

# **Personnel Rules & Regulations**

## **Employee Manual**

April 2006



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# INTRODUCTION



# **WELCOME TO THE CITY OF NEWBERG!**

Welcome to the City of Newberg – we're glad you've joined us! We take pride in selecting people such as you to join the City of Newberg, and we believe you will be a positive addition to our most important asset – our employees.

We hope you will enjoy a productive and pleasant association with us. We have created a work environment, compensation and benefits program, and interactive culture that fosters positive work relationships. We expect that you will enhance the atmosphere by contributing your best efforts in whatever is asked of you.

We feel that the best way to help you achieve this goal is to help you understand the City of Newberg and your role in it. This Manual has been prepared as a guide to give you a better understanding of City of Newberg's policies, procedures, and practices. Please familiarize yourself with its contents and keep it handy for reference.

The City of Newberg supports an "open door" policy and encourages you to ask questions if there are policies or procedures you don't understand. We welcome your ideas and suggestions for ways to improve our operations and/or services or to save unnecessary costs during your employment with us.

Again, welcome to our team. We wish you success in your new position and truly value you and the contribution you will make during your employment with us.

## MISSION STATEMENT

Our mission is to serve as a catalyst to create a “friendly small city” next to the larger metropolitan area. We will be responsive to the physical and social needs of the community. We will support Newberg as an independent community that provides a broad range of services using all available public and private resources. We will rely on innovative leadership and planning to achieve the vision of the future.

## City Philosophy

We are committed to quality leadership for the benefit of our residents. We will:

- ❖ be professional in our attitude and proficient in our tasks.
- ❖ encourage a spirit of cooperation in dealing with the mutual problems and challenges facing our community.
- ❖ expect and demonstrate courtesy and respect in all interactions.
- ❖ commit to total quality in all services we provide.
- ❖ be accountable and effective stewards of the public trust and resources.
- ❖ display innovation and initiative in responding to the needs of our community.
- ❖ participate in and promote the exchange of ideas through open communication.
- ❖ recognize that all individuals living and working in the community are essential resource for achieving the City’s mission and goals.

# OUR HISTORY

Newberg is nestled in the foothills of the Chehalem Valley, alongside the Willamette River. It is approximately 20 miles southwest of Portland, Oregon's largest city. Newberg is situated on Highway 99W, which is the major route between Portland and the central Oregon Coast. The city was settled in the late 1800s and early 1900's, with many members of the Society of Friends, also known as Quakers, making Newberg their home. The city was incorporated in 1889.

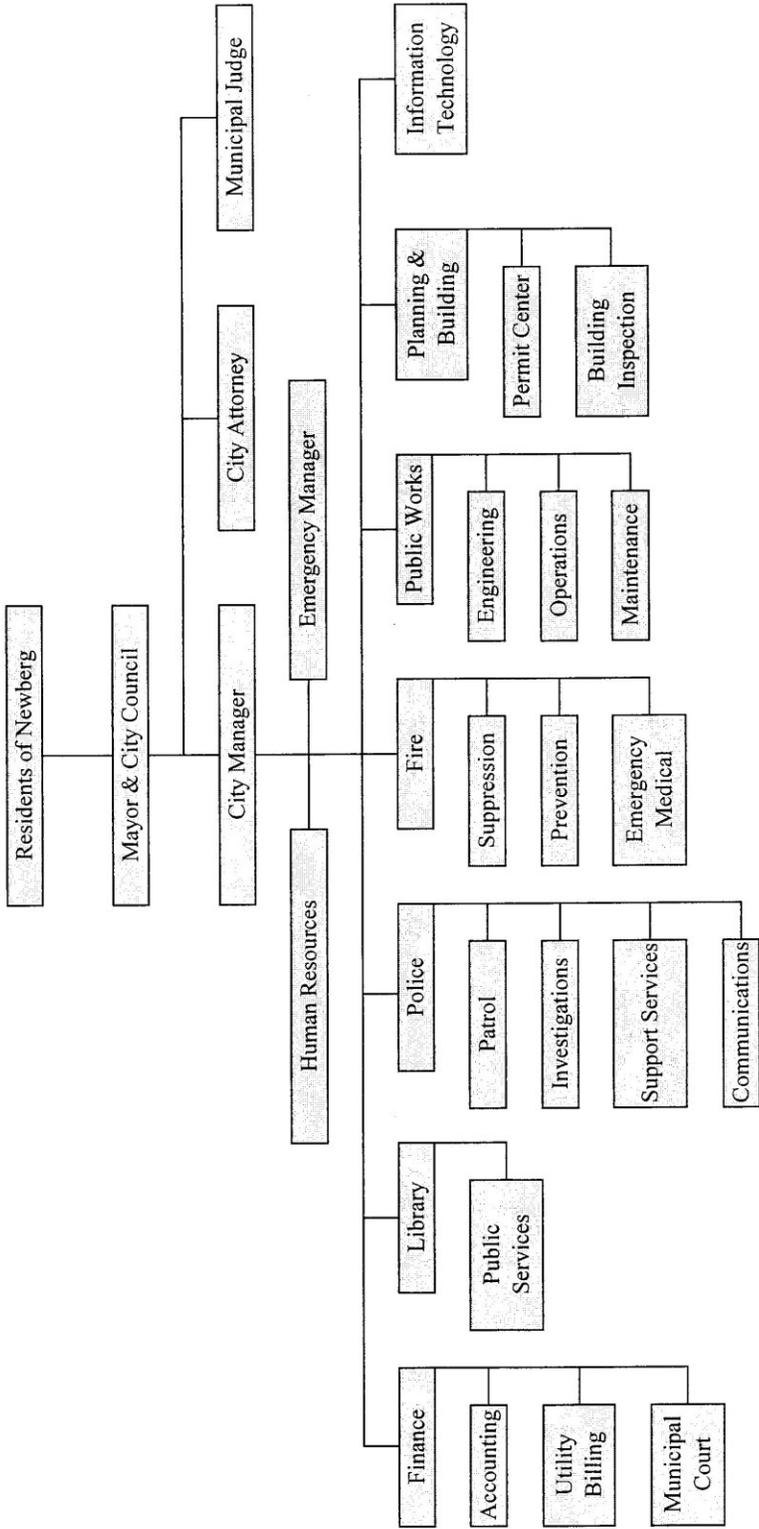
Its first postmaster, Sebastian Brutscher, a native of Newburgh, Germany named the city for his hometown. Newberg is also the boyhood home of President Herbert Hoover, who came to the community to live with his uncle and aunt in the late 1800's.

The area is served by the Newberg School District and a number of private schools. George Fox University, originally founded in 1891 as the Friends Pacific Academy, serves over 3,000 students in both undergraduate and graduate programs. The university has grown considerably over the last 20 years from a student body in the 500's to the current 2,000 traditional undergraduate students. Fox has an extensive degree completion program and graduate programs serving over 1,000 non-traditional students.

Newberg has a number of major manufacturing plants, including paper production, dental equipment, and electronics as well as a strong agricultural base that is evidenced by the vineyards and wineries in the area. In recent years, a number of retirement and assisted living facilities have located in Newberg with each of those facilities housing 200-300 seniors.

Newberg is the second largest city in Yamhill County. The population of Newberg and the Chehalem Valley has grown rapidly over the last three decades. In 1970 Newberg was home to 6,507 people, however by 2000 that number had jumped 177% to 18,064 individuals. Newberg's population has grown to over 20,000 and is projected to continue to grow at an annual rate of 3%.

# ORGANIZATIONAL CHART



# About this Manual

This Employee Manual is a guide to help you to understand our employment provisions and expectations. The Manual applies to all employees and is intended to be a positive document that begins to establish the relationship between us.

Please remember this Manual contains only general information and guidelines. It is not intended to address all the possible applications of, or exceptions to, general policies, procedures or a collective bargaining agreement. Our policies are based on the belief that common sense, good judgment, and consideration for the rights of others are paramount to our ability to serve our citizens and ourselves. These policies are not intended to provide contractual or property rights. While we have tried to anticipate many of your questions, keep in mind that this document will not provide every answer. If you have any questions concerning eligibility for a particular benefit, or how a policy or practice applies to you, please ask your Department Head, Division Manager, HR Manager or immediate supervisor.

We know that employees have varied skills, goals, perceptions, and values, and that such diversity may create situations not fully addressed within this Manual. In that event, we'll try to make fair and equitable decisions while making sure that the best interests of the City of Newberg are served.

This Manual sets the standards of performance and conduct for all employees of the City of Newberg. Responsibility for administration of all human resources policies has been delegated to the City Manager. This individual may delegate authority to another position as appropriate.

The City Manager shall have the authority to vary or modify the strict application of these rules and regulations whenever such application would result in practical difficulties or unnecessary hardships. Changes, which significantly alter the intent of these rules and regulations, will be referred to the City Council for adoption. All variances to the rules shall be documented in writing and kept in the City Manager's office.

The procedures, practices, policies, and benefits described here may be modified or discontinued from time to time. We recognize our responsibility to keep employees informed of changes that may affect them, and will provide replacement pages so you can keep your Manual current. This Manual is not intended to confer any property right in continued employment, to constitute a contract, or to contradict any binding practice under any collective bargaining agreement.

Some subjects described in this Manual, such as benefit plan information, are covered in detail in official policy documents. You should refer to these documents for specific information since this Manual provides summaries only. Please note that when discrepancies occur between benefit language in this Manual and in the official policy documents, the terms of the written insurance policies are controlling.

You are encouraged to offer suggestions for improvement to these policies, employment practices, or working conditions. Please read through the Manual carefully and share it

with your family members so that they will also understand your work environment. If you have additional questions or need further details, please talk with your supervisor, who can advise you or refer you to the appropriate resource.

*Please note that the policies and procedures in this Manual are not intended to contradict any provision of a current or future labor agreement. In the event of a conflict between the provisions of this Manual and the provisions of an in-force collective bargaining agreement, the provisions of the bargaining agreement will prevail.*

# **EMPLOYMENT POLICIES**



## **EMPLOYMENT RELATIONSHIP**

Employees and the City of Newberg reserve the right to end the employment relationship, with or without cause, at any time. No one in the City of Newberg has the authority to enter into any agreement contrary to this at-will relationship and it cannot be altered except when in writing and signed by the City Manager and you. The City of Newberg is not bound by any oral promises concerning the length or terms of your employment.

Please refer to the Dispute Resolution Procedure {page 14}, Workplace Rules {page 26}, Corrective Action policy {page 35} and Employment Separation {page 86} for additional information regarding our employment practices. Although the employment relationship is at-will, it is the intent of the City of Newberg to follow the employment practices outlined in this Manual, unless application of a policy or practice is impractical or would result in hardship.

# EQUAL EMPLOYMENT OPPORTUNITY

The City of Newberg is an equal opportunity employer and, as such, considers individuals for employment according to their abilities and performance. Employment decisions are made without regard to race, age, religion, color, sex, national origin, physical or mental disability, pregnancy, marital or veteran status, sexual orientation, or any other classification protected by law. All employment requirements mandated by state and federal regulations will be observed.

The City of Newberg employs affirmative personnel measures to ensure the achievement of equal employment opportunities in all aspects of employment and the work environment. These policies of nondiscrimination will prevail throughout every aspect of the employment relationship, including recruitment, selection, compensation, promotion, transfer, layoff, recall, disciplinary action, dispute resolution and termination.

In keeping with our philosophy and federal and state law, our advertising and recruiting materials will contain the following statement to encourage qualified applicants to apply: "Equal Opportunity Employer." Our policy as an equal opportunity employer is to employ those legally entitled to work in the United States without regard to citizenship, except as provided by Federal and State Law, ethnic background or place of national origin. However, in conformity with the Immigration Reform and Control Act of 1986 (IRCA), our policy is to hire only those who are eligible to work in the United States. Verification documentation is required of all new hires.

All employees in the City of Newberg are responsible for following and carrying out this policy according to the spirit and intent of our equal employment commitment. Management provides and supports a dispute resolution procedure for complaints alleging discrimination. Employees are expected to bring any questions, issues, or complaints to management's attention. If you believe you have been harassed, or if you witness or suspect any violation of this policy, you should report the matter immediately to the Human Resources Manager or designee. We will not retaliate against you for filing a complaint or cooperating in an investigation, and we will not tolerate or permit retaliation by management or co-workers.

The City of Newberg has adopted an affirmative action plan that addresses efforts to seek out, hire, develop, and promote qualified members of protected groups (defined as racial minorities, women, the physically or mentally disabled, disabled veterans, veterans of the Vietnam era, and those 40 years of age and older). This Affirmative Action Plan is attached as Appendix G.

# AMERICANS WITH DISABILITIES ACT

The Americans with Disabilities Act (ADA) is a comprehensive federal civil rights law that specifically protects individuals with physical and mental disabilities from discrimination in the workplace.

Individuals are protected under the ADA if any of the following conditions exist:

- They currently have a physical or mental condition that substantially limits their ability to normally conduct a major life activity (walking, seeing, hearing, breathing, etc.);
- They have a history of such impairment;

The ADA also prohibits discrimination on the basis of an individual's relationship to someone (parent, sibling, child, spouse/significant other, etc.) with a disability.

The City of Newberg offers equal employment opportunities for qualified individuals who may have a physical or mental disability, but are still able to perform essential job functions. Essential functions are defined as the fundamental non-marginal duties of the position being held or sought. A job function is essential if the position exists for the performance of the function, there are only a limited number of employees available to perform it, or it is so highly specialized that an expert is required to perform it.

Reasonable accommodation is available to employees and applicants, as long as the accommodation does not cause undue hardship on the City of Newberg. Individuals protected by the ADA should discuss their needs for possible accommodation with their supervisor, manager, or the Human Resources Department. The Managers and Supervisors shall contact the Human Resources Department for further assistance and direction.

# HARASSMENT

The City of Newberg will not tolerate conduct by any employee that harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile environment. We want to maintain a working environment free from all forms of harassment, whether based upon race, color, religion, ancestry, national origin, sex, age, marital or veteran status, physical or mental disability, sexual orientation, on-the-job injury, or any other legally protected characteristic or status.

Behavior such as telling ethnic jokes; making religious slurs; using offensive slang or other derogatory terms regarding a person's race, age, national origin, or disability; or mimicking one's speech, accent, or disability are examples of prohibited conduct and will not be tolerated. Retaliating against or harassing individuals by making derogatory comments regarding protected status or characteristics, and any other words or conduct that might create a hostile or offensive working atmosphere are prohibited.

While all forms of harassment are prohibited, it is our policy to emphasize that sexual harassment is specifically prohibited. Conduct is considered to be sexual harassment if:

- Submission to the conduct is in any way deemed to be a term or condition of employment;
- Submission to or rejection of the conduct is used as a basis for employment-related decisions; and/or,
- The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Conduct such as sexual or sexist language, jokes, or innuendoes; nude, profane, or obscene cartoons, drawings, or photographs; whistling; staring; inappropriate touching, hugging or kissing will not be tolerated.

Each manager/supervisor is responsible for maintaining a workplace free of any form of sexual harassment. No manager/supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development. Sexual harassment in the workplace, whether by managers/supervisors, non-managerial employees, or outside individuals (vendors, citizens, etc.) is also prohibited.

This policy covers conduct in the workplace, at social functions sponsored by the City of Newberg (holiday dinners or picnics), and at business functions (conferences, meetings and/or other related activities).

Management provides and supports a dispute resolution procedure for receiving and resolving complaints alleging discriminatory practices in employment relations. As an employee of the City of Newberg, you have the responsibility to immediately report any actions or words by a supervisor, co-worker, vendor, or other individual that you believe to

be unwelcome harassment. You should report the incident immediately to your manager/supervisor. You may report the incident to the next level of management or to the Human Resources Manager if the complaint involves your direct supervisor or manager. The City of Newberg will not retaliate against you for filing a complaint or cooperating in an investigation and will not tolerate or permit retaliation by management, co-workers, or non-employees such as citizens, vendors, or contractors.

All complaints of harassment will be investigated promptly and impartially. Discretion will be used during the investigation in order to maintain as much confidentiality as possible while effectively completing the investigation. If you are not satisfied with the handling of a complaint or the action taken by management, you should bring the complaint to the next higher level of authority. In all cases, you will be advised of the findings and conclusion.

Nothing in this policy is intended to restrict an employee's right to file a complaint with the Bureau of Labor and Industries, or the Equal Employment Opportunity Commission, or to file a grievance under a union contract. However, notifying a union representative or other union official does not constitute filing a complaint with the City of Newberg under the complaint procedure outlined in this policy.

Any employee or manager who is found, after appropriate investigation, to have engaged in harassment of another employee or to have retaliated against an employee for reporting harassment will be subject to appropriate corrective action, depending on the circumstances, up to and including termination.

# DISPUTE RESOLUTION AND EMPLOYEE ASSISTANCE PROGRAM

The City of Newberg is committed to providing a work environment free from harassment, discrimination and workplace violence. We have made available an Employee Assistance Program (EAP) for full-time employees to use as a tool to resolve workplace conflicts. We have also developed a dispute resolution procedure for immediately reporting to management any incidents involving unlawful actions. You are to use this procedure to resolve any other workplace issues or problems that cannot be resolved by first going directly to the person you have the problem with, the EAP or through an informal discussion with your supervisor. Our policy is to resolve less serious problems and misunderstandings informally at the lowest level possible and to provide employees an opportunity to clarify any misunderstandings that may arise between them, any co-workers, their supervisors or the City of Newberg.

We believe that undisclosed problems will remain unresolved and will lead to impaired work relationships and dissatisfaction with working conditions. The City of Newberg has made available to its employees the option of utilizing the Employee Assistance Program to attempt to resolve issues at the lowest level possible. The EAP is a free confidential counseling service available to employees to assist in resolving workplace conflicts. **The phone number for the EAP is: 503-228-3223 or 1-800-654-9778.**

If the above processes do not take care of your concern, the City of Newberg has established this dispute resolution procedure to solve problems as quickly, fairly, and thoroughly as possible. This procedure is a method for impartially hearing the complaint, and is intended to resolve problems and provide a fair and objective review. All issues will be handled without prejudice or retaliation.

## ***Reporting Incidents of Harassment, Discrimination or Violence in the Workplace***

If you believe that you have been harassed, have witnessed harassment or discrimination, violence at work, or suspect any violation of our policies, you must immediately report the matter to your supervisor, the next management level or to the Human Resources Manager. The supervisor/HR Manager is responsible for ensuring that all complaints are promptly and thoroughly investigated without prejudice or retaliation. In all cases, you will be notified of the outcome of the investigation. You may not necessarily be informed about any disciplinary actions. We feel that discipline is between the City of Newberg and the employee and is considered confidential.

## ***Reporting all Other Issues***

Any other questions or concerns you may have should be discussed with your immediate supervisor as soon as you are aware there is a problem or have a question. If the situation involves your supervisor, or if you are uncomfortable discussing the matter with your immediate supervisor, you should discuss the matter with the next management level

or the Human Resources Manager. You will be provided with a written response to your concern.

### ***Appeal Process***

All appeals must be made in writing. Honest differences of opinions occur, and some situations will need the review or decision of a higher management level. However, a higher-management review is intended to occur only after you have discussed a situation with your immediate supervisor and a satisfactory solution has not been reached. We realize there may be valid reasons to forego this initial step. For those unusual circumstances, as noted above, you may go directly to the next level of management or to the Human Resources Department for assistance. You will receive a written response.

If you feel a policy has been inappropriately applied, or you have been unfairly treated or unjustly disciplined by your supervisor, you may present the matter to your Department Head in writing. That official will review the issue and make a decision. If you are not satisfied with this decision you may present the matter to the City Manager for review and settlement. The decision of this individual will be final.

The City of Newberg cannot promise that an employee's point of view will always be accepted, but supervisors, Department Heads and the City Manager will listen and make every effort to ensure that problems are resolved fairly and in the public interest. This procedure is intended to provide you a fair and objective review of any concern. All issues will be dealt without prejudice or retaliation. This policy in no way limits any employee's recourse to any civil or legal process. All cases will be reviewed on an individual basis and without regard to precedent value.

Represented employees should also refer to their collective bargaining agreement for any applicable grievance procedures.

# EMPLOYMENT

It is our goal to fill employment vacancies with the most qualified applicants, whether recruiting internally or externally. Job applicants will be considered on an equal basis for all positions without regard to sex, age, race, color, religion, national origin, pregnancy, marital or veteran status, sexual orientation, or the presence of a physical or mental condition or disability that is not job-related.

We will always try to select the most qualified person for each available job. External recruiting may be initiated concurrently with the internal posting process, but no hiring commitment or decision will be made until the position has been posted internally for a minimum of five working days. In order to be eligible to transfer to a different job, you must have completed your probationary period and shall not be in the process of any disciplinary action. If probationary period is not completed the transfer must be approved by the City Manager. New probationary period will begin at the time of the transfer.

Former employees, relatives or partners of current employees will be considered for employment in the same manner as other applicants. We will not place a spouse, partner or immediate family member under the direct supervision of his/her spouse, partner or family member.

You may from time to time be temporarily or permanently transferred or assigned to perform work outside of your regular job classification, schedule, shift, or department. Depending upon the circumstances, when transferred you may be subject to a wage adjustment. We may reassign an employee whose placement is determined to be unsuited to his/her individual skills, and may transfer any employee who has an illness or disability that requires a modified duty job when necessary.

Applicant Testing - Each applicant will be notified that appointment to the position will be contingent upon a negative drug test result, a state-of-residency and national fingerprint-based record check and passing all departmental exams and testing. Applicants may submit medical documentation that may support a legitimate use for a specific drug. Applicant will also sign a release for a criminal history background check and a credit check if required by department.

Residence Requirement - All employees are encouraged to live within the City and to participate in civic activities. However, residency is not a condition of employment, except for management employees. The residency requirement for Management Employees may be waived by the City Manager where the requirement would create an undue burden. Departments may have other restrictive residence requirements.

# **NEW EMPLOYEES, PROMOTIONS AND TRANSFERS**

## ***New Employee Orientation***

New employees will receive a thorough orientation within the first week of employment. This helps ensure positive integration into our operations and helps new employees start a productive and satisfying employment relationship. At the orientation, you will receive detailed information about general policies, procedures, benefits, and basic information on pay and leave policies. Orientation sessions are documented using the New Employee Orientation Checklist (Appendix B), which is signed and dated by you and the person conducting the session, and kept in your employee personnel file.

## ***Probationary Period***

As a new employee, you are hired on a twelve-month probationary period. (Sworn police officers have an 18 month probationary period) The probationary period is an extension of the employee selection process. During this period, you are considered to be in training and under observation and evaluation by supervisors. Evaluation of your adjustment to work tasks, conduct and other work rules, attendance, and job responsibilities will be conducted during the probationary period. This period gives you an opportunity to demonstrate satisfactory performance for the position and provides an opportunity to see if your abilities and the requirements of the position match. It is also a chance to see if we meet your expectations as an employer. Prior to completion of the probationary period, employees may be discharged with or without cause and such discharge is not subject to grievance and dispute resolution.

The performance of each probationary employee should be evaluated just prior to the end of their probationary period. This evaluation should be used to determine your employment status with the City. If you receive a satisfactory evaluation you will be moved to regular status. Individual departments may evaluate your performance more than once during the probationary period.

If your final probationary evaluation falls short of satisfactory and your immediate supervisor recommends an extended probationary period with continued training in lieu of termination, you may be issued a probationary period extension notice by the department head. The length of the probationary period extension will be determined by the department head based on the time needed to complete the conditions established in the extension notice, but in no case will the extended probationary period exceed one year. Failure to accept the conditions set forth in the extension notice will result in immediate termination. Failure to completely satisfy the conditions included in the probationary period extension notice within the timeframe established in the extension notice will result in immediate termination. If the department head decides not to issue a probationary period extension notice, your employment with the City will be terminated at the end of your last day of your probationary period.

## ***Reinstatement***

Employees who resign from the City of Newberg in good standing may be eligible for re-employment consideration. To determine eligibility, former employees must re-file an

employment application with the City of Newberg and await notification of an available position. Applications received from former employees will be considered and processed using the same procedures and standards that govern all other applicants. When a position becomes available, the hiring supervisor will review the former employee's performance record and the circumstances surrounding his/her departure from the City of Newberg. We are not obligated to rehire former employees.

### ***Prior Service Credit***

Employees who are rehired by the City of Newberg, who were terminated because of a reduction in workforce will receive credit for prior time worked for the purposes of seniority, longevity, and vacation accrual eligibility if they are re-employed within one year after the termination date. Rehired employees may be subject to the appropriate probationary period and may be subject to all departmental exams and testing, along with a criminal background check required of employees otherwise hired.

### ***Employment Classifications***

Employee status is categorized to make distinctions in benefits and other employment conditions and to aid in a better understanding of employment relationships within the City of Newberg. Employees may be considered as probationary, regular full-time, regular part-time, limited part-time, volunteers, temporary, management or contract. The following definitions apply:

Probationary Status: Newly hired or promoted employees within the probationary period. Newly hired employees normally earn, but cannot use, benefits. You must wait six months before you are eligible to use vacation.

Regular Full-time: An employee who has successfully passed the probationary period and is regularly scheduled to work 40 hours or more per week. This classification normally is eligible for benefits.

Regular Part-time: An employee who is regularly scheduled to work at least 20 but less than 36 hours per week. This classification normally is eligible for vacation, sick leave, holiday benefits, **and cost-of-living adjustment (COLA)** though they will be on a pro-rata basis. **This classification is normally not eligible for retirement benefits; however, employees in this classification who are required to receive retirement benefits on a pro-rata basis (employees in PERS eligible positions) will not be eligible for vacation, sick leave, and holiday benefits.**

Limited Part-Time: An employee who is regularly scheduled to work less than 20 hours per week, or who may not have a set schedule and works only when called upon. This classification is not eligible for benefits; **however, will normally be eligible for COLAs.**

Temporary: An employee who is hired for a specified period of time, usually no more than twelve months. This classification is not eligible for benefits **and will not be eligible for COLAs.**

Volunteers: These are individuals who perform various duties for the City on a voluntary uncompensated basis. Volunteers can be considered for internal job postings.

Management: This category includes the Department Heads. The Department Heads may be discharged at will. Rules regarding discharge for these employees are different from those of other employees. Furthermore these individuals may have an employment contract, which would supersede any provisions in these rules.

Contract Employees: These are employees who have an individual employment contract with the City. These rules apply to Contract Employees as if they were Regular Full-time or Regular Part-time Employees, **except these employees are not entitled to benefits and COLAs** except where the employment contract applies. The provisions of the employment contract will supersede any provisions of these rules and regulations that are in conflict with the employment contract. **However**, any provisions that are not in conflict with the employment contract will remain in force.

Employees are further classified according to federal and state wage and hour laws as exempt or non-exempt, as described below. The City Manager will make the appropriate designation regarding the status for each position. If you are uncertain as to your status, ask your supervisor/manager. If you have questions regarding the classification of your position as exempt or non-exempt, or feel that it has not been properly classified, please discuss the matter with the Department Head.

Exempt: An employee who is exempt from the overtime pay requirements under federal and state wage and hour laws. Exempt employees typically include managers, executives, supervisors, professional staff, and others who are paid on a salaried basis and whose duties and responsibilities allow them to be exempt under federal and state law. In order to be classified as exempt, a position must meet very strict guidelines as defined by the Fair Labor Standards Act (FLSA) and Oregon wage and hour laws.

Non-exempt: An employee whose job calls for overtime payment as appropriate under state and federal regulations. Non-exempt employees are usually paid on an hourly basis and are assigned a regular work shift of not more than 40 hours per week. Non-exempt employees may be paid on a salaried basis, but are entitled to accrue compensatory time or are eligible to get additional overtime payment at a rate of one and one half times their regular rate for all hours worked over 40 within a work week.

# EMPLOYMENT RECORD KEEPING

## ***Access to Personnel Files***

The City of Newberg maintains a personnel record for each employee, and access to those records is restricted to authorized persons only. The records contain applications, written evaluations, performance counseling notices, correspondence, and other information pertinent to employment. Authorized persons are individuals in a direct line of supervision over the employee to whom the file applies.

Your personnel file is available for review by making advance arrangements with the HR Manager. We will provide copies of personnel records or files as required by law, but you may be asked to reimburse us for the reasonable cost of providing copies.

Employees also may review their medical records, which are kept in a separate locked file. Although all medical information is confidential, the City of Newberg complies with the Health Insurance Portability Administration Act (HIPAA) when allowing access to employee medical records. All requests must be made in writing and signed and dated by the employee wishing to review their own medical file.

## ***Change in Personal Data***

Keeping your personnel records current can be important to you with regard to pay, payroll deductions, benefits, and other matters. If you have changes in any of the following items of information, it is your responsibility to notify the Human Resources Manager, who in turn notifies the appropriate departments of the following:

- \*Name
- \*Marital status
- Address
- Telephone number
- \*Dependents
- Person to be notified in case of emergency
- Job related physical or other limitations that impact employment
- Changes in status of driver's license or CDL if required to drive for the City of Newberg
- Changes in job related professional licenses
- Other information having a bearing on your employment

\* - Requires new W-4 to be completed and turned into Payroll.

All changes in personal information must be made in writing and signed/dated by the employee who the changes affect.

# **EMPLOYMENT RELATIONS AND CONDUCT**



# ETHICS

We believe in treating people with respect and adhering to ethical and fair practices. We expect employees to avoid situations that might cause their personal interests to conflict with the interests of our City of Newberg or to compromise our reputation or integrity. Employees who violate the Ethics Policy or who create an equally detrimental impact on the City of Newberg will be subject to disciplinary action, depending upon the circumstance, up to and including termination.

Employees are required to maintain a cooperative working relationship with staff, other organizations and citizens. Employees must follow all general and departmental safe work rules and policies.

## ***Conflict of Interest***

Employees may not solicit, obtain, accept, or retain any personal benefit from any supplier, vendor, citizen, or any individual or organization doing or seeking business with the City of Newberg. This means you may not maintain an outside business or financial interest or engage in any outside business or financial activity that conflicts with the interests of the City of Newberg or interferes with your ability to fully perform job responsibilities. For example, if job responsibilities include purchasing, or being in a position to influence purchasing, the individual responsible should have no proprietary or financial interest in any business that furnishes products, materials, or services to the City of Newberg or in any related transaction. Nor may he/she benefit directly or indirectly from a third party who furnishes products, materials, or services to the City of Newberg.

## ***Misrepresentation***

As a public employee, you should be aware that you represent the City of Newberg in your work interactions. You should handle yourself in a professional manner and consider how you communicate with the public and other employees. You should take care not to misrepresent the City of Newberg's policies, practices, procedures, or misrepresent your status and authority to enter into agreements. Refer to the Government Standards and Practices Commission (GSPC) standards for conduct of "public officials" and employees of public entities, ORS Chapter 244. Employees have no authority to enter into any verbal or written contracts without the express approval of the City Manager.

## ***Gifts, Prizes and Promotional Items***

City employees shall not accept any gift, service or favor, which would lead toward favoritism or the appearance of favoritism in any way, in accordance with State Law.

Employees may not keep prizes and awards offered to attendees of conferences, seminars, or professional gatherings as a result of attendance. Such prizes become the property of the City of Newberg in accordance with State Law. Promotional items, such as pens, pencils, notebooks, notepads, cloth or canvas bags, snack foods, etc., that are offered to all attendees, or that are meant to be used during the course of the event are excluded from this rule. Employees may keep these items for their personal use.

## ***Outside Employment***

While employed at the City of Newberg you may not engage in outside employment that conflicts with the nature of the City's mission, conducts business with the City of Newberg,

or otherwise interferes with your ability to perform according to established standards of performance and work rules. You also may not conduct business connected to outside employment during hours you are scheduled to work at the City of Newberg. Government Standards and Practices Commission (GSPC) ORS Chapter 244.100. An "Outside Employment" form (attached as Appendix F) needs to be completed and approved prior to authorization of outside employment. This form is then placed in the Personnel File.

Employment means to provide with a job that pays wages or salary, to devote to or direct toward a particular activity or person. Employees are encouraged to request a determination prior to accepting outside employment.

Public employees are subject to different standards than private employees. Some jobs or activities outside of work may conflict with City employment. Employment outside the City's employment can be defined in three ways - No conflict with the City; Possible conflict with the City; and, Clearly a conflict with the City.

a. No conflict with the City. Employment that has no conflict with the City of Newberg may include those jobs that are absolutely not related to employment with the City. These might include berry picking on the weekend, cutting hair, furniture refinishing, artistic pursuits such as playing in a band or painting, or other personal pursuits that have absolutely nothing to do with the City of Newberg employment. These types of endeavors are not subject to approval by the City of Newberg since they do not interfere with the position the employee holds with the City.

b. Possibly a conflict with the City. Employment of this nature would present a possible conflict with the City. These jobs may include doing survey work in the County for developers that may have work within the City. It might include performing construction work for hire while employed as a City laborer. It might include working part-time as an ambulance technician for a private company while employed as a firefighter with the Newberg Fire Department. These situations are possible conflicts and would need to be reviewed by the City and the employee to determine if there is a violation of this provision of the Personnel Rules and Regulations.

c. Clearly a conflict with the City. Jobs that are clearly in conflict involve those that limit the employee's ability to work for the City of Newberg. The City of Newberg considers the employment with the City as the primary employment of the individual. This means that outside employment shall not interfere with employment in the City. It shall not interfere either from a time standpoint or from an ethical standpoint. Clear conflicts are those incidences where perhaps a Building Official provides contracting services for a local contractor that is being inspected by the Building Official. Another example would be a police officer working as a bouncer in a bar. The final example would be a laborer working as a shift worker at a local corporation and trying to survive on very little sleep each night. These would be clear conflicts with the City of Newberg policy.

Employees must obtain written approval from their Department Head prior to accepting outside employment according to b. and c. above. Equipment or facilities owned by the City may not be used by an employee for any outside employment.

Appendix F provides a form to be used by the department head in evaluating outside employment by City employees. Discretion is advised by employees and department

heads when considering outside employment opportunities. Departments are encouraged to develop rules or deal with each request on a case by case basis regarding outside employment. The City Manager is available to consult with employees and department heads on outside employment.

### ***Off Duty Conduct***

Generally, we regard off-duty activities of employees to be their own personal matters. However, certain types of off-duty activities concern us because of the potential negative impact on the City of Newberg's reputation within the communities we serve. Therefore, employees who engage in or are associated with illegal or otherwise harmful conduct that adversely affects the City of Newberg or their own ability or credibility to carry out employment responsibilities may be subject to disciplinary action, up to and including termination.

### ***Solicitation***

To make sure employees aren't disturbed or interrupted while on work duty, we have established the following no-solicitation policy:

Individuals who are not employed at the City of Newberg may not solicit our employees or distribute literature on City of Newberg property at any time.

No peddling, soliciting, or sales for charitable or other purposes is permitted among or by employees or non-employees during working hours without the approval of the City Manager. No supervisor, Department Head or other management employee may solicit sales of goods or services, donations, or contributions from any City employee, unless approved in advance by the City Manager.

If you wish to solicit or distribute literature to other employees by or on behalf of any individual, organization, club, or society, you may do so only during times when you are on a rest or lunch break. You may solicit or distribute literature only to those employees who are also on a rest or lunch break. The distribution of literature in work areas is prohibited at all times, but you may place it in established break areas or lunchrooms.

Obscene, profane, or inflammatory items and political advertisements or solicitations are strictly prohibited.

You may not solicit, expect, or accept contributions from vendors, citizens, or anyone doing business with the City of Newberg for the personal benefit of the City Employees.

You may not sell merchandise or collect funds of any kind without prior approval of the Department Head.

## **BULLETIN BOARDS**

We use our bulletin boards to post up-to-date information, notices, safety committee minutes and information, health promotion program news and other City or local health related events as well as information required by law. We also use them to announce activities and other items of interest to employees. We ask that you check the bulletin

board regularly to obtain information that may be important to you. Bulletin boards are to be generally used only for posting or distributing notices or announcements of interest to employees or are directly concerned with City of Newberg business.

### ***Political Activity***

Engaging in political activity such as distributing literature, and campaigning for or against political parties, ballot measures, signatures or a candidate is prohibited during the workday. Employees may express personal views, including wearing buttons, while on the job as long as it does not interfere with the job.

Although an employee is free to express personal political views, the employee must make it clear that it is his personal opinion, and in no way the official opinion of the City. The City Manager may make rules governing attachments to City issued clothing or uniforms.

## **CONFIDENTIALITY**

### ***Employee***

The City of Newberg recognizes our employees' rights to privacy. In achieving this goal, the City of Newberg adopts these basic principles:

1. The collection of employee information will be limited to information the City of Newberg needs for business and legal purposes.
2. Personal information and information in personnel records ordinarily will not be disclosed except as permitted or required by law or as authorized by the employee. Verifications of employment dates may be provided without written approval.

Note: This may limit the City of Newberg to give job references, unless they are provided written consent to discuss your personnel records.

3. Internal access to employee records will be limited to those employees having an authorized need-to-know.
4. You are permitted to see the personal information maintained about you in our records, and you may correct inaccurate factual information or submit written comments in disagreement with any material contained in your personnel records.
5. All employees involved in record keeping will be required to follow these policies and practices. Violations of this policy will result in corrective action, up to and including termination.
6. Medical records are kept in a separate file and are only accessible to the employee, an employee representative with written consent, and the employer, on a need-to-know basis.

## ***Entity - The City of Newberg***

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, most records in a public body are available to the public for inspections. It is the intent of the City to be responsive to requests for public records. Employees are to handle all requests for public information in accordance with department policy

## **WORKPLACE RULES**

The City of Newberg believes policies and procedures are essential for orderly operation and for the protection and fair treatment of all employees. As a result, we have identified performance expectations so that everyone conducts themselves in accordance with our 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 Newberg.

### **General Rules**

1. All employees shall maintain a positive and cooperative working relationship with co-workers, other staff, citizens and any others who do business with the City of Newberg. Employees must also observe departmental rules.
2. Employees shall work and complete assignments that meet job standards.
3. Employees shall not neglect their job duties or responsibilities, nor refuse any assigned work, which is within or related to their job responsibilities.
4. Employees must fulfill their responsibilities to the City of Newberg. No willful action, which detracts from the quality or quantity of work, service, safety and health or public image will be acceptable.
5. An employee must be available for work as scheduled.
6. Employees are expected to be at their workstations at their scheduled starting time and comply with scheduled times for break and meal periods. Employees will not leave their scheduled workday early unless authorized by their supervisor.
7. Employees shall be responsible for all organization property that has been placed in their custody.
8. Employees must immediately report all work-related injuries, accidents, or illnesses to their supervisor or other authorized personnel.
9. Employees are required to promptly notify the appropriate designated person of any changes in personal status, such as name, address, or telephone number. Please see the Change in Personal Data section on page 19 of this Manual.

10. Employees are expected to comply with the department established personal grooming and appropriate dress code. All City employees are expected to reflect the professionalism of public service in their appearance and their actions. Employees should present themselves in a way that promotes the public trust and does not interfere with the efficient and effective performance of work at the City. Employees should consider perceptions of citizens and other employees. Employees are expected to maintain standards of neatness, cleanliness, and good grooming appropriate to their positions. Properly fitted clothing is expected, e.g. employees' skirts or dresses shorter than three inches above the knee are unacceptable.
11. Employees must display respectful and tolerant behavior of co-workers and citizens.

### **Examples of Offenses for Which Disciplinary Action May be Immediately Taken**

1. Failing to accurately document time on own time records.
2. Interfering with the work of others, their ability to complete work assignments, or in the performance of their assigned duties.
3. Smoking in areas where smoking is not permitted.
4. Littering on premises.
5. Engaging in "horseplay" on the City's premises or during work time.
6. Being late or absent without authorization.
7. Engaging in immoral conduct while on the job.
8. Abusing time allowed for rest breaks and meal periods.
9. Unauthorized or inappropriate use of City equipment.
10. Soliciting for any purpose during working time or distributing literature for any purpose during working time without prior approval of the City Manager or the Department Head.
11. Loitering while on-duty or loitering on the premises while off-duty.
12. Using abusive language while on premises.
13. Performing job duties in an unsafe or careless manner.
14. Conviction of a misdemeanor involving moral turpitude or any felony.

### **Examples of Offenses That May Result in Immediate Termination of Employment**

1. Bringing firearms or weapons of any kind, intoxicating beverages, drugs or chemicals not medically required onto the premises.

2. Use of alcohol or drugs or being under the influence of alcohol or drugs, or intoxicants of any type, or any criminal activity involving alcohol or drugs while at work. (Any employees on prescription or over-the-counter medication, which may affect performance, are required to notify their supervisor **prior** to beginning the work shift.)
3. Falsifying forms, reports, or records, including timecards.
4. Falsely stating or making claims of injury or illness.
5. Leaving work before the end of the shift without authorization of the supervisor.
6. Unauthorized removal of any City of Newberg property, equipment, products, records or other materials, or property belonging to another employee or the City of Newberg.
7. Striking out or hitting another employee, regardless of the reason. In addition, provoking another employee into striking or threatening another employee.
8. Destroying City of Newberg property, tools, or equipment.
9. Willfully recording time on another employee's time records.
10. Insubordination and/or refusing to follow your supervisor's or other authorized employee's directions or instructions.
11. Violating safety or health rules or practices, or engaging in conduct that creates a safety or health hazard.
12. Physical or verbal abuse of a citizen, vendor, other employee, or any other individual.
13. Engaging in any form of harassment, including sexual harassment, with another employee or visitor.
14. Sleeping while on duty (except for firefighters during authorized rest periods).
15. Any employee absent for three consecutive workdays without notifying the City of Newberg or failing to return from an authorized leave of absence shall be considered to have voluntarily resigned.
16. Employee is convicted of a felony.

This information regarding unacceptable practice/behavior is to provide guidance for employee actions. You 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 resolve conduct and performance problems in the most informal and positive manner possible. However, violations of workplace rules will result in corrective action, up to and including termination.

We also believe that all of our employees should be heard in matters involving discipline; therefore, we have adopted a formal Dispute Resolution Procedure, which can be found on page14 of this Manual.

# COMMUNICATIONS AND SOFTWARE SYSTEMS

## ***Electronic communications systems***

The City of Newberg provides electronic communication systems to maintain superior communications both within the City and with outside parties. You are encouraged to learn about these tools and how to use them. This policy provides directions for you regarding access and disclosure of information when using these communications systems. All employees and others outside the City who may use the systems are expected to be aware of and support this policy.

Electronic communications systems include but are not limited to computers, software, electronic mail (e-mail), copiers, scanners, printers, PDAs, fax machines, telephones, voice mail, cell phones, and access to public and private networks.

These systems and any other informational, storage, or retrieval services that the City provides are to be used mainly for City purposes. As long as the e-mail is not abused, e-mail can be used for personal use within reason or in lieu of using the telephone. Email is public record, so employees should not be writing personal correspondence that they wish others not to read.

The use of these systems is not private or confidential, except for “confidential—attorney/client privilege” marked correspondence. While this legal-related correspondence may be confidential, it is still subject to disclosure by the courts. Employees will have no expectation of privacy in its use. All communications are to be considered public record and are subject to disclosure. The City, within the bounds of current and future laws, reserves the right to review, audit, intercept, assess, and search these systems at will, monitor data and messages within them at any time for any reason, and disclose selected contents without notice or other restrictions. Messages sent through these systems remain the property of the City.

Any message or information sent by an employee to one or more individuals via an electronic network (e.g. bulletin board, online service, or Internet) are statements identifiable and attributable to our City. While some users include personal disclaimers in electronic messages, it should be noted that there would still be a connection with the City, and the statement might still be legally imputed to the City. All communications sent by employees via a network must comply with this and other City and department policies and may not disclose any confidential City or department information.

Employees must respect the confidentiality of other people’s electronic communications and may not attempt to read, “hack” into other systems or other people’s logins, or “crack” passwords, or breach computer or network security measures, or monitor electronic files or communications of another employee or third parties except by explicit direction of the City Manager or a department head.

These systems shall not be used to receive copyrighted materials, trade secrets, proprietary information, or similar materials from outside the City without prior authorization.

Employee use of electronic communication systems for the purpose of playing computer games, accessing pornography, and any purpose prohibited by City ordinance, local statutes, and/or state or federal laws is strictly prohibited. An exception to this policy is permitted for criminal investigative purposes. This exception shall be limited to Newberg Police Department personnel authorized in writing by the Chief of Police.

Other acceptable uses of information technology include:

1. Communication with other federal, state or local government agencies, their committees, boards, and commissions.
2. Communications, including information exchange, research, professional development or to maintain job knowledge or skills.
3. Communications or information exchanges directly relating to the mission and Charter of the City of Newberg and the work tasks of individual departments in support of work related functions.

Electronic media and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system.

Any messages or communications used through this system are subject to our anti-harassment, anti-discrimination, and non-solicitation policies. You are expected to carefully compose and review the wording, tone, and content of your communications before transmission.

You should check with your supervisor if you have any questions about the proper use of communication or software systems. All system users who discover violations of this policy are expected to notify their supervisors or managers immediately. Improper use or violation of this policy can result in disciplinary action, up to and including termination.

Limited, occasional, or incidental use of electronic communications for personal, non-business use is acceptable, such as to take care of any variety of matters which can only be accomplished during 'regular' working hours. However, employees are expected to exercise responsibility and are not to abuse this privilege. Personal use of electronic communications during personal, non-working time (i.e. breaks, lunch time, etc.) is considered acceptable, given that it does not result in significant personal financial gain nor avoidance of financial detriment to the employee.

Personal use of a City cellular phone is more limited than personal use of desk phones due to cost. Personal use of City cellular phones shall be limited to relay whereabouts and family arrangements based on unexpected delays or emergencies, and personal calls for "chatting" or long discussions are not allowed because of the usage of minutes and thus cost associated with the use of minutes. In no case should personal use of electronic communications incur any expense to the City (i.e. making long distance calls, accessing media for which a line charge results, etc.), unless such expenses are established by the City as part of the benefits package of the employee's official salary. Reimbursement to the City for an employee's personally incurred expense outside such an agreement is not acceptable. Some exceptions may be made for emergencies.

## ***Electronic Mail System***

You are reminded to be courteous and to conduct yourself in a professional manner when communicating through e-mail. E-mail messages are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. You should write e-mail communications with no less care, judgment, and responsibility than you would use for letters or internal memoranda written on City letterhead. As with all other communications, e-mail messages are part of public record and subject to disclosure.

No e-mail or other electronic communications may be sent which attempts to hide the identity of the sender or present the sender as someone else or from another organization.

You should know that even when a message is erased through e-mail it is still possible to retrieve and read that message. We expect employees to respect others' privacy and not read or retrieve electronic messages unintended for them unless authorized to do so.

## ***Email Record Retention***

With few exceptions, everything in government relating to the conduct of government or the performance of governmental functions, whether written, recorded, taped or electronically stored is subject to public inspection. Thus, the City regulations require retention of electronic correspondence as follows:

1. Informal messages with no retention value and that do not relate to the functional responsibility of the recipient or sender, such as meeting notices, reminders, and informal notes should be deleted as soon as their administrative purpose is served.
2. All other messages used in connection with the transactional of governmental business constitute a public record and are subject to public inspection and copying. Users should retain records in hard copy, electronically, or by a combination of these two according to the City's Record Retention Schedule.

## ***Workstation Computers***

To protect the integrity of our system, all software used on City computers must be registered with the Information Technology Department. Personal or downloaded software for business purposes may only be installed after written authorization. Copy or transfer of City owned software may occur only with the authorization of the Information Technology Department. Procurement and installation of communications systems hardware may occur only with the authorization of the Information Technology Department. The City assumes no responsibility for software pirating. Employees are held solely responsible for any such behavior.

## ***System Security***

The communications and software systems in use by the City are considered sensitive and confidential. The greatest risk to the system is lack of internal security.

Employees are issued a unique username and password. Sharing your password with anyone is prohibited, unless authorized by the department head. If you become aware

that your password has been compromised, change your password immediately, and then notify your supervisor of the incident.

Employees are expected to keep City workstations secure when not in use. You may lock the workstation or log off when not at your desk.

Employees shall also protect the integrity of the City computer networks and equipment by taking care in downloading data.

# PERFORMANCE MANAGEMENT AND REVIEW

To establish a meaningful performance evaluation system, which the City of Newberg can continuously monitor the effectiveness of the City of Newberg and its operations, all employees will receive regularly scheduled formal performance evaluations at least annually. Employee reviews are not considered to be a disciplinary action, and are not subject to dispute resolution or grievance procedure.

The objectives of our performance management and formal appraisal process are:

- To ensure that each employee knows how he/she is performing against established performance standards;
- To determine how well the City of Newberg is doing in assisting with work performance and objectives;
- To ensure communication and two-way feedback;
- To provide a tool for career planning; and
- To provide a permanent record of employee performance and City of Newberg contributions.

Managers and supervisory personnel are accountable for providing employee development actions designed to improve and enhance employee performance such as:

- Reasonable employee training;
- Assigning, directing, controlling, and reviewing employee work;
- Assisting employees in correcting deficiencies; and,
- Objectively evaluating employee performance during the evaluation period.

Our performance appraisal program is intended to be participatory and equally involves both your input and your supervisor's input. This allows you to contribute to the growth and improvement of the City. You are encouraged to:

- Inquire about your performance periodically;
- Accept additional responsibilities and show initiative;
- Review opportunities for advancement within the City of Newberg;
- Ask for assistance in developing a goal-oriented path for advancement within the department or City of Newberg; and,
- Learn about training available to assist you in improving your skills or qualifying for a promotion or lateral transfer.

Performance evaluations serve as one factor in decisions related to employment such as training, merit pay increases, job assignments, employee development, promotions, and retention. Reports are to identify specific performance levels as compared to established standards, to acknowledge the merit of outstanding performance, and to prescribe the means and methods of improving performance deficiencies to the required level of performance.

# CORRECTIVE ACTION

Our high performance expectations reflect our belief that everyone benefits when we work together and conduct ourselves in a manner that reflects the best interests of both the City of Newberg and its employees. It is the philosophy of the City of Newberg to correct performance deficiencies and address violations of policies and work rules in order to correct situations and avoid repetition.

You will be informed if corrective action is necessary as soon as possible after any performance problem has been identified. Your manager or supervisor will discuss the situation with you, explaining the policy and the necessity of corrective action to avoid other disciplinary actions. You will be informed of the facts and observations leading to the decision to take corrective action as well as the proposed corrective action measures to be taken. You will be given the opportunity to provide additional information for consideration or to clarify any misunderstandings before corrective action is taken.

Corrective action may include any of a variety of actions depending on the circumstances and severity of the particular situation. Although the seriousness of a particular violation may warrant skipping any of these steps, the process is administered in the following order:

1. Verbal counseling with you for minor offenses. The counseling will be conducted in private, as soon as possible after the offense has occurred. It will be confirmed in writing by your supervisor for your personnel file.
2. Written warning for more serious violations or when an employee has had a previous verbal warning for minor offenses and has repeated them or fails to take the necessary corrective action. Written documentation will contain the facts surrounding the offense, previous verbal counseling, if any, plan of action for correcting the offense, and reference to the fact that further disciplinary action will be necessary if the offense is not corrected. The employee will be asked to sign a copy of the documentation before it is placed in the personnel file. Employees are given a copy of all written warnings.
3. A letter of expectation may be presented to the employee that clearly outlines changes to be made and what the specific expectations are to be met and by when.
4. Referral to the Employee Assistance Program (EAP) may be another tool used in lieu of other forms of discipline. In some cases the EAP may be used in conjunction with other discipline to elicit the change in performance or behavior.
5. Suspension will be used for major violations of policy or when previous verbal counseling and written warning have been ineffective in correcting the offense(s). Suspension may also be used to remove an employee from City of Newberg premises during an investigation to determine appropriate disciplinary action. This may be the final step in the disciplinary procedure before discharge. A suspension may be paid or unpaid. If you are suspended, it will be documented in your personnel file and you will receive a copy.
6. In certain instances a "Last-Chance Agreement" may be put into place to offer one last chance to comply with City of Newberg standards, behavior, or other area of correction. This agreement is signed by both the employee and manager that signifies

that if compliance is not met, the employee will be terminated. This agreement usually accompanied by a “Letter of Expectations” is to clearly outline expectations of compliance with the agreement.

7. Discharge for violations of a nature that warrant it, or when previous disciplinary action has not been effective. Supervisors are required to obtain upper management approval prior to initiating any discharge action. All documentation and decisions must be reviewed and approved by the City Manager prior to discharge. Discharge decisions are confirmed in writing for the personnel file. The discharged employee also receives a copy.

The corrective action process will not always commence with verbal counseling or include each step. A referral to the Employee Assistance Program (EAP) may be considered one of the steps taken in lieu of other discipline. The above options are not to be seen as a process in which one step always follows another. Some acts, particularly those that are intentional or serious, warrant more severe action on the first or a subsequent offense. Consideration will be given to the seriousness of the offense, your intent and motivation to change the performance, and the environment in which the offense took place.

The City of Newberg supports use of the Dispute Resolution Procedure on page 14 of this Manual if you feel you have been unfairly treated or unjustly disciplined. Represented employees should also refer to their collective bargaining agreement for applicable disciplinary processes.



# COMPENSATION



# PAY ADMINISTRATION

The City of Newberg values quality employees and is committed to compensating employees for their efforts and results. 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 be administered consistently throughout the City of Newberg.

Your pay as a new employee is established based on classifications, qualifications, and the pay level of current employees in the same or similar positions.

## ***Pay Increases***

In most cases, it is the City of Newberg's policy to adjust pay annually, based on COLA or merit increase in pay for dedication to your work, extra effort, and performance, to be effective the first day of the month following the anniversary date or evaluation date. However, in some circumstances, you may not receive an increase due to a number of causes. Some instances where you may not receive a pay increase include; budget deficit or lack of available funding; top step of a salary range or poor performance. Any increase recommendations must be approved by the next level of management and submitted to the City Manager for final review and approval.

The City Manager may enter into employment agreements with management employees. The purpose of such agreements is to set forth the terms of employment between the City and management and to provide incentives to retain good managers. Management employees are at-will employees and, as such, their employment with the City may be ended at any time at the discretion of the City. Employment agreements will address such issues as residency, outside employment, salary, benefits and severance

The City Manager is responsible for maintaining and updating the City's pay plan. Under each pay plan, each position is placed in a classification and each classification identifies specific pay rates according to the following:

Step A - Normal entry level pay rate.

Step B - Normal pay rate after 12 continuous months of above-average performance in the position at Step A.

Step C - Normal pay rate after 12 continuous months of above-average performance in the position at Step B.

Step D - Normal pay rate after 12 continuous months of above-average performance in the position at Step C.

In addition to the "Steps" identified above, two other pay rates are provided, i.e., Step E and Step F. Movement to either of these pay levels is dependent upon outstanding performance and is completely discretionary on the part of the City.

If the employee is being evaluated for an increase, a decision should be made as to whether the employee is deserving of an increase based on performance during the

evaluation period. If an increase is not recommended, the evaluation should specify a time period for re-review of the employee's performance. Evaluators need to consider whether the increase is included in the City's budget, performance factors, and the amount of time the employee has been in the City service. Departments shall develop policies and procedures for determining the appropriate time and criteria to use to grant employee's increases provided by Steps E and F. The reason this shall be a department mission is that the qualifications for attaining Steps E and F may vary by department depending on the education and training requirements of the department.

Continuous service in a position includes all service from the most recent date of hire uninterrupted by termination, suspension without pay or absence of more than six (6) months due to layoff or approved leave, except as otherwise provided by law.

Information about your individual rate of pay and increases in pay, if any, is confidential and we ask that you exercise great discretion and care regarding any discussion of these matters.

## **PAY PRACTICES**

### ***Paydays***

You will be paid monthly. Paydays are generally the last day of each month. If the payday falls on either a Saturday or Sunday, paychecks will be distributed on the Friday prior to the established payday. If a City of Newberg holiday falls on payday, you will receive your check on the last workday prior to the holiday.

### ***Payroll Deductions***

Certain mandatory and elective deductions are made from employee pay, and are noted on the paycheck stub. The only deductions made are those mandated by law or authorized by you in writing, provided such deductions are not otherwise prohibited by state regulations.

### ***Salary Advances***

Advance payments of salary are to be granted for a flat dollar amount not to exceed 40% of your gross salary on the 15<sup>th</sup> of the month. No salary advance shall be granted during the first month of employment unless there is an extreme emergency. The form must be approved by your immediate supervisor and the City Manager and given to the Finance Department four (4) business days prior to the mid month draw. Taxes will be withheld from the advance checks. Emergency draws must not exceed an amount equal to the hours accumulated at the time of the request, less any funds required for voluntary and involuntary deductions. Draws may never exceed the net salary for the pay period. The amount of any pay advance will be withheld from the employee's paycheck covering the pay period the wages were drawn against. Requests for emergency draws will be reviewed individually.

### ***Method of Payment and Delivery of Paychecks***

Employees are normally paid by direct deposit, but may request payment by check. You will receive a notice or check from your department head or designee

A statement showing gross earnings, deductions, and net salary will accompany each paycheck or notice of direct deposit. Payment by direct deposit to a checking or savings account at a financial institution can be done, provided your financial institution has that capability.

### ***Employee Withholding Allowance Certificates (Form W-4)***

You are required under federal law to furnish the City of Newberg with an Employee Withholding Exemption Certificate (W-4) at the date of hire. You must file a new W-4 form at any time there is a change in your marital status or the number of exemptions you wish to claim. You may increase withholding by claiming fewer exemptions than entitled or by requesting additional withholding be made if you find that insufficient tax has been withheld to meet your year-end tax liability.

### ***Time Records for Employees***

The time card/time sheet is a record of time worked and must be filled out monthly. It provides a permanent record of the time spent on the job, indicating the exact time worked.

The time card should be reviewed for completeness and accuracy at the end of each week. Time cards should be reviewed, signed, and turned in at the end of the pay period. Supervisors will review and initial time cards each pay period. Time cards must be completed in ink and signed by you. If an error is to be corrected or time clarified, the time card should be taken to the manager/supervisor, who will take the appropriate action. All corrections must be made, reviewed, and initialed by the supervisor or other appropriate management member. Your signature on the time sheet each pay period verifies that the times and dates are true and accurate to the best of your knowledge. You should never allow someone else to make entries on your time card with exception of your Department Head or Supervisor. Willfully falsifying a time card will be grounds for corrective action, up to and including termination.

### ***Call Back Time***

Regular full-time employees called in to work at other than the regular starting time without at least 24 hours advance notice will be paid a minimum of two (2) hours pay at the employee's overtime rate. All time provided in this section must be approved by the Department Head. Call time is not provided to Volunteers or to employees not eligible for overtime. Police and Fire Department employees eligible for call time shall be subject to the call time provisions in their respective contracts.

Regular part-time employees are not eligible to receive call time unless they have worked 40 hours in the workweek.

### ***On-Call Pay***

Regular non-exempt full-time employees required to wear an emergency communication device and remain within the Newberg area to respond to emergency calls, shall receive on-call pay for each work period the employee is on call. If an employee is called out, the employee receives a minimum of 2 hours of compensation or overtime pay. If compensation time is granted to the employee, then the employee shall receive the on call

pay incentive. Police and Fire Department employees eligible for call time shall be subject to the call time provisions in their respective contracts, this excludes Police Sergeants.

If the employee receives numerous call outs in one time period (i.e. one night) the employee receives a minimum of 2 hours call out plus any over 2 hours. If there is over a 2 hour break between call outs, the employee gets another 2 hour call back minimum.

For non-Public Safety Department employees, the departments include a maximum of 15 minutes of travel time to be included in the 2 hours. Employees who live further than 15 minutes from work have made a choice to do so and the City does not have to compensate them for the additional travel time.

### ***Bilingual Pay***

The City of Newberg recognizes that certain positions require additional qualifications, such as being bilingual. Those employees required to use a second language on the job will be granted between a 1% and 5% monthly pay increase. The percentage will depend on competency (speaking and/or written skills), usage and job requirements. Departments may have their own testing requirements which you would have to pass in order to qualify for the bilingual pay. The Police and Fire personnel will be required to pass their own departmental specific tests to qualify for the additional pay. The City Manager, with Department Head recommendation, shall approve the bilingual pay status.

### ***Final Paycheck***

We require that you give us at least ten working days advance notice prior to departure when resigning or retiring from the City of Newberg, Payroll is to be notified of any special payments on the final paycheck. If you provide us with at least 48 hours notice (excluding holidays and weekends) you will receive your final paycheck on the last day worked. If less notice is given, the final paycheck will be provided within five business days or on our next regularly scheduled payday, whichever occurs first. Final paychecks will include all wages earned through the last workday plus payment for any accrued and vested benefits that are due and payable at separation. Administrative leave cannot be used after a resignation notice has been submitted.

## **HOURS OF WORK AND WORK SCHEDULES**

### ***City of Newberg Hours***

The general office hours at City of Newberg are 8:00 a.m. to 5:00 p.m., Monday through Friday.

Specific workday and workweek schedules for each employee will be determined from time to time by the appropriate manager based on the City of Newberg's needs. We will attempt to notify you of any changes in workdays or workweek schedules two weeks prior to the effective date of change. Management reserves the right to modify schedules consistent with the needs of the City of Newberg.

The normal workday is 8 hours. The total hours in a normal workweek are 40, Monday through Sunday. If you are a non-exempt employee, you should not begin work before your normal starting time nor continue working beyond the normal quitting time without advance approval from your supervisor. Working through a lunch period is also not permitted unless approval from your supervisor is obtained prior to the scheduled lunch break.

### ***Overtime***

You may occasionally be required to work overtime. Overtime hours will be paid to non-exempt employees at one and one-half times the basic straight time hourly rate for all hours worked in excess of 40 in a regular workweek, or as otherwise required by state and/or federal laws. Paid time off will not be considered in computing the 40 hours after which overtime is paid. Your department supervisor must approve any overtime hours in advance. Police and Fire Union employees shall be subject to the overtime provisions in their negotiated contracts.

Supervisors/managers are responsible to ensure that no unauthorized overtime hours are worked. All overtime must be authorized by the employee's supervisor.

### ***Compensatory Time Off***

Employees required to work more than the work week will receive overtime pay (at the rate of one and one-half times their regular rate of pay) or compensatory time off (at the rate of one and one-half hours for each hour or prorated fraction of an hour worked) at the discretion of the Department Head. No employee may accumulate more than two hundred forty (240) hours of compensatory time off. Police and Fire employees shall accumulate compensatory time off according to the labor agreement. Supervisors shall attempt to limit compensatory time accrual to forty (40) hours. Any compensatory time taken off must be requested at least 24 hours in advance and approved by the employee's supervisor, unless the supervisor and employee agree to waive the 24 hour advance notice. Use of compensatory time off must be arranged by mutual agreement between the employee and supervisor.

### ***Meal and Rest Periods***

Meal and rest periods will be provided for you according to federal and state law. Supervisors will review these and establish schedules. Non-exempt employees are not permitted to work through a meal period unless approval from a supervisor is obtained before the scheduled meal break or meals may be scheduled as hours worked, except for Public Safety employees.

### ***Social and Recreational Activities***

Participation in off-duty social or recreational activities such as City of Newberg picnics and holiday parties is entirely voluntary. Participation or nonparticipation will not affect your wages, hours, working conditions, or present or future employment opportunities.

### ***Emergency Closing***

Except for regularly scheduled holidays, City of Newberg offices will be open for business on Mondays through Fridays during normal business hours. We know that there may be circumstances beyond our control, such as inclement weather, national crises, or other emergencies that may affect our hours of operation. On these occasions, the City of

Newberg offices may close for all or part of a regularly scheduled workday. In such an event, the City of Newberg will try to have supervisors contact all employees. You may also contact your supervisor or City Manager. While there may be an emergency closing and the Emergency Operation Center is set-up, you may be required to come in to work. The City Manager has the authority to make the decisions concerning compensation of the employees.

If there is a question of whether the offices will be open in the case of inclement weather, you should contact your supervisor or listen to the local radio station **KLYC (1260AM)**. The City will attempt to notify the employees by any means available include CodeRed.

# **EMPLOYEE-INCURRED EXPENSES AND REIMBURSEMENT**

The City of Newberg will pay all actual and reasonable business-related expenses you incur while performing your job responsibilities. All such expenses must be pre-approved by your supervisor before payment will be made.

Expense reports must be supported by proofs of purchase, e.g., receipts. Expense reports are due to the Finance Department within five days following the end of the month.

## ***Mileage Reimbursement***

When you are authorized to use your own vehicle for City business, you will be reimbursed for City of Newberg-related business travel at the current rate per mile determined by the IRS.

In order to recover these costs, an expense report must be signed by you, dated, initialed by your supervisor/manager, and submitted to the Finance Department for processing according to policy. If you have questions about expense reports and mileage allowances, ask your supervisor.

When using a City vehicle only those people having City related business are allowed to ride in the vehicle. Exceptions to this rule must be approved by the City Manager or Department Head. Public vehicles driven by public employees are carefully observed by many residents. Providing rides for family or friends can create the appearance of vehicle misuse. Employees are cautioned that public vehicles are for public use only and are not to be used for personal use.



# **BENEFITS**



## **PURPOSE AND POLICY**

The City of Newberg recognizes the influence employment benefits have on employees' economic and personal welfare. Paid in various benefit forms on your behalf, the total cost of providing the benefit program described in this Manual and other documents is a significant supplement to your pay and should be viewed as additional compensation.

Policies, provisions, and procedures that govern the City of Newberg's benefit program apply to all regular full-time and in some instances, part-time employees, whether exempt or non-exempt, unless otherwise stated in a particular benefit plan. Benefits do not apply to temporary, limited part-time or contract employees.

Some benefits may earn credit during your probationary period, but in some cases eligibility to use these benefits will not occur until you obtain regular employee status or meet other conditions of employment specified in the Manual or contained in the benefit policy/plan booklets.

### ***Benefit Pro-ration and Employee Cost Sharing***

If you are a regular part-time employee, some of your benefits are determined on a prorated amount of hours according to the budgeted FTE rate. For example, you will accrue vacation and sick leave benefits at a lower rate than a full-time employee. Your accrual rate is based on the number of budgeted hours you are to work.

Discretionary employment benefits not mandated by state or federal law are selected and controlled by the City of Newberg. Decisions to provide and continue providing these benefits are based on such considerations as cost, composition of our workforce, operational efficiency, and desirability of benefit provisions. Where costs of discretionary insurance benefit plans exceed the City of Newberg's interest, ability, or willingness to pay the full premium rate to maintain the current benefit level, you may have to share in the cost to continue the insurance plan coverage.

### ***Benefit Design and Modification***

The City of Newberg reserves the right to design plan provisions and to add, eliminate, or in other ways modify any discretionary benefits described in this Manual or elsewhere in plan documents where and when it is deemed in the City of Newberg's best interest to do so. Management decisions and City of Newberg resources may change these benefits, so you shouldn't make a serious personal decision based solely on the current benefits plan.

### ***Benefit Plan Documents***

You'll receive summary plan descriptions upon eligibility and 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, the plan documents will govern. These official documents are available from the Human Resources Manager for your review. We ask that you refer any questions about this information to the Human Resources Department.

# HEALTH INSURANCE BENEFITS

The City of Newberg currently provides health insurance coverage for all full-time employees and their dependents if they are eligible to participate in the plan. You will be provided with information about the plan at the time you become eligible to participate. You are asked to review the summary plan description for answers to questions you may have. Any need for further information should be referred to Human Resources.

## ***Eligibility***

This benefit is provided for all regular full-time employees. If otherwise eligible, you may begin to participate in the plan after you have completed 30 days of continuous employment. Insurance plan coverage begins on the first day of the month following completion of the 30-day waiting period. If an eligible employee does not enroll during the eligibility period they may be required to wait for an “open enrollment” period to be insured.

## ***Cost***

At the time of eligibility and during open enrollment each year, you will be notified of what percentage the City of Newberg will contribute towards monthly premiums.

Employees may enroll dependents in the medical plan, but must pay a percentage of the premium costs, which will be deducted from the employee’s paycheck.

## ***Plan Enrollment***

Once you are eligible, you may complete enrollment forms available through the Human Resources Department. If you choose not to enroll at the time of first eligibility, you then may only enroll during open enrollment or as a result of certain qualifying events.

All employees must participate in the plan; coverage may be waived in accordance with the EBS Trust rules.

The cost of the monthly premium for enrolled employees is shared between our employees and the City of Newberg. The City of Newberg contributes a percentage of the monthly premium and you are required to pay the remaining percentage.

Coverage for dependents of employees is also available; however, you are responsible for a percentage of the cost of the monthly premium.

An eligible employee who chooses not to enroll their dependents in the insurance plan is not entitled to any other form of compensation in lieu of coverage and is required to sign a written waiver of participation.

## ***Premium Cost***

Specific types of coverage and benefit payment schedules are described in the City of Newberg’s health care plan booklet that is available to all eligible employees. At the time of eligibility and during open enrollment each year, you will be informed of how much the City of Newberg will contribute toward your monthly premiums if you are eligible to participate in the plan. Premium rates are established by the insurance carrier and are

subject to change, usually based on increased costs to provide medical services and the amount of services our employees require.

Any premium co-payment and dependent coverage you are required to pay is funded through a monthly payroll deduction. The City of Newberg determines the payroll deduction schedule.

### ***Termination of Coverage***

In the event that you or your dependents lose eligibility to participate in the health plan, you may have the health plan coverage extended for a period of time. An employee will need to work until the 5<sup>th</sup> of the month to automatically receive benefits for the month in which their employment terminates. Eligibility can be lost due to a prolonged absence from work or if certain "qualifying events" occur that would otherwise cause your group health coverage to terminate. Examples of qualifying events are termination of employment, reduction in hours, divorce or legal separation, entitlement to benefits under Medicare, a dependent child reaching majority age, or a leave of absence.

You, your spouse, and/or dependents may continue group health insurance for a certain period of time at your own expense. However, continuation does not occur automatically. You must notify us in writing within 60 days after the date a covered family member will lose coverage or the covered family member will permanently lose the right to continuation coverage. Election of coverage and payment of the premium must then occur within a specified time limit for coverage to continue. You and any covered dependent will receive information about the provisions of the law when you enroll and again if a qualifying event occurs.

# DENTAL INSURANCE BENEFIT

The City of Newberg provides a Dental and Orthodontic Insurance plan for all full-time employees.

## ***Eligibility***

This benefit is provided for all regular full-time employees. If otherwise eligible, you may begin to participate in the plan after you have completed 30 days of continuous employment. Insurance plan coverage begins on the first day of the month following completion of the 30 day waiting period. If an eligible employee does not enroll during the eligibility period they may be required to wait for an “open enrollment” period to be insured. Temporary and limited part-time employees are not eligible to participate in dental insurance.

## ***Cost***

At the time of eligibility and during open enrollment each year, you will be notified of what percentage the City of Newberg will contribute towards monthly premiums.

Employees may enroll dependents in the dental care plan, but must pay a percentage of the premium costs, which will be deducted from the employee’s paycheck.

# OTHER INSURANCE BENEFITS

## ***Group Life Insurance***

We provide group life insurance coverage for eligible full-time employees. Employees who are regularly scheduled to work 40 hours per week or more become eligible for this coverage on the first day of the month following completion of the 30 day waiting period. The amount of insurance coverage is equal to 1.5 times base annual salary with a \$150,000 maximum. The City of Newberg pays the full premium.

## ***Long Term Disability***

The City of Newberg provides a Group Long Term Disability plan coverage for eligible full-time employees. Employees who are regularly scheduled to work 40 hours per week or more become eligible for this coverage on the first day of the month following completion of the 30 day waiting period. The City of Newberg pays the full premium.

## ***Long Term Care***

The City of Newberg provides a Group Long Term Care plan coverage for eligible full-time employees. Employees who are regularly scheduled to work 40 hours per week or more become eligible for this coverage on the first day of the month following completion of the 30 day waiting period. The City of Newberg pays the full premium. You can add family members to the plan also at your own expense.

## ***Premium Only 125 Plan***

The City of Newberg provides a Premium Only 125 Plan that allows employees to have any group medical or dental premium contributions deducted from their checks on a pre-tax basis. Details will be provided to employees at the time of eligibility.

## ***Portability/Conversion of Health Plan***

If you have been continuously covered under our group Life, Long Term Disability and Long Term Care insurance policy for at least 180 days and your employment with us ends, you may be eligible to convert to an individual policy with our insurance carrier. You may request this portability coverage before, during, or at the end of the benefit extension period described above. However, you must apply for portability coverage from our insurance carrier within 60 days after your group coverage ends. Please contact the insurance carrier for more information about this coverage.

The City also provides the opportunity for employees to purchase additional insurance coverage through independent companies. For example, AFLAC and Colonial Life, this is done at your own expense and on your own time. Premiums may be deducted from your paycheck for coverage of these plans.

# VACATION BENEFIT

All full-time and regular part-time employees are eligible for vacation based on the schedule below. All accruals are pro-rated the first month of employment. At the end of the specified initial employment period, credit is given from the first day of employment. No vacation time may be taken or paid during the first six months, unless specific arrangements have been made at the time of hire.

You will earn vacation benefits for each full calendar month worked according to the following schedule:

<u>Length of Service as of Anniversary Date</u>	<u>Vacation Award</u>	<u>Maximum Vacation Accrual Allowed</u>
Up to 5 years	1 vacation day (8 hours) per month – Up to 12 days per year (96 hours)	192 hours
5 years but less than 10 years	15 vacations days per year (120 hours)	240 hours
10 years but less than 15 years	18 vacation days per year (144 hours)	288 hours
15 years but less than 20 years	20 vacation days per year (160 hours)	320 hours
20 years or more	22 vacation days per year (176 hours)	352 hours

Police and Fire employees may have different accruals in their negotiated contracts.

Accrual for regular part-time employees is on a pro-rated basis calculated on the established budgeted FTE. Continuous service will be calculated from the first of the month nearest your date of hire.

We provide vacation so you can enjoy periods of time away from work. Vacation is intended for rest and recreation. Vacation accruals are not to be cashed out. Vacation accrual will be paid out at separation in accordance with applicable laws.

Time is not to be banked and never used; therefore, accrual cannot exceed two times your annual accrual. Vacation benefits will stop accruing when the maximum allowed has been reached. The benefit will begin accruing again when you reduce the total to less than the allowed maximum.

Employees who want to use vacation time should request time off as early as possible so that arrangements for coverage can be made. Requests for vacation time are to be made in writing and submitted to your supervisor. Generally, employees will not be allowed

more than two weeks off at a time. We will try to grant each request, but we cannot guarantee your request will be approved. In the event of competing requests for times submitted concurrently, consideration will be given to the employee with the longest tenure. Approval of special requests may be done at the discretion of the Department Head in accordance with departmental rules.

# SICK LEAVE BENEFIT

Sick leave is accumulated monthly at a rate of 8 hours for a full-time employee and at a pro-rated amount for a regular part-time employee. Sick leave is accumulated on the last workday of the month. You must be in an active pay status on the last day of the month to accumulate sick leave for that month. Sick leave can be used after one month of continuous employment.

It is in your and our best interest not to be at work when you are ill or injured. It is your supervisor's or manager's right to send you home if you are incapacitated, and you are expected to cooperate with the decision. Sick leave may also be used to care for an immediate family member.

Routine doctor or dentist appointments should be charged to sick time unless other arrangements have been made with your supervisor. To the extent possible, please try to schedule such appointments before or after work hours.

You must use accumulated sick leave in conjunction with income protection plans or other sources of disability income to achieve full pay for as long as possible. However, at no time can the combination of these exceed normal earnings. Sick time accumulated will accrue to a maximum of 125 days (1000 hours) and to be prorated for regular part-time employees according to the budgeted full-time equivalent. Sick leave does not accrue during unpaid leaves or layoffs. Police and Fire union employees may have a different accrual in their negotiated contracts.

You are expected to notify your supervisor/manager at the beginning of each workday during illness or injury. Exceptions to this include a serious accidental injury, hospitalization, or when you know in advance that you will be absent for a certain period and have informed management ahead of time.

A medical release statement may be requested if absent for more than 3 days for review before you return to work in certain situations.

## Sick Leave Incentive

On December 15 of each year, employees who have accrued a minimum of 400 hours of sick leave and are eligible to earn sick leave will receive incentive pay for unused sick leave between December 1 and November 30 of each year. Regular part-time employees will have their sick leave balances pro-rated according to how the position is budgeted. Sick leave incentive will be paid out based on the following chart:

Sick Leave Hours Used	Hours of Pay	Reduction of Accrual
0 to 16	24	24
17 to 24	16	16
25 to 32	8	8

Footnote for Fire: Pursuant to Fire Union Contract, the fire union employees do not receive sick leave incentive.

The incentive pay will be based on the employee's current hourly wage as of the November 20<sup>th</sup> pay period. Annually prior to disbursement, the employee will be given the choice to accept the incentive or not.

Sick leave sharing will not be included in the hours of used sick leave.

Unused sick leave is not paid at termination, but 50% of your accrued sick leave goes into your retirement calculation when you retire.

Sick leave is not accumulated while an employee is on an unpaid leave of absence. In the case of a work-related accident or injury, you may use sick time to offset any days or hours not paid through workers' compensation, or to offset the reduction in regular pay until accumulated sick time is used. However, at no time can the combination of these exceed normal earnings, nor can you use more sick time than that accumulated.

## **Sick Leave Transfers**

An employee may request, through their Department Head, that some of the employee's paid sick leave be transferred to another employee who is absent from work for an extended period of time because of an injury, unexpected illness, or other reason for which the use of paid sick leave would normally be allowed. The Department Head will pass the request, with the Department Head's recommendation to the City Manager for approval. The employee receiving a donation of paid sick leave must be non-probationary and must first have used all available paid leave and vacation time.

The maximum donation to be given by any employee is 16 hours per incident, not to exceed 48 hours in any calendar year. Employees transferring paid sick leave must have accrued a minimum of 200 hours of paid sick leave or for part-time a prorated amount commensurate with the full-time equivalent of the position. All donated leave will be used in the order received by the Payroll Department.

Any paid sick leave not used by the employee receiving the paid sick leave will be returned to the donor employee, if the total paid sick leave is under the allowable maximum. An employee's sick leave incentive is not affected by a transfer.

# Paid Holiday Benefit

The City of Newberg observes the following holidays each year, and our offices are officially closed on these days:

New Year's Day	Labor Day
Martin Luther King Jr.'s Day	Veteran's Day
Presidents' Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Fourth of July	Christmas Eve
	Christmas Day

In addition, employees will receive one floating holiday. The Floating holiday shall be granted by calendar year and must be used by December 31. Employees hired after March 1 shall not be eligible for the floating holiday until January 1 of the following year. An employee shall not be eligible for a floating holiday after submitting a resignation.

Holidays are paid based on an 8 hour workday to regular full-time employees. If an employee works a 10/4 schedule, the employee will be paid 8 hours for the holiday and 2 hours from their vacation bank, comp time or make up the time. This does not affect getting paid for working on the holiday.

If any holiday falls on a Saturday, the preceding Friday will be observed, unless that Friday is also a holiday, in which case the following Monday will be observed. If any of the above holidays falls on a Sunday, the following Monday will be observed, unless that Monday is also a holiday, in which case the preceding Friday will be observed.

Departments with other schedules and other regular part-time employees who might not work on the actual holiday the following applies. Holidays may occur on the days regular full-time or regular part-time staff members are not scheduled to work. If a holiday falls on a day off for a staff member, they may take the holiday within the pay period (with approval from their supervisor or Department Head) or receive straight compensatory time to be used later.

The dates observed for the above holidays will be those authorized by the Oregon Legislature. Employees will receive a schedule each year showing the date each of these holidays will be observed.

## ***Eligibility***

Employees regularly scheduled to work 40 hours or more per week will be paid for the above holidays. Regular part-time employees will receive a pro-rated amount of paid time based on their regularly scheduled time. For instance, a regular part-time employee working 20 hours per week would receive 4 hours of holiday pay because he/she is working 50% of full-time. Upon submitting a resignation notice the City requires an employee to work on the day before or after the holiday in order to receive holiday pay. Temporary workers and contract employees are not eligible for paid holidays.

# OTHER BENEFITS

## ***Employee Assistance Program***

The City of Newberg recognizes that employees and their family members may, from time to time, face personal issues that affect their careers and personal lives, or both. Solutions to some of these problems may not be readily apparent. To this end, we offer, at no expense to you, the services of outside professional counseling for you and your family to help deal with personal problems such as working relationships, family relationships, substance abuse, finance management, etc. You or a member of your family may consult with these professionals up to three consultations per incident on a confidential basis at no cost. Literature describing plan provisions and how to contact our providers is made available during your orientation period and to all staff members as plan provisions change.

Regular full-time employees regularly scheduled to work 40 hours or more per week become eligible on the first day of the month following hire same as for the health benefits as this is part of the Healthy Benefits package.

*NOTE: CIS' EAP is called E.A.S.E. EAP and they can be reached at 1-800-654-9778. Other resources can be found on the Internet at: [www.easeeap.com](http://www.easeeap.com)*

## ***Retirement Plan***

The City provides a City operated retirement plan for all regular full-time employees. Management, middle management and exempt technical employees, unless currently enrolled in the City operated retirement plan, shall be members of the Oregon Public Employee Retirement System.

## ***Retirement Health Insurance***

Retiring employees may qualify to purchase, through the City, Retirement Health Insurance, pursuant to the provisions of Oregon Revised Statutes 243.303.

## ***Worker's Compensation***

The City pays the cost of providing Worker's Compensation Insurance for all employees. This plan is designed to provide payments for medical expenses and disability income in case of on-the-job accidents and benefits to the survivor in case of job related death. Information about Workers Compensation can be obtained from the State Workers Compensation Department.

## ***Deferred Compensation***

The City provides deferred compensation plan(s) to all regular employees, where payroll deductions are invested in a savings account in accordance with Section 457 of the Internal Revenue Code. To be eligible to participate in the plan, each employee may execute an individual agreement with the City for amounts earned by them to not be paid

until a future date when certain circumstances are met. The City Manager is the administrator of the deferred compensation plan(s).

### ***Credit Union***

Regular employees are eligible to participate in the On Point Community Credit Union or Rivermark Credit Union. Payroll deductions will be made and transmitted to the credit union upon authorization by the employee. It is necessary that the employee fill out an authorization to deduct an amount each month from the employee's salary to take advantage of this benefit.

### ***Unemployment Insurance***

Unemployment insurance is provided to City employees in accordance with state law. The conditions that apply to this insurance are specific, and limit participation. Information may be obtained from the State Employment Division.

### ***Longevity Pay***

The City currently contributes longevity pay towards deferred compensation for regular full-time employees with more than 10 years of service. The City's contribution to deferred compensation is shown below and may be changed from time to time by the City Council. Employees who do not select a deferred compensation provider, forfeits longevity pay until a provider is selected.

Through the adoption of Resolution No. 2000-2216 the City recognizes an employee's longevity of employment by providing a monthly contribution to a deferred compensation program (457 Plan). Effective January 1, 2000, the monthly contribution shall be as follows:

11-15 years =	\$40 per month
16-20 years =	\$60 per month
Over 20 years =	\$100 per month

### ***Educational Reimbursement***

Educational reimbursement is paid by the City when an employee voluntarily desires to take courses that are directly related to the employee's work, and the course is conducted outside the employee's regular working hours. The City will reimburse the employee for the cost of tuition (which shall be limited to up to the amount for Tuition and Fees charged by Portland State University in the most current Schedule of Classes),

This shall apply to all employees who are eligible to receive educational reimbursement for Associate of Arts, Associate of Science, Bachelor or Master degree programs. This shall not apply to continuing education, which is required in order to maintain certifications or for City required education or training.

*Educational Reimbursement* provides for a policy on voluntary education, which includes the following:

Funds for such expenditures are available in the current budget;

The employee has made application for approval of the course and tuition reimbursement to the Department Head at least ten days prior to the registration for such course, when such prior approval is possible;

The employee submits evidence of completing the course with a grade of "C" (or equivalent) or better;

The employee is not receiving reimbursement for tuition from any other source; and

The employee agrees to reimburse the City if the employee resigns from City service within one (1) year of completing the course.

Courses which are only offered during regular working hours may be approved by the Department Head provided time off can be arranged conveniently, and reasonable arrangements can be made to make up time off.

This policy grants broad discretion to the City Manager to grant tuition reimbursement based solely on the availability of budgeted funds. Portland State University and the local Community College can generally offer educational opportunities to employees, which are comparable and less expensive than private schools in the area. This will provide a policy for Department Heads to use when requests are made by employees who may wish to pursue more expensive educational opportunities.

*Required Education* - The City shall allow time off with pay, and reimburse an employee for expenses of attending classes, lectures, conferences or conventions when attendance is on an assignment basis, with prior approval of the employee's Department Head. Reimbursement will include the cost of transportation. Time spent traveling, however, will not be paid for, unless it is within the employee's normal work schedule. If the event being attended is graded, and the employee fails to complete the course with a grade of "C" (or equivalent), then the employee will not be eligible for tuition reimbursement.

Normally, the cost of textbooks and technical publications required for courses will be the responsibility of the employee. If the City purchases any of the textbooks and publications for courses, the textbooks and publications become the property of the City.

Transportation to courses is the responsibility of the employee, except, when assigned to attend as stated above.

*In-Service Training* - Training opportunities promoting more effective City services are encouraged for employees and supervisors. The City Manager will assist Department Heads in identifying and providing training needs for their department. The City Manager will also assist in developing training programs to meet employee needs and to prepare employees for promotions and transfers. Training sessions may be conducted during regular working hours at the discretion of the Department Head(s).

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

# LEAVES OF ABSENCE



# LEAVE OF ABSENCE POLICY

We realize that our employees may encounter situations that require a temporary but extended absence from work. We offer several different types of leaves of absence.

*BEREAVEMENT LEAVE*

*CIVIC DUTY LEAVE*

*FAMILY MEDICAL LEAVE*

*PERSONAL LEAVE OF ABSENCE*

*UNIFORMED SERVICES LEAVE AND RE-EMPLOYMENT*

*ADMINISTRATIVE LEAVE*

Employees may request a leave of absence for purposes specified in this section. Paid leave, as identified, will not affect paid vacation or paid sick leave, unless otherwise specified. Unpaid leave will affect accruals and may affect insurance payments made by the City. Each request will be judged by the Department Head on its merits and on the guidelines provided in this section.

The type of leave requested might determine which employees are eligible and what procedure should be followed in requesting and obtaining the leave. The effect of the leave on benefit accruals, benefits, and reinstatement rights also varies according to the type of leave you are requesting. Each of these leaves is discussed on the following pages. If you have any questions about your potential eligibility for a leave or your benefits and rights while on a leave, please contact Human Resources or Payroll.

# BEREAVEMENT LEAVE

You are eligible to take a Bereavement Leave in the event of death of the following immediate family members:

- Spouse/Domestic Partner
- Brother/Step-Brother
- Grandchild
- Any other relative residing in the same house or person acting in the capacity of an immediate family member i.e. aunt, uncle, cousin, etc.
- Child/Step-Child
- Sister/Step-Sister
- Father-in-law
- Parent/Step-Parent
- Grandparent
- Mother-in-law

Leave to attend the funeral of a non-immediate family member or person with some especially close relationship may be granted as bereavement leave.

## Length of Leave

The length of leave you may be granted for bereavement is situational and may be decided based upon the unique circumstances of your need. You are allowed to take up to three consecutive regularly scheduled working days away from work for a bereavement leave for immediate family members. If you need additional time off for any bereavement purpose, you may ask your Department Head's approval for additional bereavement leave, or you may use accrued time off or apply for an unpaid personal leave of absence.

## Request Procedure

You are expected to give us as much notice as possible of the need for time off so that we can make arrangements to cover your absence. Your supervisor will decide whether to grant leave after consulting with management. You may be asked to verify family relationship and death.

## Pay While on Leave

If you are a regular full-time employee or regular part-time employee, you will continue receiving your regular pay for up to the three days of bereavement leave allowed (based on 8 hours a day or pro-rated). Exempt employees will continue receiving their regular salaries for any additional partial days missed for any bereavement purpose.

## Status of Benefits

Bereavement leave won't affect your eligibility for benefits or continuance of benefit accruals. If you're gone longer than the three day leave allowance and you are granted additional time off in the form of a personal leave, the effect of the additional leave on your benefits will be determined by our personal leave policy.

## Reinstatement

Upon return from bereavement leave you will be reinstated to the same position you held at the time your leave began, subject to our general reinstatement policy.

# CIVIC DUTY LEAVE

## Jury or Witness Duty

Employees called for jury duty or subpoenaed as a witness will be granted paid leave for the time necessary. If we feel that your absence would cause an undue hardship to you or the City of Newberg, we may request, with your agreement, that you be excused from jury duty. Voluntary service as a witness or court appearances you must make as part of your own legal proceedings or lawsuit are not paid leaves of absence.

## Length of Leave

Jury or witness duty leave is available for the period of time covered by the initial subpoena or court order and any involuntary extensions.

## Request Procedure

You must notify your manager or supervisor as soon as is practicable after you receive notice asking you to serve as a witness or on a jury so that arrangements can be made to cover your position. You are expected to provide us with a copy of the subpoena or notice within five days after you've received it.

## Pay While on Leave

You will be compensated at your regular rate of pay for up to two weeks. For longer service, jury duty pay would be at the discretion of the City Manager. Jury pay must be turned into the City, but the portion assigned to travel will be reimbursed to you.

## Status of Benefits

Benefits are not affected by jury or witness duty leaves.

## Reinstatement

Upon return from jury or witness duty leave you will be reinstated to the same position you held at the time your leave began, subject to our general reinstatement policy. You are expected to report to work during regular work hours when not in court. If requested, you must supply proof of appearance in court or jury service.

# FAMILY AND MEDICAL LEAVE

*Note: This policy applies to an Oregon Organization with more than 50 employees. The policy integrates the federal and state family leave laws.*

## Purpose

Our Family and Medical Leave policy allows you to take a leave of absence for your own serious health condition. Leave is also granted for the birth or adoption of a child, for the placement of a foster child, for the care of a child, spouse or same sex domestic partner, parent or parent-in-law with a serious health condition and for the care of a sick child. This policy is intended to comply with federal and state laws regulating this practice.

## Eligibility

You will be eligible to take a family and medical leave if you meet the following requirements:

- You have been employed for at least 180 days (26 weeks) or more before the first day of the family and medical leave; and,
- You have worked an average of 20 or more hours per week as of the day before the request for family and medical leave is made. This average is calculated over the 180 days preceding the request for leave. For the purpose of taking leave for the birth, adoption or placement of a child (parental leave), there is no hours worked requirement.

## Family and Medical Leave

You are eligible to take family and medical leave in the following situations:

- To care for an infant or a newly placed adopted or placed foster child under the age of 18, or older than 18 if incapable of self-care due to mental or physical disability, within 12 months of the event (parental leave);
- To care for a family member with a serious health condition, or your own serious health condition (serious health condition leave) Note: Oregon covers child, parent, parent-in-law, spouse and same sex domestic partner. Federal law covers only child, parent and spouse. This means an employee may be eligible for 12 weeks under Oregon and 12 weeks under Federal in some situations;
- For a pregnancy disability or prenatal care (pregnancy disability leave) Female employees who have used up their original 12 weeks for a serious health condition related to pregnancy are entitled to an additional 12 weeks of parental leave;
- To care for a sick child who does not have a serious health condition but requires home care (sick child leave). Note: Employees who use up their original 12 weeks for parental leave are entitled to an additional 12 weeks of sick child leave.

## Length of Leave

You may take a leave of up to twelve (12) weeks of family and medical leave during a 12-month period. A week is defined as your normal workweek schedule. The 12-month period will be measured forward from the date of leave [organizations can choose to count a calendar year, rolling forward or rolling backward calculation]. If medically necessary, family and medical leave may be taken on a reduced or intermittent schedule. Details of the proposed schedule should be attached to the "Request for Family Leave" form and should be verified by the certifying health care professional on the Health Care Provider Certification form.

#### Request and Certification Procedure

In situations where the need for medical leave is known, you must give thirty (30) days' written notice to take family and medical leave by filling out and turning in the Request for Family and Medical Leave form and the Health Care Provider Certification form.

We recognize that many times the need for family and medical leave can be caused by serious or emergency situations. We will make every attempt to work with you to ensure that you receive all benefits to which you are entitled, however, we ask that you call us and make every effort to communicate your situation to us immediately.

All requests for family and medical leave must be verified by a health care professional by using the Health Care Provider Certification form, which needs to be returned within 15 days of a request for leave. Furthermore, if you are taking family and medical leave to care for a family member with a serious health condition, you will be asked to provide proof of your relationship to this person. Please check with the Human Resources Department to discuss how best to provide this proof.

In the case of adoption, a legal representative who can attest to the validity of the adoption must verify the request for family and medical leave. In the case of placement of a foster child, a representative of the agency making the placement can verify the request.

Any medical information provided on either a personal health condition or the health condition of a family member is kept confidential or only those with a valid business-related reason for knowing any details will have access to any of this information. If you have any questions about how this information will be handled, please contact the Human Resources Department

#### General Provisions

The City allows Family Medical Leave in accordance with State Statute Chapter 659.470 to 659.494 (See Appendix-1). Employees shall use all accumulated paid leave prior to leave without pay. The employee may not spread accrued paid leave over the family leave absence. You shall use any accrued vacation, sick leave, or other paid leave available to you during the family and medical leave. When this is exhausted, the balance of the leave will be unpaid. The organization will continue to pay our share of your medical benefits during family and medical leave. You are responsible for paying your share of medical insurance premiums prior to the due date of the premium payment. You may be required to provide periodic status reports to the organization while on a family and medical leave. You may continue other insurance benefits by paying the full cost of the premium for any leave in excess of four workweeks in duration. Premium payments must be received by the due date or coverage will be discontinued.

You will stay an active member of the appropriate retirement plan as long as you receive pay. You should check with the appropriate agency if you end up in a non-paid leave status.

You are entitled to return to the same or an equivalent job with equivalent benefits, pay and other terms and conditions of employment at the end of a family and medical leave. You will be required to present a fitness-for-duty certificate before being reinstated.

Other details regarding family and medical leave are available from the Human Resources Manager.

# PERSONAL LEAVE OF ABSENCE

Full-time and regular part-time employees may be granted an unpaid personal leave of absence under certain circumstances. A personal leave of absence is an approved period of time away from work for personal reasons that does not fall under the guidelines of the Family and Medical Leave Policy. A personal leave of absence is granted at our discretion and is normally granted to protect the length of service and benefit rights for an employee whose service might otherwise be terminated.

Employees may request a leave of absence for purposes specified in this section. Paid leave, as identified, will not affect paid vacation or paid sick leave, unless otherwise specified. Unpaid leave, of more than thirty (30) days, will affect accruals and may affect insurance payments made by the City. Each request will be judged by the Department Head on its merits and on the guidelines provided in this section.

## Eligibility

You become eligible for a personal leave of absence after six months of service. If you want to take a personal leave of absence you must make arrangements with your supervisor. Personal leaves of absence are without pay unless you decide to use any earned vacation hours during the leave and are otherwise eligible to use such hours.

## Unpaid Personal Leave

Unpaid leave may be granted for personal reasons, up to 30 days a year, without loss of benefits where such leave will not place a hardship on the department. All requests for personal leave must be submitted in writing to the Department Head who will review the request considering the departmental workload and reason for request, and make a recommendation for the City Manager's approval.

## Request Procedure

A written request, using the Leave of Absence Request Form, should be submitted at least one week (five working days) before time off that exceeds ten days, except in emergencies. Leave requests must include an expected date of return. If you do not return within three days of that date and no extension has been requested, we'll assume you have resigned.

## Status of Benefits

Insurance coverage will **not** be maintained for you while on a personal leave of absence of more than 30 days. You may continue insurance coverage by paying the full premium by the first of each month. Benefits do not accrue during a leave of absence, but are retained at the same level. You will stay an active member of the appropriate retirement plan as long as you receive pay. You should check with the appropriate agency if you end up in a non-paid leave status.

## Reinstatement

The City of Newberg will attempt to arrange employment for individuals returning from a personal leave of absence, but no guarantees are made. While you are on a personal

leave of absence, you are required to check in with your supervisor on a regular basis to inform us of your status and to notify us of any change in personal data.

# UNIFORMED SERVICES LEAVE AND RE-EMPLOYMENT

Regular employees requiring a leave of absence for service in the uniformed services are provided leave and will be re-employed at the end of the leave. Policies governing this leave are designed according to the Uniformed Services Leave and Re-employment Act and applicable state regulations. The policy covers employees who enter active military duty voluntarily and extends to Reservists or National Guard members who are called to limited active duty or extended training duty, including regularly scheduled annual training and military summer camp training.

## Eligibility

All employees of the City of Newberg who has successfully completed six (6) months of service with the City except those hired on a temporary basis are eligible for leave.

## Length of Leave

The length of military leave is determined by the uniformed service calling you to active duty or military encampment.

## Request Procedure

You must provide written notice, using the Leave of Absence Request Form, of your obligation or intention to perform service in the uniformed services, unless notice is precluded by military necessity or is otherwise unreasonable or impossible. Failure to do so may result in loss of re-employment rights.

## Pay While on Leave

Upon application, an employee will be entitled to a paid leave for a period not exceeding fifteen (15) calendar days in any one (1) calendar year. The paid leave shall be granted without loss of time, pay or other leave, and without impairment of merit ratings or other rights or benefits to which otherwise entitled. Paid military leave shall be granted only when an employee has received orders to temporary active or training duty, and shall not be paid if the employee does not return immediately following the expiration of the period for which ordered to duty.

Paid leave will not be granted to employees entering military service for extended or indefinite periods of active duty. Unpaid leave will be granted in accordance with federal and state laws.

## Status of Benefits

Reservists, National Guard members, and veterans returning from military service in the Armed Forces have and retain rights with respect to seniority, vacation, compensation, and length of service pay increases, as may be from time to time provided by applicable statutes of the United States and the state of Oregon. You may maintain health care insurance benefits for up to 18 months while on leave by paying the insurance premium through COBRA for any leave extending beyond 30 days.

## Reinstatement

If you are returning from a Uniformed Services Leave, you must report to work or request re-employment within prescribed time limits, which are based on the length of the leave as follows:

1 to 30 days: You are expected to report to work on the first regularly scheduled workday following completion of training and you will be reinstated to the same position you held at the time the service leave began.

31 to 180 days: If you are a Reservist or National Guard member returning from initial active duty for training you must submit an application for re-employment within 31 days after honorable release from service. You will be reinstated to the same position held at the time the service leave began, provided the leave has been for less than 90 days in length. If the leave is 91 days or longer, when you return you will be reinstated to the same job, or comparable job in terms of like seniority, status, and pay, as long as you are qualified to perform the duties.

181 days or longer: If you are returning from active duty in the armed services, you must submit an application for re-employment within 90 days after completion of satisfactory service. You will be reinstated to an equivalent position as long as you are qualified to perform the duties and the City of Newberg's circumstances have not changed to the extent that it would be impossible or unreasonable to provide re-employment. When returning, you must provide documentation to verify your rights to re-employment, including your separation papers. Time limits for application for re-employment are extended for up to two years for disabled veterans.

Failure to file an application within the required time period forfeits the right to re-employment.

### ***Administrative Leave***

Administrative leave is intended to compensate exempt employees, who are not eligible for either compensatory time off or overtime, for additional hours worked over and above the applicable work week. Exempt employees are eligible for up to eighty (80) hours of annual administrative leave in accordance with department policies. Non-exempt employees may be eligible for administrative leave on a case by case basis subject to the approval of the City Manager.

# HEALTH AND SAFETY



# SUBSTANCE ABUSE

The objective of this policy is to provide a workplace and environment that are free from the effects of substance abuse. Furthermore, the City of Newberg and the union believe that we have a responsibility to our employees and to the general public to ensure safe operating and working conditions. To satisfy our drug free workplace objective and meet these responsibilities, we must establish a work environment where employees are free from the effects of drugs, alcohol, or other impairing substances. Accordingly we have adopted this substance abuse policy.

The following conditions and activities are expressly prohibited on our premises or property or during work time or while representing us in any work-related fashion:

- Manufacturing, selling, attempting to sell, using, or possessing alcohol or other controlled or illegal substances that impair job performance or pose a hazard when use or possession occurs (except strictly in accordance with medical authorization);
- Reporting for work under the influence of alcohol, illegal drugs, or controlled substances in a manner that may impair work performance.

If your doctor prescribes over-the-counter or pharmaceutical drugs, you're responsible for ensuring that your ability to work safely will not be affected by taking the medication. If you are in doubt, please discuss this with your Supervisor or Division Manager before beginning work. Any medical issues discussed will be kept confidential, in accordance with Federal HIPPA Laws.

If you have a problem with drugs and/or alcohol and wish to undertake rehabilitation, you will be granted an unpaid leave of absence for this purpose. It is your responsibility to seek help before the problem adversely affects your work performance or results in a violation of this policy. If you need assistance in seeking this help, you may talk to the Human Resources Manager. No one will be discriminated against for undertaking rehabilitation.

For purposes of this policy, having any detectable level of an illegal or controlled drug in one's system while covered by this policy will be considered to be a violation. Where we have a reasonable suspicion that an employee is in violation of this policy, the employee will be required to submit to testing to determine presence of, use of, or involvement with alcohol or drugs. We reserve the right to determine whether reasonable suspicion exists.

The following definitions apply:

Reasonable suspicion is defined as specific describable observations concerning such circumstances as the work performance, appearance (including, for example, noticeable odor of an alcoholic beverage), behavior, or speech of the employee, or as being involved in an accident on City of Newberg premises or during work hours, or while driving a City vehicle that results in physical injury or property damage.

Under the influence is defined as any detectable level of alcohol or drugs in an employee's blood or urine, or any noticeable or perceptible impairment of the employee's mental or physical faculties due to illegal or controlled substances.

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

Over-the-counter drugs are defined as those that are generally available without a prescription from a medical doctor.

Prescription drugs are defined as those drugs that are used in the course of medical treatment and have been prescribed and authorized for use by a licensed practitioner/physician or dentist.

Any employee who is found to be in violation of this policy, who refuses to submit to testing, or who refuses to cooperate, or attempts to subvert the testing process will be subject to corrective action, up to and including termination. We also reserve the right to involve law enforcement officials for any conduct that we believe might be in violation of state or federal law.

If a professional assessment is made that you have a problem with alcohol or drugs, your continued employment may be conditioned upon your entering into and completing a treatment program (including follow-up recommendations) approved by the City of Newberg. You also may be required to sign and live up to the terms of a performance agreement in order to demonstrate your commitment to rehabilitation and staying alcohol/drug-free. This course of action is likely if you come forward on your own and ask for help in overcoming your problem. If you are caught selling, using, or being under the influence of drugs or alcohol while at work, we may terminate your employment without offering you the opportunity to participate in a treatment program.

#### Testing

If you voluntarily request assistance in dealing with a personal drug and/or alcohol problem, you may do so through the Employee Assistance Program or Human Resources Manager. The request for assistance will not jeopardize your employment as long as this assistance is sought before work performance has deteriorated or disciplinary problems have begun. Other treatment programs for drug and alcohol problems may be available through our health insurance coverage.

As a result of corrective action arising from a drug or alcohol problem, you may be required to participate in a drug or alcohol treatment program. If required, you will be regularly evaluated for drug and alcohol use by a professional. When such an evaluation is scheduled, we will pay the cost. You may also be required to participate in follow-up care as part of a comprehensive alcohol and drug treatment program. Depending upon the nature of the conduct that led to your mandated participation in an alcohol and drug treatment program, you may be required to submit to random or unannounced screening for alcohol and/or drugs for a specified period of time. You may also be required to meet various performance standards that are imposed as a condition of continuing employment.

If you are involved in a job-related accident resulting in property damage or physical injury requiring off-site medical attention, you will be required to submit to testing to determine the presence of any involvement with alcohol or drugs. We may waive the requirement if we determine, in our discretion, that the accident could not have been caused by alcohol or drug use.

The City Manager has determined that some City positions, because of their safety or security responsibilities, are particularly sensitive and are designated positions subject to random testing.

Among the factors the City Manager shall consider in designating random testing positions is the extent the position:

Is engaged in law enforcement;

Must foster public trust by preserving employee reputation for integrity, honesty and responsibility;

Has drug interdiction responsibilities;

Gives employees access to sensitive information;

Requires employees to engage in activities affecting public health and/or safety;

Requires the operation of machinery that poses a danger to the public and fellow employees.

Random drug testing shall be required as deemed necessary by the City Manager or through the department policies and procedures. See City of Newberg, Department of Transportation Alcohol and Drug Testing Policy below.

We will also conduct testing as required or recommended under the provisions of any state or federal government regulations. If you are within a regulated group requiring testing you will be required to abide by policy as well as any government programs.

When being tested, you may request that any sample be split into two parts; with one part tested and the other retained by the testing laboratory for future re-testing in the event of a positive test result. If you request a re-test, it will be at your expense and must be conducted by a laboratory that is acceptable to us. A list of approved laboratories will be provided upon request.

If you believe that your specimen was not collected in accordance with established procedures, you must report any deficiencies within 24 hours of the collection. Deficiencies reported after 24 hours have expired and will not be considered.

Employees required to have a Commercial Drivers' License (CDL) are subject to random drug testing under federal law pursuant to the following CDL Policy:

#### **DEPARTMENT OF TRANSPORTATION ALCOHOL AND DRUG TESTING POLICY**

The following alcohol and drug testing policy supplement has been adopted in accordance with the City of Newberg's Personnel Rules and Regulations, Random Testing provisions. This policy has been developed to comply with federal Department of Transportation (DOT) requirements. All employees (and applicants for employment) that perform duties covered by DOT regulations are covered by this policy related to alcohol and drug use.

Accordingly this policy applies to all employees who are required in the course of their employment to hold a CDL, or who perform safety-sensitive functions.

## **PROHIBITED CONDUCT**

The following conditions and activities are expressly prohibited:

- Performing any safety-sensitive functions while using alcohol, or while having an alcohol concentration of 0.02 or greater, or within four hours after using alcohol;
- Performing any safety-sensitive function having used a controlled substance;
- Refusing to be tested (which includes refusal to cooperate with testing, failure to remain available following an accident, attempts to subvert or to adulterate specimens, or otherwise affect testing results).

## **CONSEQUENCES OF PROHIBITED CONDUCT**

Employees violating these prohibitions will immediately be removed from duty and not returned before evaluation by a professional and any necessary rehabilitation, including any return to duty testing, which may be required. Pursuant to federal requirements, drivers who test positive or who refuse to provide a urine sample following a fatal accident, shall be disqualified from having a CDL, for a period of one year.

Disciplinary action in addition to removal from service may be taken. Such action may include termination of employment, as provided for in the Personnel Rules and Regulations.

## **TESTING REQUIREMENTS**

The City will conduct testing for alcohol and drugs pursuant to any requirements that may be imposed from time to time, including but not limited to the following:

### **ALCOHOL**

- On a pre-employment basis prior to first performing safety-sensitive functions (on hold pending DOT ruling);
- After an accident where employee's performance could have contributed to an accident;
- On a random basis starting at 25% of covered employees before, during or just after performance of safety-sensitive functions. The percentage rate may change from time to time in accordance with government requirements;
- On reasonable suspicion based on a supervisor's observations, during or just before or just after performance of safety-sensitive functions;
- On return to duty following a positive test or rehabilitation;
- As a follow-up to rehabilitation.

DOT alcohol testing includes the taking of breath samples (and, if authorized by future regulation, blood samples), to test for alcohol concentration. Breath testing equipment used is approved by the National Highway Traffic Safety Administration (NHTSA). An initial breath test will be performed; if any alcohol is detected in a concentration of 0.02 or greater, a second test is performed. Employees with an alcohol concentration of 0.02 or greater are advised not to perform safety-sensitive duties or operate a vehicle or heavy equipment. Employees should arrange for alternate transportation home from a testing site when alcohol is detected in a concentration of 0.02 or greater.

When test results indicate an alcohol concentration of 0.02 or greater, in addition to the consequences described in this policy and any other consequences described in other City policies, personnel at the testing site may:

- 1) Suggest and or arrange for alternate transportation for the employee; or
- 2) Contact law enforcement officials if the employee refuses such alternate transport. The testing site will contact a City representative to report test results.

## **DRUGS**

- Before an applicant is hired;
- When a driver receives a citation for a moving traffic violation arising from a reportable accident, within 32 hours after the accident; drivers who were injured in an accident and unable to provide a specimen must authorize the City to obtain the necessary hospital reports or other documents indicative of the presence or absence of controlled substances;
  - Upon reasonable cause, where the actions or appearance or conduct of a driver are indicative of the use of a controlled substance;
  - On a random basis at a level of at least 50% of the average number of drivers for whom testing is required. The percentage rate may change from time to time in accordance with government requirements.

DOT drug testing includes taking urine samples, which are sent to federally certified testing laboratories to test for the presence of amphetamines, cannabinoids (marijuana), cocaine, opiates (codeine and morphine), and phencyclidine (PCP). Positive test results will be reviewed by a qualified physician, Medical Review Officer (MRO), to determine if the employee has a legitimate medical explanation for a positive test result.

## **PROCEDURES FOR EMPLOYEES TO CHALLENGE TEST RESULTS**

Employees who have medical conditions which preclude their giving a urine specimen or breath sample will be required to provide an evaluation from a licensed physician of the City's choice, verifying the medical inability to provide a specimen or sample. Absent such verification, the failure will be treated as a refusal to be tested.

Employees have the right under federal regulations to challenge the results of a positive test in accordance with the following guidelines.

### **ALCOHOL:**

Confirming tests are performed at the time of the original test.

### **DRUGS:**

Employees will be notified of a positive test result by the MRO. If, after discussion, the MRO deems the test to be positive, the employee may request a test of the retained portion (the split specimen). This request must be made within 72 hours to the MRO. It is the employee's responsibility to ensure that they can be contacted by the MRO. Inability to contact or refusal to respond within five days to a management request to contact the MRO can result in the MRO's reporting the results as positive. Any employee who was

unable to make contact with the MRO may request consideration of whether the failure is for a legitimate reason by presenting information about the reason to the MRO.

Employees testing positive will be on unpaid leave pending the results of the retest.

Any retest is at the employee's expense. It will be done, at the MRO's direction, at a certified laboratory. The employee may designate a laboratory, as long as it meets the requirements of the rule; otherwise testing will be done at a laboratory designated by the MRO.

### **CONSENT TO RELEASE INFORMATION**

All applicants for employment to positions that require a commercial driver's license (CDL), or current employees of the City that apply for such jobs, must sign the Consent and Release of Alcohol and Drug Use and Testing Information form for each and every employer that the person has worked for in the previous two years.

### **EMPLOYEE ASSISTANCE PROGRAM (EAP)**

Employees are encouraged to use the resources of the EAP, which provides education and training as well as counseling and assistance. If an employee has a problem with alcohol or drug use there are programs available to assist the employee with resolving such a problem. Employees should contact their personal physicians or community public health or mental health agencies for assistance or should seek assistance through the City's EAP.

Employees may, prior to or while performing any safety-sensitive job duties, which are job duties in which the performance of the employee may affect the safety or health of others, decline to perform or continue to perform safety-sensitive functions without penalty when the employee believes there may be a violation of these rules or believes for any reason that performance of such duties may constitute a risk to the employee or others. In such cases of self-identification, the employee will be required to be seen by their personal physician (the City does not pay for such an evaluation) to determine if further action is indicated and may not return to safety-sensitive duties until clearance has been obtained for such return from a qualified physician. The City reserves the right to require the employee to submit to a clinical examination by a physician of City's choosing, including such testing deemed appropriate by the examining physician, prior to return to safety-sensitive duties. Such self-identification cannot be used by an employee after the employee has been informed of the employee's selection for alcohol or drug testing required by this policy or of the other policy violation.

### **REHABILITATION**

Under normal circumstances, employees violating this policy or federal regulations will be terminated from employment. Under some circumstances, however, the City may agree to return an employee to work following treatment and rehabilitation. Where that occurs, the employee must pay the cost of any treatment. The City will pay the cost of a pre-treatment evaluation and any follow-up drug or alcohol testing required under the regulations.

# WORKPLACE VIOLENCE

The City of Newberg recognizes the importance of a safe workplace for employees. A work environment that is safe and comfortable enhances employee satisfaction with work, as well as employee productivity. Violence or any threat of causing harm will not be tolerated.

However, situations may occur that could present a risk of harm to employees and others. All employees have an obligation to report any incidents that pose a risk of harm to employees or others associated with the City of Newberg or that threatens the safety, security, property or financial interests of the City of Newberg. Employees should make such reports directly to the Department Head, Supervisor or Human Resources Manager.

Some examples of workplace violence include but are not limited to:

- Hitting or slapping
- Verbal threats to person or property
- Threatening phone calls or e-mails
- Intentional destruction of personal or public property
- Stalking
- Suggestions of violence
- Verbal outbursts
- Firearms at work or on public property (exclusions may apply for law enforcement)

All information related to the reports, including the name of the reporting employees, will be kept as confidential as possible under the circumstances. We will notify the reporting employee of any action we take in response to the report.

Workplace Violence Policy is an integral part of the City of Newberg's emergency action plan and should be discussed and practiced. Employee safety is our primary concern.

If a worker feels threatened or in danger of imminent bodily harm s/he should take the following steps:

1. Leave the scene, if it can be done safely. Do not attempt to control a violent person.
2. Call law enforcement (911) if the situation warrants this action.
3. The incident should be reported to the supervisor (manager/administrator) immediately or as soon as possible.

If the threatening individual poses no immediate physical threat, but is making verbal threats or is otherwise intimidating workers or others in the area, then the employee should:

1. Keep back and move away from the individual, if possible in a way as not to provoke violence.
2. Notify a supervisor (manager/administrator) as soon as possible.

Any worker having knowledge of a violent act/threat involving other employees must report the incident immediately to a supervisor/manager. The supervisor/manager shall promptly start an investigation into the incident. Upon completion of a thorough 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 discussed with department and safety committee members.

The City of Newberg understands that there may be situations that demand immediate action to protect oneself or others against an act of violence. If such an incident occurs and there is no time to follow procedures per these guidelines or wait for a law enforcement official to respond, workers may protect themselves or abandon their position in order to do so. Workers are still required to report the incident as soon as possible.

The City of Newberg 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 potential threat to the safety of co-workers or others. An employee investigation may include investigation of criminal records and a search of the City of Newberg's property such as desks, work areas, lockers, file cabinets, entity cell phone records, voice mail systems, and computer systems.

The Employee Assistance Program (EAP) is available to provide confidential and individual personal counseling to eligible employees involved in a violent incident.

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. Workers who engage in any act of retaliation, intimidation or harassment will be subject to discipline up to and including termination.

# EMPLOYEE HEALTH AND SAFETY

The City of Newberg is committed to providing our employees with a safe and healthful work environment. To accomplish this goal, both management and employees must make diligent efforts to promote safety.

We develop and implement safety rules and regulations through our managers, supervisors and safety committees. This process is ongoing and requires periodic review. Safety audits are undertaken to determine the necessity and feasibility of providing devices, work practices, policies or other safeguards to make the workplace safe and healthful. We also provide training for our employees regarding workplace hazards and the proper and safe methods to use in performing their job tasks.

You are expected to give your full skill and attention to the performance of your duties, using the highest standard of care and good judgment. You are also expected to always follow safety rules and regulations, including using appropriate protective clothing and equipment, attending all training sessions related to your 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 will be distributed to you and posted on the employee bulletin boards. Departments will have specific job/task related rules and procedures that you are expected to know and follow.

## ***Accident Investigation and Reporting***

All job-related injuries or illnesses should be reported to your supervisor immediately, regardless of severity. In the case of serious injury, your reporting obligation will be deferred until circumstances reasonably permit a report to be made. Failure to report an on-the-job injury or illness may preclude or delay the payment of any benefits you may be eligible for and could subject the City of Newberg to fines and penalties.

OR-OSHA requires each employer to investigate the cause of every time-loss accident and determine the means in which to prevent recurrence. Employers are required to install any safeguards or take corrective measures indicated or found advisable (OAR 437-001-0760). (See sample investigation form - Appendix C and D.)

Safety committees are responsible for establishing procedures to investigate all safety related incidents. This doesn't mean that they take the responsibility away from supervisors for the actual investigation. However, committees should 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)).

The City of Newberg is responsible to report "Occupational Fatalities" to OR-OSHA within 8-hours of the fatality or 24-hours for any "Occupational Catastrophe" that results in an employee being admitted for an overnight stay in a hospital. **[Call OR-OSHA to report at: 503-378-3272]**

If an injury occurs:

1. Take immediate actions and/or render remedial first aid.
2. Seek emergency medical care if necessary – call 9-1-1.
3. Report the injury to your (or a) supervisor as soon as possible.

Employee responsibilities:

1. Fill out the accident report form.
2. Cooperate in an accident investigation.
3. Complete the 801 Form if medical attention is sought.
4. Provide supervisor with a medical release from doctor/medical provider.
5. Review the incident with the supervisor/manager.
6. Discuss ability to return to a temporary modified job (if possible) and job restrictions.

Supervisor/Manager responsibilities:

1. Conduct an investigation into the cause of the injury or illness
2. Send the completed 801 Form (for medical treatment), investigation and current job description to your workers' compensation claims examiner.
3. Continue to communicate and cooperate with claims manager.

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

Our Return-to-Work program provides guidelines and procedures for returning employees who become ill or injured, to meaningful employment as soon as possible. The program is not intended to be a substitute for reasonable accommodation when an injured employee also qualifies as an individual with a disability, nor is it intended to deny time off rights under any family or medical leave laws.

Our Return-to-Work program for work related injuries/illness consists of a team effort by supervisors, injured workers and their treating physicians, management, and our workers' compensation claims staff. All team members will take an active role in returning injured employees to productive work.

Participating in this program helps our employees to recover and return to full employment as soon as their medical condition permits. This Return-to-Work program is a transitional program designed to help ease employees back into their full duties or full work shift. It is not intended to become a replacement for a regular job.

If you are injured on the job and your doctor determines that you are able to perform temporary modified work, the City of Newberg will attempt to provide available and suitable temporary work until you are able to resume your regular duties not to exceed 90 days, except where provided as an accommodation for a disability. All modified work is temporary and may be offered at any location or on any shift. If you are offered a modified position that has been medically approved, failure to report at the designated time and place may affect your workers' compensation time loss benefits.

Not all light duty jobs will be in the department where the injury occurred. You may be asked to do other work in another department such as file, enter data, answer phones or complete a chemical inventory in another department.

Employees returning from a work injury or illness will be required to provide their supervisor a doctors certificate prior to resuming work or temporary light duty. The certificate will specify whether the employee may resume full duties or has any restriction and the length of any restrictions. An employee returning to work following a non-work related absence of more than 5 days is required to provide a doctor's note stating the date the employee is able to return as well as any applicable restrictions. Although we will make every effort to find suitable work if you are temporarily unable to perform your normal job duties, preference for available work is given to employees who have incurred an on-the-job injury or illness. Our ability to do so is dependent upon your restrictions as well as available work.

If suitable temporary modified work is not available, employees may be placed on medical or personal leave running concurrently with applicable family medical leave laws. If there is work available and the employee chooses not to take the light duty work that is offered, the employee may take personal leave. However, the injured employee will not be eligible for workers' compensation wage reimbursement, if this is a work related injury.

### ***Smoking in the Workplace***

It is believed that smoking is a danger to health and causes annoyance and discomfort to those who are present in the same or confined places. As a result all of our buildings and vehicles are designated as non-smoking.

Places outside the office may be designated as smoking areas. Smoking on our premises is limited to these designated areas only. If any employee has a concern about the areas designated, he/she should speak with his/her supervisor.

### ***OR-OSHA Regulatory Compliance Emergency Procedures***

We have adopted an Emergency Operations Plan (EOP). If we do have an emergency this plan will minimize the impact on our staff and the public who use our facilities. Emergency exit maps posted in each of our buildings support this plan.

Our main responder in all emergencies is the local Fire Department or other local Emergency organizations (i.e. law enforcement agencies, emergency services or Public Works).

In the EOP is a list of some of the potential emergencies that may occur and some are listed below:

**Fire**

**Chemical Spills or Releases**

**Medical Emergency due to an accident or illness**

**National Homeland Security Threat**

**Bomb Threat**

**Violence**

**Environmental Emergency: Windstorm, Flood, and Earthquake**

## **Reporting Emergencies**

1. All losses including fire, explosion, windstorm, flood damage, electrical, etc. shall be reported to the supervisors or managers. Report any incident which results in the operation of fire extinguishers even though there may not be an actual loss sustained.

Emergency escape procedures and emergency escape route assignments.

1. The types of immediate actions are based on nature of the emergency. Use the nearest exit that will take personnel away from the fire.
2. For an IMMEDIATE TOTAL SITE EMERGENCY EVACUATION employees and public are to all leave by using the nearest exit doors and assemble in the areas shown on each building evacuation maps that are posted at the main exits on each floor.

Procedures to account for all employees after emergency evacuation

1. An Emergency Coordinator and/or supervisors will account for the employees or public in their work areas. If a person is missing, the information will be communicated to the outside emergency responders. *Employees are not to re-enter any facility that has been evacuated due to an emergency.*
  - b. The Emergency Coordinators or supervisors will designate someone to direct the fire department to the fire and show them where the water hook-up is located and give status of emergency situation.
  - c. No one is to leave the evacuation area site unless instructed by the person in charge.

Calling 9-1-1 is the preferred means of reporting fires and other emergencies.

## ***Employee Right to Know/Hazard Communication Program***

The City of Newberg provides a Hazard Communication Program so that all employees are aware of chemical hazards in the workplace. By becoming familiar with this information you can help prevent injuries and illnesses from chemical exposure. If you have any questions regarding chemical hazards, do not delay in asking your supervisor.

The following safety precautions have been taken to prevent injuries and illnesses from chemical exposure:

### **Container Labeling**

The Supervisor or designated position in each department will verify that all containers received for use will:

- Be clearly labeled as to the contents.
- Note the appropriate hazard warning.
- List the manufacturer's name and address.

It is our policy that no container will be released for use until the above data is verified.

The supervisor in each department will ensure that all secondary containers have either an extra copy of the original manufacturer's label or a generic label that has identification and hazard warning blocks. For help with labeling, see your supervisor.

### Material Safety Data Sheets (MSDS)

Copies of material safety data sheets for all hazardous chemicals that employees may be exposed to will be kept in each department or facility. Data sheets will be available to all employees in their work areas for review during each work shift. If data sheets are not available or if you begin using a new chemical for which you do not have a Material Safety Data Sheets you should immediately contact your supervisor before using the chemical or the machine containing it.

### Employee Information and Training

Before starting work, you will attend a health and safety orientation and receive information and training about the following:

- An overview of the requirements contained in the Hazard Communication Rules;
- Chemicals present in your workplace operations;
- Location and availability of our written hazard communication program;
- Physical and health effects of the hazardous chemicals;
- Methods and observation techniques used to determine the presence or release of hazardous chemicals in the work area; and,
- How to reduce or prevent exposure to these hazardous chemicals through the use of control/work practices and personal protective equipment.

After attending training, you will sign a form to verify that you attended, received our written materials, and understood our policies on hazard communication.

Prior to a new hazardous chemical being used by any employee, each employee of that department will be given information as outlined above. The Supervisor or Department Head is responsible for ensuring that Material Safety Data Sheets (MSDS) on new chemicals are available.

## ***Safety Committees***

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 designated bulletin boards in each facility location. Each employee is encouraged to read these minutes and to report any problems or questions to any of our designated Safety Committee members. In addition to holding monthly meetings to discuss and resolve safety issues, the Committee conducts periodic inspections to document hazards and to make recommendations for corrective action. It is important for all employees to cooperate with Safety Committee members during these inspections. It is everyone's responsibility to make workplace safety the first priority.

Safety Committee Members are selected from each division of the City. Their membership rotates every few years. Check with your Department Head or Division Manager for the name of your representative.



# **EMPLOYMENT SEPARATION**



# SEPARATION FROM EMPLOYMENT

Separation from employment with the City of Newberg occurs when you voluntarily resign, or you are laid off or discharged by the City of Newberg.

## ***Resignation***

For non-represented employees, employment with the City is “at-will” which means you are free to resign at any time, with or without notice. However, in order to achieve an orderly transition, and resign in good standing we would appreciate receiving notification of intent to resign at least ten working days before departure, and 30 days before departure for supervisors and management-level personnel.

## ***Job Elimination, Reduction in Work Hours or Staff***

Our desire is to avoid circumstances that require a reduction in hours or staff, but we also recognize that situations may arise where such reductions would be necessary. Depending upon the circumstances, we may respond in a variety of ways, including offering a voluntary reduction in hours or days of work, reducing your work hours or days of work, giving you the opportunity to accept a part-time, seasonal or temporary position if available and appropriate, reducing the workforce, or reducing expenses by other means. Among the factors we will consider in selecting employees for any reduced hours or reduction in force are:

- Provisions under applicable collective bargaining agreements;
- Your department, location, or job;
- Your job knowledge, skills, and ability to do the required work;
- Your performance, attendance, and safety and corrective action history and records;
- Your possession of licenses, registrations, and certifications required by the job;
- Your creativity and teamwork skills, if required for the job;
- Your demonstrated willingness to go the extra mile for the City of Newberg, co-workers, and citizens; and,
- The efficiency of our operation.

With the exception of provisions under applicable collective bargaining agreements, evaluation of these factors is at our discretion. When we conclude that all the factors are substantially equal, we will reduce the hours of or lay off the employee with the least length of service. The immediate supervisor/manager will personally notify employees of a layoff. After explaining the layoff procedure, you will be given a letter describing the conditions of the layoff, such as the effects on benefits, the possibility of reemployment, procedures, and any outplacement services.

If practicable at the time of lay-off, we will provide limited re-employment rights to any employee laid off. If you are not rehired during that period you will be separated from employment. The order of recall will be determined using the above factors. An offer of re-employment may be made orally or in writing to the last address reflected in your personnel records. It is your obligation to keep us informed of any changes in your telephone number and address. The offer will identify the available job and the date you are to report to work. If you decline re-employment or fail to report on the date specified,

you will be deemed to have waived any re-employment privileges and will be treated as a voluntary termination.

### ***Discharge***

Our philosophy and general practice is to provide employees who have completed the initial probationary period of employment with an opportunity to correct minor performance and conduct problems before discharge is implemented.

The City of Newberg has a corrective action policy found on page 35 of this Manual that describes action management may take to correct performance infractions prior to discharging employees.

The decision to discharge employees is based not only on the seriousness of the current performance infraction but also on the individual's overall performance record and length of service.

We also believe that our employees should be given an opportunity to be heard in matters involving corrective action, including discharge, and we have provided a formal dispute resolution procedure found on page 14 of this Manual for that purpose.

### ***Exit Interview***

An exit interview may be requested to give you an opportunity to address unresolved issues before leaving the City of Newberg and allow us to solicit your opinions about our City and any suggestions for improvement. We value all opinions and suggestions we receive in the process. See Exit Interview form – Appendix E.

### ***Return of City of Newberg Property***

Upon separation from your employment, either voluntarily or otherwise, you must return all City of Newberg property in your possession by your last day of employment. City of Newberg property includes credit cards, gas cards, City of Newberg vehicles, keys, ID cards, pagers, electronic equipment, tools, software, computer disks, uniforms per departmental policy and any other items in your possession that belong to the City of Newberg.

# EMPLOYEE'S NOTES



# APPENDICES



# APPENDIX A

## MANUAL RECEIPT ACKNOWLEDGEMENT FORM

*NOTE: This signed form should be inserted in the employee's personnel file.*

As an employee of the **City of Newberg**, I acknowledge the following:

I have received a copy of the Employee Manual. I understand that the Manual contains important information about the City of Newberg's policies, work rules, and my benefits. I also understand that the Manual outlines my responsibilities as an employee of the City of Newberg. I understand that I have the responsibility to read and understand the information in the Manual, and to ask my supervisor for clarification of any information I do not understand.

I understand that this Manual is not a contract of employment or a guarantee of specific treatment in specific situations. Except for any supplemental safety policies and rules that apply to employees in certain jobs or work areas, or otherwise stated in a written employment contract, I understand that this Manual supersedes all prior Manuals, policies, and understandings on the subjects contained in it.

I understand that unless stated in an employment contract or collective bargaining agreement, the City of Newberg has the right to change, modify, add to, substitute, eliminate, interpret, and apply in its sole judgment, the policies, rules, and benefits described in this Manual. I understand that should the content be changed in any way, the City of Newberg will require an additional signed acknowledgement from me to indicate that I am aware of the changes.

Unless otherwise stated in a written employment contract, I understand that my employment relationship with the City of Newberg is at-will – either the City of Newberg or I can terminate the relationship at any time, with or without reason or notice.

I understand that the City Manager is the only person who is authorized to make changes in the policies, rules, and benefits described in this Manual and that all such changes must be in writing to be valid. I also understand that he/she is the only person who will ever have the authority to enter into an employment contract, and that all such contracts must be in writing and signed by both parties to be valid.

I also acknowledge that, before signing this form, I have asked for and received clarification on any of the items listed on it that I did not understand.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Employee's Name



# APPENDIX B

## ***NEW EMPLOYEE ORIENTATION CHECKLIST***

Name \_\_\_\_\_

Department \_\_\_\_\_

Hire Date: \_\_\_\_\_

### Welcome New Employee

- Organization history
- Organization's Mission
- Services and Resources for Organization Information
- Introductions, tour departments and important places: parking, restrooms, break & lunch areas, supervisor/manager or HR office

### Introduction to the Department

- Purpose
- Relationship to other departments/agencies
- Organization of department
- Procedures for leave requests, overtime, holidays, etc.
- Fitness-for-Duty Examination review

### Introduction to the Job

- Work space - (ergonomic evaluation)
- Work hours, breaks, mealtimes and other rules
- Time sheet and Payday(s)
- Telephone number
- Equipment
- Mail
- Copier & fax machine
- Tools
- Job Description (including physical requirements)
- Duties, Responsibilities, Purpose
- Handling Confidential Information
- Performance Expectations/Goals
- Non-Harassment Policy
- Promotions/Transfers
- Dispute Resolution

## Training

- Computer System / Internet use policy
- Log on
- E-mail
- Software
- Telephone System
- Voice Mail
- Long-Distance Calls
- Training Opportunities

## General

- Time sheet
- Parking
- ID Card
- Credit Card(s)
- Bulletin Board and Newsletter
- Places nearby for lunch/dinner

## Policies and Procedures

- Provide Copy of Employee Handbook (Policies)
- Discuss handbook
- Review and sign acknowledgements

# **New Employee Paperwork**

## **Federal Forms**

- PERS Forms (if applicable)
- W-4 and State Tax Forms
- I-9

## **Benefits and Compensation**

- Health, Life, Long Term Disability, Long Term Care Enrollment Forms
- Retirement Benefits
- Educational Assistance
- Credit union
- Employee Assistance Program
- Pay Procedures/direct deposit
- Salary Increase/Performance Review Process
- Paid and Unpaid Leave

**Training Scheduled and/or completed**

- Computer System
- Log on
- E-mail
- Software
- Telephone System
- Voice Mail
- Long-Distance Calls

**Safety Orientation: (General overview for entity and more specific done at Department/job level)**

- Overview of Safety Policy / Program or Safety Manual
- Emergency procedures, response and medical plan
- General safety / health hazards
- Personal Protective Equipment use
- Hazard Communication / potential chemical hazards
- Bloodborne Pathogen assessment
- Safety Committee role / responsibilities / representative
- Injury prevention, ergonomics and wellness activities
- Reporting injuries

Date Completed: \_\_\_\_\_

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

Supervisor Signature: \_\_\_\_\_

Place in employee personnel file upon completion



# APPENDIX C

## ACCIDENT AND OCCUPATIONAL INJURY & DISEASE INVESTIGATION REPORT

Name: \_\_\_\_\_ Job Title: \_\_\_\_\_  
Home Address: \_\_\_\_\_ Home Phone: \_\_\_\_\_  
Length of Employment: \_\_\_\_\_ Started in Department: \_\_\_\_\_

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**Date of Injury:** \_\_\_\_\_ **Time of Injury:** \_\_\_\_\_: \_\_\_\_\_

When Supervisor was first notified of injury: \_\_\_\_\_  
Witnesses: \_\_\_\_\_

Did employee visit a physician? Yes \_\_\_\_\_ No \_\_\_\_\_

When \_\_\_\_\_

Name/Address of Physician: \_\_\_\_\_

TREATMENT. \_\_\_\_\_

Time lost from work? Yes \_\_\_\_\_ No \_\_\_\_\_

Time away from work:

Date left work \_\_\_\_\_

Time left work \_\_\_\_\_: \_\_\_\_\_

**Date and time employee returned to work:** \_\_\_\_\_

Body part injured \_\_\_\_\_ Right side \_\_\_\_\_ Left side \_\_\_\_\_

**Type of Injury** \_\_\_\_\_

Has this body part been injured before? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, explain \_\_\_\_\_

Nature of injury (strain, cut, bruise, Etc.) \_\_\_\_\_

Was First Aid treatment given? \_\_\_ Yes \_\_\_ No.

If yes was employee transported to emergency room for further treatment?  
\_\_\_ Yes \_\_\_ No

Physical Location where accident happened:  
\_\_\_\_\_

If this was a SERIOUS injury that may threaten life or limb, fill out and attach to the Investigation the following:

- \_\_\_ 1. A separate sheet describing the accident
- \_\_\_ 2. A separate sheet showing a scene diagram of the accident.
- \_\_\_ 3. Photographs
- \_\_\_ 4. Eyewitness statements (taken separately in a one on one basis)

Describe what happened? (attach separate pages if necessary)

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What were the "Direct" and "Root" Causes?

Direct Cause:

Root Cause:

How can a similar accident/incident be prevented?

Corrective Actions done/or to be done:

Describe how the processes that led to this accident/illness change?

Who will be taking the corrective action?

How will manager of department follow up on this new process?

Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

Department: \_\_\_\_\_

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

Administrator/Manager: \_\_\_\_\_ Date: \_\_\_\_\_

# APPENDIX D

## ACCIDENT INVESTIGATION CHECK LIST

*(Please use this list as a way to verify that you have completed all parts of this accident investigation form that pertain to this occupational accident/illness)*

### MINOR INJURY INVESTIGATION

#### DOCUMENTATION

- Time and date of injury
- Date notified supervisor
- Time and date left work
- Time Lost from Work

#### WORKER

- Name
- Home address and phone number
- Age
- Job Title
- Length of Employment
- received Training
- Department

#### INFORMATION FROM WITNESSES

- How supervised
- Personal Protective Gear
- Body Part Injured
- Previous Injury to this body part
- One-on-one interview with witness
- Nature of Injury listed (strain, Cut Bruise, Etc.)
- Department where injury occurred noted

#### EMPLOYER

- Location where worker records are kept
- Safety Training relating to chemicals, equipment or use of PPE involved in the accident

### SERIOUS INJURY INVESTIGATION

#### SCENE

- Diagram
- Photos
- Measurements
- Time and date returned to work

#### EQUIPMENT and SITE

- Layout of operation
- General condition
- Make, serial and model
- Manufacturer's Information
- Maintenance information and records
- Suitability and adequacy of equipment

- Witness Name
- Witness residence address & phone
- Recollection of accident



# APPENDIX E

## EXIT INTERVIEW FORM

Name: \_\_\_\_\_  
Position: \_\_\_\_\_  
Supervisor: \_\_\_\_\_  
Hire date: \_\_\_\_\_  
Termination Date: \_\_\_\_\_

What made you decide to leave your current job? (Check all that apply)

Primary      Secondary

- |                          |                          |                           |
|--------------------------|--------------------------|---------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Secured Better Job        |
| <input type="checkbox"/> | <input type="checkbox"/> | Professional level of job |
| <input type="checkbox"/> | <input type="checkbox"/> | Return to School          |
| <input type="checkbox"/> | <input type="checkbox"/> | Family                    |
| <input type="checkbox"/> | <input type="checkbox"/> | Issues with Supervisor    |
| <input type="checkbox"/> | <input type="checkbox"/> | Problems with Hours       |
| <input type="checkbox"/> | <input type="checkbox"/> | Not satisfied with Wages  |
| <input type="checkbox"/> | <input type="checkbox"/> | Disliked type of work     |
| <input type="checkbox"/> | <input type="checkbox"/> | Problems with co-workers  |
| <input type="checkbox"/> | <input type="checkbox"/> | Quantity of Work          |
| <input type="checkbox"/> | <input type="checkbox"/> | Physical Condition        |
| <input type="checkbox"/> | <input type="checkbox"/> | Working Conditions        |
| <input type="checkbox"/> | <input type="checkbox"/> | Transportation Problems   |
| <input type="checkbox"/> | <input type="checkbox"/> | Other _____               |

What did you like most about your job?

What did you like least about your job?

Do you feel appropriate training opportunities were made available to you?

Yes  No  Comments \_\_\_\_\_

Do you think your current supervisor was fair and reasonable? If not, please explain.

Yes  No  Comments \_\_\_\_\_

Do you believe you were given access to and realistic consideration for promotional opportunities within the organization?

Yes  No  Comments \_\_\_\_\_

Did you feel your contributions were appreciated by your supervisor and others?

Yes  No  Comments \_\_\_\_\_

Did you have the appropriate equipment and resources necessary to perform your job?

Yes  No  Comments \_\_\_\_\_

Was your salary satisfactory for the job you were performing?

Yes  No  Comments \_\_\_\_\_

Were you satisfied with the employee benefits provided?

Yes  No  Comments \_\_\_\_\_

Was the physical working environment comfortable and conducive to productivity?

Yes  No  Comments \_\_\_\_\_

Was the job realistically presented to you when you were hired or most recently changed positions?

Yes  No  Comments \_\_\_\_\_

Do you have any suggestions for improvement?

Are there any changes or conditions that could have been made to prevent you from leaving this organization?

Other comments, if any:

Date Discussed: \_\_\_\_\_ Interviewed by: \_\_\_\_\_

**Information to be discussed with the employee prior to departure:**

	Yes	No	Not Applicable
Medical Benefits/COBRA	_____	_____	_____
Life Insurance Forms	_____	_____	_____
Severance Pay	_____	_____	_____
Vacation Pay Due	_____	_____	_____
PERS/City Retirement Plan Forms	_____	_____	_____
Life Insurance	_____	_____	_____
Expense Reports/Other Reimbursements	_____	_____	_____
Unemployment Compensation (if applicable)	_____	_____	_____
Computer Security Process	_____	_____	_____
Education Assistance Reimbursements	_____	_____	_____
Procedure for providing references	_____	_____	_____
Eligibility for reemployment	_____	_____	_____
Process for receiving final paycheck	_____	_____	_____
Direct deposit (last day of the month only)	_____	_____	_____

**Items to be returned by employee:**

	Returned	Not Applicable
Key(s) - building/office/file cabinets/cars	_____	_____
Security Pass/ID Card	_____	_____
Access Key	_____	_____
Credit Card(s)	_____	_____
Phone Calling Card	_____	_____
Pager	_____	_____
Cellular Phone	_____	_____
Laptop/other computer, including disks	_____	_____
Fax Machine	_____	_____
Tools/Other Equipment	_____	_____
Employee Handbook/Company Information	_____	_____
Uniform(s)	_____	_____
Other _____	_____	_____
Other _____	_____	_____

**Other procedures to follow:**

	Completed	Not Applicable
Notify payroll and obtain/send final paycheck	_____	_____
Notify PERS Office or City Retirement Plan	_____	_____
Notify credit union/bank/others	_____	_____
Notify health insurance provider	_____	_____
Notify life insurance provider	_____	_____
Process other pension/savings forms	_____	_____
Review and close out personnel file	_____	_____
Modify information system records	_____	_____

**Reference Checks**

I agree to allow City of Newberg to release the following language and information to be used for reference checks by any and all future employers:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

Supervisor Signature: \_\_\_\_\_

Date Signed: \_\_\_\_\_

Place a copy of this form in the employee file.



# APPENDIX F

## OUTSIDE EMPLOYMENT EVALUATION FORM

EMPLOYEE NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_ JOB TITLE: \_\_\_\_\_

DESCRIPTION OF OUTSIDE EMPLOYMENT:

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EXPECTED DURATION OF OUTSIDE EMPLOYMENT: \_\_\_\_\_

THIS OUTSIDE EMPLOYMENT CONSTITUTES (see pages 25-27 of the Personnel Rules):

- NO CONFLICT WITH THE CITY**
- \* POSSIBLY A CONFLICT WITH THE CITY**
- \* CLEARLY A CONFLICT WITH THE CITY**

EXPLAIN “\*”: \_\_\_\_\_

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**ACCEPTED OUTSIDE EMPLOYMENT**

**NON-ACCEPTED OUTSIDE EMPLOYMENT**

\_\_\_\_\_  
EMPLOYEE SIGNATURE

\_\_\_\_\_  
DEPARTMENT HEAD SIGNATURE

DATE: \_\_\_\_\_



# APPENDIX G

## **CITY OF NEWBERG** **AFFIRMATIVE ACTION PLAN**

### **Introduction**

The City of Newberg's Affirmative Action Plan is designed to:

Reaffirm the City's policy of nondiscrimination and affirmative action;

Identify Newberg departments' goals and action plans for achieving goals for women, racial/ethnic group members, and persons with disabilities;

Provide program specifics for promoting and assuring equal employment opportunity;

Communicate the City Manager's commitment to equal employment opportunity and affirmative action principles; and

Demonstrate the continued "good faith" efforts of the City of Newberg.

The City of Newberg's Affirmative Action Plan is intended to create a work environment which will attract and retain employees who represent the broadest possible spectrum of society, which includes, but is not restricted to, women, minorities, and the disabled.

The City of Newberg will not tolerate discrimination or harassment on the basis of race, color, sex, marital status, religion, national origin, age, natural or physical disability, or any reason prohibited by Newberg or federal statute. Nor shall any vendor/provider for the City of Newberg discriminate or harass in the above-described manner.

The City Manager of the City of Newberg is dedicated to the belief that the City has a commitment to the right of all persons to work and advance on the basis of merit, ability, and potential. In so doing, the City Manager has delegated authority to oversee the implementation of the Newberg Affirmative Action Program to the Human Resource Manager. The City Manager also charges and holds accountable Department Heads and Supervisors, with the responsibility of ensuring that principles of affirmative action are met.

## **Affirmative Action**

### **What is Affirmative Action?**

Affirmative Action is defined as a method of eliminating the effects of past and present under-representation intended or unintended, that are evident by analysis of present employment patterns, practices or policies.

### **Responsibility of the City Manager's Affirmative Action Office**

The City Manager of the City of Newberg is dedicated to the belief that the City has a commitment to the right of all persons to work and advance on the basis of merit, ability,

and potential. In so doing, the City Manager has delegated authority to oversee the implementation of the Newberg Affirmative Action Program to the Human Resource Manager. The City Manager also charges and holds accountable Department Heads and Supervisors, with the responsibility of ensuring that principles of affirmative action are met.

## **Affirmative Action Policy**

**243.305 Policy of affirmative action and fair and equal employment opportunities and advancement.** (1) It is declared to be the public policy of Oregon that all branches of the City of Newberg government shall be leaders among employing entities within the City in providing to its citizens and employees, through a program of affirmative action, fair and equal opportunities for employment and advancement in programs and services and in the awarding of contracts.

**659.025 Newberg departments to carry out policy against discrimination in employment; evaluation of supervisors; affirmative action reports.** (1) To achieve the public policy of the City of Newberg for persons in the City to attain employment and advancement without discrimination because of race, religion, color, sex, marital status, national origin, disability or age, every City of Newberg department shall be required to include in the evaluation of all management personnel the manager's or supervisor's effectiveness in achieving affirmative action objectives as a key consideration of the manager's or supervisor's performance.

(2) To achieve the public policy of the City of Newberg for persons in the City to attain employment and advancement without discrimination because of race, religion, color, sex, marital status, national origin, age or disability, every City of Newberg department shall be required to present the affirmative action objectives and performance of that department of the current biennium and those for the following biennium to the City Manager of the City of Newberg and to the City Council. These plans shall be reviewed as part of the budget review process.

## **Who to contact regarding discrimination claims**

The Civil Rights Division of the Bureau of Labor and Industries (BOLI) enforces Oregon's civil rights laws. Civil rights laws ban discrimination against individuals because of characteristics that make them part of a protected class. Anyone claiming to have been discriminated against at work, in a place where the public is served such as a restaurant or a hotel, when buying or renting housing or when applying for or attending a career school can file a complaint with the bureau's Civil Rights Division or call (503) 731-4075 ext. 441 or 448.

### **Affirmative Action Plan Guidelines 1999-2001 Biennium**

The City Manager's Affirmative Action Office has developed guidelines for the 1999-2001 biennium to be used by all Newberg departments. The Affirmative Action guidelines are consistent with the directives required by the City of Newberg's Office, Affirmative Action Program. ORS 182.100, 243.305, 243.315, ORS 659, and 240.379 and Executive Order No. EO-96-38, Section 503 of the Rehabilitation Act of 1973.

Each Newberg department will be required to develop and submit to the City Manager's Affirmative Action Office the following information:

Department Requirements

Administrator's EEO/AA Policy Statement

- Administrator's Reasonable Accommodation Policy Statement
- Department's Organization Structure and Responsibilities for Implementation
- Problem Analysis and Action Plan
- Goals and Timetables
- Development and Implementation of Programs
- Progress Made or Lost since Last Biennium

Departments with less than 50 employees will be required to develop and submit to the City Manager's Affirmative Action Office the following information:

- Administrator's EEO/AA Policy Statement
- Administrator's Reasonable Accommodation Policy Statement
- Department's Organization Structure and Responsibilities for Implementation
- Problem Analysis and Action Plan

While no hard numbers can be used (for departments with 50 or fewer employees) as a basis for the Problem Analysis and Action Plan items such as work climate, department policies, training, recruitment efforts, etc. can be addressed.

In addition, some departments may have additional requirements to be met, either from a federal funding department or from Executive Order 11249 (OFCCP regulations). Institutions of Higher Education will continue to develop and submit separate plans.

The City of Newberg's Affirmative Action Plan is a set of specific and result-oriented (link to def.) program by which a department commits to apply every good faith effort (link to def.). The objective of those programs plus such effects is equal opportunity. Programs without effort to make them work are meaningless; and effort, undirected by specific and meaningful programs, is inadequate.

Department Affirmative Action Plans must be approved by the City Manager's Affirmative Action Office. Upon approval the department plan shall be effective July 1, 1999 through June 30, 2001.

**Addendum Guideline Preparation for Affirmative Action Plans  
1999-2001**

*These guidelines are used if an Affirmative Action Plan is already filed in the City Manager's Office*

Unless there are major policy changes to the 1997-1999 plan there is no need to rewrite the full text for the new AA Plan (1999-2001). An addendum to the plan presently on file is due April 1, 1999. The following are required:

1. A delineation and explanation of those goals in the 1997-1999 plan that were not achieved,
2. A discussion of the "results oriented strategy" that will be employed during the 1999-2001 Biennium that will aid in the achievement of unmet goals,
3. Explain how that strategy will affect the department's outreach/recruitment, selection, promotion, and training practices and,
4. Explain how often the strategy will be reviewed to decide its effectiveness and identify the person(s) who will conduct that review.

In developing the addendum you should refer to the AA Progress report and the AA Progress-G (AAPROGRS-G) report as of December 31, 1998 from the Department of Administrative Services (DAS), Personnel Systems Section. The benchmarks that your department's affirmative Action plans are designed to achieve are located in column "G" of the AAPROGRS-G report. Column "H" shows progress made as of the date of the report. Please mail addendum to Office of the Governor, Affirmative Action, 155 Cottage Street NE, Salem 97310. As of September 30, 1998 the AAPROGRS-G report will be included with each quarterly DAS affirmative action statistical reports.

For departments with 50 or less employees, the AA 1999-2001 Budget Narrative that was sent to DAS, Budget and Management Division will suffice as the addendum. DAS will forward a copy to the City Manager's Affirmative Action office.

For further assistance please contact the Affirmative Action Office.

## Policy and Plan Dissemination

### Internal

The policy must be posted conspicuously and published in internal publications, such as newsletters, handbooks, or policy and procedures manuals for distribution to employees. Copies of the complete Affirmative Action Plan shall be available in each workplace and accessible to employees.

Special meetings shall be conducted with executive, managerial, and supervisory personnel to explain the intent of the policy and individual responsibility for effective implementation. Policy Statements shall include a clear Statement of the department head's commitment to affirmative action and support for the policy and plan.

The policy shall be thoroughly discussed in the orientation of employees and internal management training programs.

Union officials will be informed of the policy and their cooperation will be requested. Non-discrimination clauses should be included in all union agreements, and all contractual provisions will be reviewed to ensure non-discrimination.

### External

- Each department shall put itself on public record as an affirmative action/equal opportunity employer.

- An AA/EEO Statement must be included on each job announcement.
- All bidders, contractors, subcontractors, and suppliers of materials shall be notified of the department's Affirmative Action Policy. Notice shall include a statement that the department will not knowingly do business with any bidder, contractor, subcontractor, or supplier of materials who discriminates against members of any protected class.
- Except in the case of a bona fide occupational qualification, employment advertising shall omit reference to sex, religion, age, and national origin, and shall clearly convey the commitment of the department to equal opportunity/affirmative action.
- Each department shall initiate and undertake aggressive and positive activities to ensure that affirmative action goals are met.

**Efforts must include, but are not limited to:**

- Maintaining frequent and on going visits with organizations which represent minorities, women, and persons with disabilities.
- Inclusion of protected groups in pictorial representations for department publications and advertising.
- Documentation of good faith on-going affirmative action efforts and any other supporting documents.
- Developing long-term strategies aimed at increasing the availability of candidates from protected classes on certificates of eligibles.

