plan will normally be in the form of a written plan but, depending on circumstances, may be in the form of a documented verbal discussion at the time of the evaluation meeting. Except when circumstances warrant, a performance review will be scheduled not less than 45 days and not more than 180 days after receipt of the work plan, at which time the manager's performance will be re-assessed. If improvement has been made, the manager may be deemed to have satisfactory performance, or a subsequent re-evaluation may be scheduled. Every effort will be made to assist the manager in making the necessary improvement to successfully perform the job duties. However, if the manager fails to improve after being given adequate time and resources for improvement, the manager may be subject to disciplinary action, up to and including termination.

4.9 Appealing Performance Evaluations

The criterion established for performance evaluations is intentionally rigorous and designed to identify those who perform at, above, or below expectations. If a manager believes that he or she was not rated fairly in the evaluation, he or she may challenge the City Manager's decision. Any challenge must be made, in writing, to the City Manager within 15 calendar days after receipt of the performance evaluation. The written challenge must contain the specific evaluation factor(s) being challenged and a clear explanation of why the manager believes the City Manager's evaluation is unjust. The City Manager shall review the challenge and meet with the manager regarding the appeal before making a final decision. The City Manager's decision shall be final.

If a manager believes any decision is discriminatory based on race, color, gender, age, national origin, religion, sexual orientation, or other protected class, they should notify the Human Resources Director.

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Section 5. Total Compensation Package

5.1 Salaries

Salaries are determined by the position, individual qualifications, performance, and market comparison. The City Manager proposes the salary range for each pay band and determines which pay band positions or position classes will be assigned. The City Council shall approve the salary ranges and pay bands as part of the classification pay plan. All managers will receive pay in the form of monthly salary, which will be within the approved minimum and maximum set for the pay band.

In addition to the pay outlined in Section 3 of this Plan, the total management compensation package will consist of other benefits as detailed below for all positions listed in Appendix A.

5.2 Additional Compensation

5.2.1 Health Reimbursement Arrangement The City has adopted the HRA VEBA standard plan offered and administered by the Voluntary Employee's Beneficiary Association Trust for Public Employees in the Northwest. The standard plan shall be integrated with the City's group medical plan and the City shall remit contributions only on behalf of eligible employees who are enrolled in or covered by the City's group medical plan. The City will contribute semi-monthly to an established HRA VEBA account for each manager covered under this compensation plan who is also enrolled in or covered by the City's group health insurance plan. Eligible employees must submit a completed and signed enrollment form to become an eligible participant and become eligible for benefits under the plan.

Contributions on behalf of each eligible manager shall be based on direct employer contributions. The amount of contribution to the HRA, until changed by way of adoption of revisions to this Plan, shall be $72.50 each pay period worked, contributed on a semi-monthly basis on behalf of eligible full-time managers. Part-time managers are eligible for a prorated contribution based on FTE if they are an active participant in the City's group health insurance plan.

5.2.2 Retirement: PERS The City will pay both the employer's and employee's contribution to the Oregon Public Employee Retirement System.

5.2.3 Deferred Compensation Managers will be allowed to take advantage of any "457" deferred compensation program offered by the City by having any or all monetary compensation contributed to such account(s), subject to I.R.S. rules.

At the sole discretion of the City, the City may elect to implement any configuration of tax deferral, retirement, or "money purchase" plan and make contributions to such plans as an optional method of compensation. For example, in any given year, the City may elect to give pay increases in the form of a 457 or 401a contribution, or a contribution match of up to the maximum of 6%. Any option to make a contribution to such program(s) as a method of providing a pay increase will normally apply to all employees in a given group (executive team, Tier 1, Tier 2) covered under this Management Compensation Plan (not made on an individual basis). Any option to make matching

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contributions will require the manager to contribute to an account. Options described in this section may be used in lieu of, or in combination with, traditional salary increases. Managers understand that any matching contributions will be contingent upon the manager contributing at least the amount of the match to their account and that the amount of total compensation received might be decreased if the manager does not contribute at least the amount of the proposed match.

5.2.4 Sign on Bonus At the sole discretion of the City Manager, a one-time sign on bonus of up to $7,500 may be offered at the time of recruitment for any management position. The decision to offer a sign on bonus shall normally be driven by difficulty in recruiting qualified applicants for a position, and industry expectations. The amount of the sign on bonus shall be at the discretion of the City Manager, except that the Human Resources Director shall be consulted.

In the event a manager receives a sign on bonus and subsequently resigns from the position within two years of receiving the bonus, the bonus benefit amount shall be refunded to the City on a prorated basis as follows:

Less than 6 months of service	100% refunded to city
6 months to 1 year of service	75% refunded to the city
1 year to 2 years of service	50% refunded to the city

The manager will be required to sign a sign on bonus agreement stipulating to this reimbursement arrangement as a condition of employment. Under certain circumstances, the City Manager may elect to not institute the reimbursement provision of this section of the Plan.

5.2.5 Relocation Assistance At the sole discretion of the City Manager, relocation assistance may be negotiated during the job offer phase of hiring a new manager from out of the area. Only those individuals who meet the following criteria shall be eligible to negotiate relocation assistance: 1) must be relocating from more than 50 miles away, 2) must be relocating to at least within 50 miles of Central Point, and 3) must be relocating a distance of at least 50 miles. Up to $5,000 relocation assistance may be offered to an individual who relocates to within the city limits or Urban Growth Boundary (UGB) of Central Point. A new manager relocating to an area outside of the Central Point city limits or UGB may be offered a maximum of $2,500. In the event a manager negotiates relocation assistance and subsequently resigns from the position or is terminated for cause within two years of receiving the assistance, the assistance benefit amount shall be refunded to the city on a prorated basis as follows:

Less than 6 months of service	100% refunded to city
6 months to 1 year of service	75% refunded to the city
1 year to 2 years of service	50% refunded to the city

Refunding of relocation assistance shall apply only in the event of a voluntary resignation or termination for cause. Additionally, if relocation assistance is provided to relocate within the Central Point city limits or UBG and, within 2 years, the manager subsequently moves from the City limits or UGB but remains in their management position, any amount of relocation assistance paid in excess of $2,500 shall be refunded to the City using the above pro rata scale. The manager will be required

to sign a relocation assistance agreement stipulating to this reimbursement arrangement as a condition of employment. Under certain circumstances, the City Manager may elect to not institute the reimbursement provision of this section of the Plan.

5.2.6 Police Management Fitness Incentive The Police Management Fitness Incentive Program is based on the fundamental belief that an active lifestyle is likely to increase productivity, optimize health and decrease absenteeism while maintaining a higher level of readiness. The goal is to motivate sworn members of the police administrative team to prepare for and participate in an approved physical fitness assessment designed to measure both aerobic conditioning and muscular strength. Fitness testing is offered two times per year. Police Lieutenant and Police Captain who successfully complete the semi-annual fitness testing are eligible for the Fitness Incentive. The incentive is 1% of the average hourly salary for all employees in that position, times 1040 hours, and rounded to the nearest dollar. The Fitness Incentive is paid out in January and July. Employees who do not participate or do not pass are not eligible for the Fitness Incentive.

5.2.7 Gym/Weight Management membership reimbursement. The City will reimburse managers up to twenty-five dollars ($25) per month towards membership in a recognized fitness club, weight loss program, or City of Central Point Recreation health/fitness program they are actively participating in. The City has the sole discretion in determining which clubs/programs it will reimburse. Reimbursements will be made quarterly through payroll provided itemized receipts are received within six months.

5.3 Non-Monetary Benefits

In addition to the monetary compensation outlined in this plan, eligible managers shall receive the following benefits. All benefits will be taxed in accordance with applicable Internal Revenue Service (IRS) regulations.

5.3.1 Health Insurance The City and the manager will share the cost of health insurance premiums with the City paying 90% and the full-time manager paying 10% of the premium. Managers working less than full-time meeting the eligibility requirements of the insurance plan will participate in the City's insurance plan. The part-time employee premium cost will be the lesser of 20% of the total premium or the maximum allowed to comply with the affordability provision in the Affordable Care Act or subsequent act.

Where feasible, health insurance cost savings measures will be implemented. In the event any cost savings measures result in coverage that is less than comparable to current coverage, managers will be notified as early as possible of the change and given the opportunity to propose an alternative to the cost savings measure. Proposed alternatives must be presented, in writing, within 45 calendar days of the notice. The City shall maintain the sole right to implement or reject any proposed changes.

5.3.2 §125 Flexible Spending Account The City offers an IRS Section 125 plan for the purpose of allowing the employee contribution toward health insurance premiums to be a tax free deduction. Additionally, managers will have the opportunity to participate in a flexible spending

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account to use pre-tax dollars for dependent and health care expenses pursuant to I.R.S. regulations.

5.3.3 Life Insurance The city will pay the premium on a group term life insurance policy in the amount of the annual base salary to a maximum of $100,000 for managers meeting the eligibility requirement of the insurance carrier. The manager shall have the option of purchasing, at their own expense, additional life insurance for themselves and/or family members pursuant to the insurance policy provisions.

5.3.4 Long Term Disability The city will pay the premium on a long term disability policy with a 90 day elimination period that provides a benefit of 66-2/3% of base salary, up to a maximum of $3,000 per month for managers meeting the eligibility requirements of the insurance carrier.

5.3.5 Cell Phone Allowance A monthly stipend may be paid to managers who are required to be available by phone while away from the office or outside of business hours, in accordance with city policy. Managers who elect to use a City-owned cell phone are not eligible for a stipend.

5.3.6 Use of Car At the sole discretion of the City Manager, the use of an assigned City vehicle may be negotiated for a manager. Any such use shall be based solely on appropriateness for the position, and subject to applicable I.R.S. rules.

5.3.7 Air Miles and Other Purchase-Related Benefits Although managers are issued purchasing cards for making authorized, work-related purchases, it is understood that, occasionally, under certain limited circumstances, the use of a personal purchasing card for making work-related purchases may be warranted. The use of personal cards for work-related purchases shall be infrequent. A manager shall be entitled to any benefits or rewards, such as air miles, hotel points or cash back, associated with work related purchases and such benefits or rewards shall be considered part of the managers' salary and compensation.

5.3.8 Use of City Resources The use of City resources on a limited and occasional basis shall be considered part of the manager's total salary and compensation. Examples of such use may include photocopiers, printers, computers, tablets, phones and other technology, provided such use does not violate the City's acceptable use policy. Additionally, except for items such as portable information technology (i.e., laptop, iPad, etc.) such use of city resources shall not include taking items off City premises (i.e., this provision does not allow for taking tools or equipment home).

5.3.9 City sponsored events The City sponsors community events such as the Wild Rogue Pro Rodeo and Red, White, and BOOM. Gifts such as event tickets, special seating, prizes, etc. that are given from the event organizer to the City may be accepted by the manager and are considered part of their official compensation package per ORS 244.040 (2) (a) and City of Central Point Resolution No. 1450.

5.3.10 Travel, Training and Education Expenses Managers are covered by city policy regarding travel, training and tuition reimbursement, and such reimbursements are taxed in accordance with IRS rules. Furthermore, it is understood that managers attending training or

conferences may receive training materials, training aids, devices, gifts, prizes, etc. Managers shall be allowed to personally keep such materials provided to, or received by, attendees at training, conferences, or courses paid for or reimbursed by the City as part of the manager's total salary and compensation.

5.4 Paid Time Off

The City recognizes the importance of time away from work for personal lives, and believes managers should receive paid time off for certain holidays, vacations, personal time, and for when they are unable to come to work due to illness or injury. To this end, managers shall be granted time off under the following provisions.

5.4.1 Paid Holidays Except as otherwise specified in 5.4.1(a) and (b), managers shall receive the following holidays off without loss of pay.

New Year's Day	Independence Day	The day after Thanksgiving
Martin Luther King Jr. Birthday	Labor Day	Christmas Eve
President's Day	Veteran's Day	Christmas Day
Memorial Day	Thanksgiving Day	Two Floating Holidays

Floating holidays are to be taken as whole days (8 hours). One floating holiday will accrue on January 1 and one will accrue on July 1. Floating holidays must be used in the calendar year in which they accrue. Unused floating holidays will be lost each year and will not "roll" from one calendar year to the next and will be forfeited.

Except for floating holidays, if the holiday falls on a Saturday, the preceding Friday will be the paid day off unless that Friday is already a paid holiday, then the following Monday will be the paid day off. If the holiday falls on a Sunday, the following Monday will be the paid day off unless that Monday is already a paid holiday, then the previous Friday will be the paid day off.

If a manager chooses to or is required to work on a holiday, no additional compensation shall be granted.

5.4.1(a) Part-time managers covered under this plan shall be eligible for holiday pay only for the days and hours they would normally be scheduled to work. Floating holidays shall be granted on a prorated basis.

5.4.1(b) Non-exempt full time police lieutenants shall receive 104 holiday bank hours in lieu of receiving the above holidays off. The holiday accrual bank shall be credited in a lump sum twice each year with 52 hours accruing on January 1 and 52 hours accruing on July 1. Holiday bank hours must be used within 12 calendar months of accrual or the hours will be forfeited. Holiday bank hours shall not accrue beyond 104 hours at any one time for any reason. If a manager's holiday bank hours are greater than 52 hours on January 1 or July 1, the number of hours added to the bank shall be such that the total is not more than 104 hours. No payment will be made for the loss of any hours

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due to failure to use them within the 12 calendar month limit. Whenever practicable, non-exempt, full time managers who accrue holiday bank hours under this provision are expected to use holiday bank hours on paid holiday dates as described in this section. The 104 hours of holiday bank is equivalent to the 11 paid holidays and 2 floating holidays provided to other full-time managers covered under this plan.

5.4.2 Paid Vacation The City encourages managers to take time off occasionally for vacations away from work. It is expected that managers will, at a minimum, take at least one week of vacation each year in a block of at least one full workweek. Executive Management Team members' notice of the intent to take vacation shall be submitted to the City Manager as far in advance as practicable, and shall be noted on the City's "Department Head Vacation Calendar." First and second tier managers shall submit notice of the intent to take vacation to the department head as far in advance as practicable. Vacation accrual for full time managers shall be as follows, except that the City Manager may, at his or her sole discretion and when circumstances warrant it, place a manager on the accrual chart at any level.

1st through 4th year of service	10 days (80 hours)
5th through 9th year of service	15 days (120 hours)
10th through 14th year of service	20 days (160 hours)
15th year of service and beyond	25 days (200 hours)
On the anniversary of the 20th year of service	a one-time award of 5 additional days (40 hrs)
On the anniversary of the 25th year of service	a one-time award of 5 additional days (40 hrs)
On the anniversary of the 30th year of service	a one-time award of 5 additional days (40 hrs)

The maximum vacation accrual for any manager at any time shall be 25 days (200 hours) per year. Vacation shall be allowed to accrue to a maximum of two times the annual accrual rate, but in no case shall accrual be more than 400 hours. Additional awards for longevity shall be counted in the maximum accrual.

Vacation will be paid out at the time of separation. Managers will be allowed to sell back unused vacation hours in accordance with current City policy.

Employees who are promoted from within City service into a management position under this management compensation plan shall have their years of service with the City count toward their vacation accrual in the manager position. One-time longevity awards shall only be awarded for current service milestones. For example, a 23-year employee who is promoted into a position covered by this Management Compensation Plan shall be eligible for the 25 year award at 25 years of service, but would not be awarded a 20 year award retroactively.

Part-time managers covered under this plan shall accrue vacation on a prorated basis.

5.4.3 Sick Leave Full-time managers shall accrue four hours of sick leave for each pay period worked. Sick leave shall be allowed to accrue without limit. Except as provided for in a current City policy or separation agreement, unused sick leave hours shall not be compensated at

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separation, but will be reported to PERS. Part-time managers covered under this plan shall accrue paid sick leave on a prorated basis.

5.4.4 Management Leave It is recognized that full-time, exempt managers covered by this plan are compensated on a salary basis and do not receive additional compensation for meetings, travel and work outside of the "regular work week." However, in recognition of the additional time commitments of exempt managers, each exempt manager shall receive 56 hours of Management Leave annually on July 1. Management leave must be used within one year of being received. Any management leave remaining on June 30 will be forfeited. Management leave accrual shall be prorated for new managers.

5.4.5 Record Keeping FLSA non-exempt employees are required to submit a timely timesheet, signed by their supervisor, that accurately reflects their hours worked and leaves taken during each pay period. Although exempt managers are not required to keep track of their hours worked for the purpose of pay, they are required to keep track of their use of accrued or banked leaves and submit a timely leave report, signed by their supervisor, that accurately reflects leaves used during each pay period.

5.5 Changes in Benefits upon Moving to a Management Position

Managers shall only receive benefits that are afforded to management employees under this management compensation plan or approved City personnel policy(s). At any given time, an employee shall only have accrued time "on the books" that other employees in the same employee group accrue.

When an employee changes from a bargaining unit position to a management position, all accrued compensatory time and, if applicable, holiday bank time shall be paid out at the previous hourly rate at the time of the change and in accordance with the applicable bargaining agreement or policy. An employee changing to a non-exempt management position shall be allowed to accrue comp time in lieu of overtime in accordance with the provisions of this plan, but shall enter the position with a zero balance of accrued comp time. An employee changing to a non-exempt Lieutenant position shall accrue holiday bank leave in accordance with the provisions of this plan, but shall not be allowed to exceed the holiday bank hours caps described in this plan.

5.6 Application of this Plan and City Policies

Managers are covered by and expected to follow all City policies. Where City policy and the Management Compensation Plan differ, the Management Compensation Plan shall be applied except that where the Management Compensation Plan is silent on a benefit that is provided for in a current City policy, the policy shall apply. An example might be the Sick Leave Donation Bank. The Management Compensation Plan does not specifically address the Sick Leave Donation Bank but City Policy states that employees are eligible except as otherwise provided for in a collective bargaining agreement or management compensation plan. Since the Management Compensation Plan does not preclude participation, the policy shall govern.

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Section 6. Comparable Market Defined

The cities selected for the market comparison shall be determined at the time any market survey is done based on criteria set forth in this document. The "comps" may vary from year to year as a city may meet the criteria one year but not the next, or a city that did not meet the criteria one year may meet it the next.

6.1 Defining the Market The criteria for market comparables will be:

a. Oregon cities with a population of between 9,000 and 26,000, based on the most recent Portland State University population estimate (this criterion is based on current Central Point population of 17,700 and would be adjusted for population changes);
b. Located within a metropolitan area of at least 100,000;
c. Median housing prices within 25% of Central Point's median housing prices at the time of the survey.
d. If in any year an inordinately large or insufficient number of cities meet these criteria the median housing range may be reasonably adjusted up or down.

6.2 Additional Considerations

Additionally, to the extent practical, the total compensation package, including monetary compensation and monetary and non-monetary benefits such as PERS contributions, health insurance premium sharing and out of pocket expense, HRA contributions, and paid leaves, should be considered in determining the relative comparability of the cities meeting the market comparables criteria.

Within the cities that meet the above criteria, only those positions that are legitimately analogous will be compared. Criteria to determine the comparability of positions will include, but not necessarily be limited to, the following:

a. Reporting structure (both up and down)
b. Scope of position as set forth in the position description
c. Department budget

The City will make every effort to obtain compensation information from comparable cities. However, it is understood that obtaining such information is dependent upon the cooperation of the surveyed cities. Where survey information is not provided, the City will attempt to gather the information from other sources in an effort to fairly determine appropriate salary ranges for City of Central Point management positions.

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Section 7. Conclusion

The goal of this management compensation plan is to fulfill the various functions for which it was created:

- To align management compensation for the City of Central Point with the mission and goals of the City.
- To incentivize exceptional performance of managers.
- To move toward meeting the wishes of the City Council and the needs of the managers, who have indicated a preference for a performance-based pay plan to that of an entitlement-based plan.
- To lay the foundation for incorporating pay for performance organization-wide.

The City of Central Point, although more than 125 years old, is in the growth phase of the organizational life cycle. We are refining policies and procedures and making changes where change is needed in order to move forward as an organization. The recent economic climate placed the City in a position of having to do more with less year after year. As the economy rebounds and begins to grow again, the efficiency and exceptional performance encouraged and rewarded by this Plan will continue to contribute to the City's prosperity.

This compensation plan is NOT A CONTRACT or bargained agreement. This plan and the salary and benefits outlined herein may be changed at any time with approval of the City Council.

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Appendix A

Salary Schedule for Management Positions effective January 1, 2021

Band	Tier	Position	Minimum	Maximum
I-NE	T2	Accountant (non-exempt)	$4,700	$6,465
I	T2	Parks & Public Works Supervisor	$5,534	$7,431
I	T2	Police Office Manager	$5,534	$7,431
I	T1	Finance Supervisor	$5,534	$7,431
I	T1	Parks and Recreation Manager	$5,534	$7,431
I	T2	Safety & Risk Manager	$5,534	$7,431
I	ET	City Recorder	$5,534	$7,431
II	T1	Building Division Manager	$6,640	$8,589
II	T1	Parks & Public Works Operations Manager	$6,640	$8,589
II	T1	Principal Planner	$6,640	$8,589
III	ET	Information Technology Director	$7,010	$9,855
III	ET	Human Resources Director	$7,010	$9,855
III	ET	Community Development Director	$7,010	$9,855
III	ET	Parks & Public Works Director	$7,010	$9,855
III	ET	Finance Director	$7,010	$9,855

Police Band	Tier	Position	Minimum	Maximum
PI	T2	Police Lieutenant (non-exempt)	$6,640	$8,589
PII	T1	Police Captain	$7,010	$9,855
PIII	ET	Police Chief	$8,905	$11,338

Band	Tier	Position	Minimum	Maximum
C	C1	Human Resources Assistant	$18.28/hr	$ 24.50/hr

"T1" = Tier 1 Manager
"T2" = Tier 2 Manager
"ET" = Executive Management Team
"C1" = Confidential employee

This compensation plan is NOT A CONTRACT or bargained agreement. This plan and the salary and benefits outlined herein may be changed at any time with approval of the City Council.

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City of Central Point
Staff Report to Council

ISSUE SUMMARY

TO:	City Council	**DEPARTMENT:** Administration	
FROM:	Chris Clayton, City Manager		
MEETING DATE:	October 8, 2020		
SUBJECT:	First Reading, An Ordinance Amending CPMC Chapter 9.68 Rules and Regulations of Public Parks, Section 9.68.020 Child Supervision to Comply with ORS 163.545 Child Neglect		
ACTION REQUIRED: Motion Ordinance 1st Reading		**RECOMMENDATION:** Approval	

Central Point Municipal Code (CPMC) Chapter 9.68 Rules and Regulations of Public Parks, section 9.68.020 Child Supervision reads "Children under the age of six years are not allowed to come upon, use or play in the city's parks without adequate supervision by a responsible older person". Oregon Revised Statute 163.545 Child Neglect in the Second Degree states that "A person having custody or control of a child under 10 years of age commits the crime of child neglect in the second degree if, with criminal negligence, the person leaves the child unattended in or at any place for such period of time as may be likely to endanger the health or welfare of such child." If approved, CPMC will be amended to meet Oregon Revised Statute requirements by changing the age from 6 to age 10. If the City Council approves, the ordinance amendment will be moved to a second reading.

ATTACHMENTS:

1. Child endangerment ordinance 10-08-20
2. Child endangerment ordinance 8-11-20.docx

ORDINANCE NO. _____

AN ORDINANCE AMENDING CPMC CHAPTER 9.68.020 CHILD SUPERVISION TO COMPLY WITH REVISED ORS 163.545 CHILD NEGLECT IN THE SECOND DEGREE

RECITALS:

A. Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.

B. Upon review, the staff for the City of Central Point determined that amendment to Chapter 9.68.020 is required to comply with legal age requirements as specified in ORS 163.545 Child Neglect in the Second Degree.

C. Words ~~lined through~~ are to be deleted and words **in bold** are added.

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

Section 1. Section 9.68.020 of the Central Point Municipal Code is amended to read:

Chapter 9.68
Rules and Regulations Of Public Parks--Defining And Punishing Certain Offenses Against The Public General Welfare

Section 9.68.020 Child Supervision.

9.68.020 Child supervision.
Children under the age of ~~six~~ **10** years are not allowed to come upon, use or play in the city's parks without adequate supervision by a responsible older person. (Ord. 1899 §1(part), 2007).

Section 2. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word Ordinance may be changed to "code", "article", "section", "chapter", or other word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder is authorized to correct any cross references and any typographical errors.

Section 3. Effective Date. The Central Point City Charter states that an ordinance enacted by the council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

Attachment: Child endangerment ordinance 10-08-20 (1324 : Ordinance Amending CPMC 9.68.020 Child Supervision)

PASSED by the Council and signed by me in authentication of its passage this _____ day of August 2020

_____
Mayor Hank Williams

ATTEST:

_____
City Recorder

Attachment: Child endangerment ordinance 10-08-20 (1324 : Ordinance Amending CPMC 9.68.020 Child Supervision)