

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Amending the)
Columbia County Personnel Rules)
_____)

ORDER NO. 70-2011

WHEREAS, the Board of County Commissioners adopted the Columbia County Personnel Rules effective July 1, 1995 and has amended those Rules several times since original adoption; and

WHEREAS, it is necessary to review and revise the Rules from time to time to conform to changes in the law, administrative rules, insurance contracts and other factors which affect County business; and

WHEREAS, the Columbia County Personnel Rules have been revised to reflect the changes required by the such factors; and

WHEREAS, the Columbia County Personnel Ordinance, Ordinance No. 95-5, provides that the Board may amend the Personnel Rules by order or resolution of the Board if it is desirable to do so;

NOW, THEREFORE, IT IS HEREBY ORDERED that the Columbia County Personnel Rules be amended to read as shown in Exhibit "A" which is attached hereto and incorporated herein by this reference; and

IT IS HEREBY FURTHER ORDERED that the Columbia County Personnel Rules as hereby amended shall become effective October 1, 2011.

DATED this 31st day of August, 2011.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Anthony Hyde, Chair

By: _____
Earl Fisher, Commissioner

By: not present
Henry Heilmuller, Commissioner

Approved as to form

By: _____
Office of County Counsel

**Columbia County,
Oregon**

**PERSONNEL
RULES**

COLUMBIA COUNTY PERSONNEL RULES
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Columbia County, Oregon	
Subject: General Provisions	Number: PR-001-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

1.1. **Authority.** These Rules set forth the policies that are to be followed by Columbia County in the administration of its human resources management program. These Rules are established in accordance with the provisions of the Columbia County Personnel Ordinance, Ordinance No. 95-5.

1.2. **General Statement of Policy.**

1.2.1. **Purpose.** The purpose of these Rules is to implement and give effect to a set of Columbia County employee Personnel Rules pursuant to the following objectives:

- A. To establish and maintain for the County a system of human resources administration based on merit, with systematic and equitable principles governing the appointment, compensation, promotion, demotion, transfer, layoff, training, evaluation, dismissal and discipline of employees and other incidents of County employment.
- B. To promote and increase economy, productivity and efficiency of County employees.
- C. To establish and maintain a uniform plan of classification and pay based on the relative duties and responsibilities of employment with the County.
- D. To develop a program of recruitment, training and advancement that will contribute to attracting and retaining qualified persons for County service.
- E. To provide a method of assuring that County management and employees are properly informed as to their respective mutual employment obligations.
- F. To provide that employment in County service be subject to proper conduct on the job, the satisfactory performance of work, the necessity for the performance of work, and the availability of funds.
- G. To assure impartial treatment of applicants and employees in all aspects of human resources administration without regard to political affiliation, race, religion, color, ancestry, sex, age, marital status, national origin, sexual orientation, military status, veteran status, disability or any other protected classification with proper regard for their privacy and constitutional rights as citizens.
- H. To assure that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or nomination for office.

These Rules have been written to serve as a guide for the employer/employee relationship. The Rules contain general information and guidelines and are not intended to be comprehensive or

to address all possible applications of, or exceptions to, the general policies and procedures described. If any employee has any questions, those questions should be address to the Human Resources Department.

1.2.2. **Scope.** These Rules shall govern and affect the administration of the human resources management program for all employees of Columbia County unless specified otherwise.

As provided in the Personnel Ordinance, particular sections of the Personnel Rules shall apply to Columbia County employees on the basis of the status of the position held by the employee as regular, probationary, temporary, etc. As noted in the relevant sections, rules governing the provision of benefits or rights to grievances or other similar processes do not apply to temporary employees.

It is the intent of these Rules that they be interpreted broadly as a fair and reasonable approach to specific problems and situations; that they be considered as a total rather than each phrase being interpreted in isolation and out of context; and that the general principles stated will serve as a basis for the human resources policy for Columbia County.

The County reserves the right to: 1) make changes in the Rules at its sole discretion; and 2) interpret and administer these Rules in light of changing circumstances and events. Nothing contained in these Rules is intended to confer any property right in continued employment or to constitute a contract of employment. No employee or representative of the County has the authority to enter into an agreement for employment for any specified period of time (except in the case of temporary appointments which are to be of a specified duration) or to make any agreement contrary to these Rules, unless prior written approval from the Board of County Commissioners has been obtained.

In cases where the application of these Rules would conflict with a valid and effective collective bargaining agreement between a recognized employee union and the County, the provisions of the collective bargaining agreement shall prevail for employees represented by the employee union. In all other cases, these Rules shall govern.

1.3. Definitions. As used in these Rules, unless the context clearly requires otherwise:

1.3.1. "Anniversary Date" means the first day of the month in which the day of appointment or promotion occurs if the appointment or promotion occurs between the 1st and 15th day of the calendar month or the first day of the following month if the day of appointment or promotion occurs between the 16th and last day of the calendar month. The anniversary date of an employee's initial appointment to a regular full-time position or part-time position equal to or greater than .5 FTE shall be used for purposes of calculating longevity and for benefit accruals. For purposes of calculating eligibility for step increases, the anniversary date of appointment into the current position held shall be used, except as provided for in Section 3 - Out of Class Work. Thus, the anniversary date for step increases changes when an employee is promoted or otherwise changes positions at the County.

1.3.2. "Appointing Authority" means any person vested with the authority to appoint to any County position. This authority is typically vested with all elected officials and department heads of the County.

1.3.3. "Appointment" means all methods of selection and employment of Columbia County employees.

- 1.3.4. "Board" means the Board of County Commissioners of Columbia County, Oregon.
- 1.3.5. "BOLI" means the Oregon Bureau of Labor and Industries.
- 1.3.6. "Break in Service" means any period of unpaid leave of absence from County employment.
- 1.3.7. "Chief Examiner" means the Human Resources Director of Columbia County, if any, or, if not, such other person as appointed by the Civil Service Commission to administer the programs and areas assigned to the Commission.
- 1.3.8. "Class or Classification" means a group of positions which are sufficiently alike in duties, authority and responsibilities that the same qualifications may reasonably be required for and the same schedule of pay can be equitably applied to, all positions in the group.
- 1.3.9. "Classification Plan" means a document which embodies all classifications that have been established, and the specifications or descriptions of these classes. The Classification Plan includes positions that are subject to the Civil Service Ordinance and positions that are exempt from Civil Service.
- 1.3.10. "Classified Employee" means a person that has been appointed to a position in the classified service.
- 1.3.11. "Classified Service" means employment in the County in a position which is included and defined in the Classification Plan.
- 1.3.12. "Commission" means the Columbia County Civil Service Commission as established in the Columbia County Civil Service Ordinance.
- 1.3.13. "Continuous Service" means service unbroken by separation from the County, less any time spent by an employee on leaves of absence without pay as covered under these Rules.
- 1.3.14. "Days" means calendar days, from 12:01 a.m. to 12:00 midnight, unless specifically noted otherwise in these Rules.
- 1.3.15. "Demotion" means an appointment of an employee from a position in one class to a position in another class having a lower maximum salary rate, or a reduction in salary to a lower step in the salary range for the position which the employee then holds.
- 1.3.16. "Department Head" means the employee appointed to the position of director or manager of an individual department or the elected official whose duties include the management of a specific department within Columbia County. Each Department Head is the appointing authority for each respective department.
- 1.3.17. "Dismissal" means the permanent separation of employment with the County, usually for cause, and usually following disciplinary action.
- 1.3.18. "Employee" means any person compensated by the County through payment of wages in exchange for services performed for the County.

1.3.19. "Entrance List" means a list of persons who, after undergoing a prescribed recruitment process, have been found qualified to be considered as candidates for a position. This term may be used interchangeably with the term 'Hiring List'.

1.3.20. "Exempt Salaried" means the employee is excluded from the overtime provisions of the Fair Labor Standards Act (FLSA) and the overtime provisions of the Oregon Bureau of Labor and Industries (BOLI). This term is used interchangeably with the term 'FLSA Exempt'.

1.3.21. "Exempt Service" means the person is appointed to a position which has been specifically exempted from the classified service by the Civil Service Ordinance.

1.3.22. "FLSA" means The Fair Labor Standards Act.

1.3.23. "FLSA Exempt" see definition for 'Exempt Salaried'.

1.3.24. "Full-Time" means an employee is appointed to a position which has the daily, weekly and monthly hours which are established by the Board of County Commissioners for full-time work. The weekly hours for full-time work are typically considered to be thirty-seven and one-half (37.5) or forty (40) hours per week.

1.3.25. "FTE" means full-time equivalent.

1.3.26. "Hiring List" see definition for 'Entrance List' and 'Promotional List'.

1.3.27. "Immediate Family" means an employee's spouse, same sex domestic partner, parents, step-parents, children, step children, sisters, brothers, grandparents, grandchildren, father-in-law, mother-in-law, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, aunt, uncle, niece or nephew, whether or not residing with the employee; and other close relatives or persons who regularly reside in the employee's household.

1.3.28. "Independent Contractor" means an individual or firm which has been determined to qualify under Federal and State law to provide services to the County in a non-employment status.

1.3.29. "Job Description" means the written description of a particular position containing a title, statement of duties, authority, responsibilities and the minimum qualifications for the position. The term may be used interchangeably with the term 'position description'.

1.3.30. "Layoff" means a separation from the County service because of shortage of funds or materials, abolishment of position, or for other reasons not reflecting discredit on an employee and for reasons outside of the employee's control.

1.3.31. "Leave With Pay" means the employee is on an authorized leave in a paid status. Examples of leave with pay are vacation leave, sick leave and jury duty.

1.3.32. "Leave Without Pay" means the employee may or may not be on an authorized leave, however, the leave is in a non-paid status. The employee on an unauthorized leave of absence without pay may be subject to disciplinary action. See Rule 5. Examples of leave without pay are sick leave without pay and educational leave.

- 1.3.33. "Non-Represented Employee" means an employee who is not represented by a collective bargaining unit.
- 1.3.34. "Out of Classification Work" or "Out of Class Work" means an assignment of an employee to perform duties of a class at a higher salary range than the employee's existing position.
- 1.3.35. "Overtime" means time worked in excess of forty (40) hours per week as established by Federal and State law.
- 1.3.36. "Part-Time" means an employee is appointed to a position which has daily, weekly and monthly hours which are less than those established by the Board of County Commissioners for full-time work. Part-time positions are typically differentiated as to whether the hours worked are .5 FTE or greater or less than .5 FTE.
- 1.3.37. "Payroll Period" means a period from the 1st day of the calendar month to the last day of the calendar month.
- 1.3.38. "Personnel Action" means any action taken with reference to appointment, compensation, promotion, transfer, layoff, dismissal, or any other action affecting the status of employment.
- 1.3.39. "Personnel Ordinance" means the Ordinance and the Personnel Rules adopted by the Board of County Commissioners as the personnel policies for County employment.
- 1.3.40. "Position" means a group of related duties and responsibilities requiring the full-time or part-time employment of one or more person(s).
- 1.3.41. "Position and Salary Report" means the report maintained by the Human Resources Department, indicating the class, status, salary range and other relevant information for each regular position within the County.
- 1.3.42. "Probationary Period" means a working test period of six (6) to twelve (12) months during which an employee is required to demonstrate, by actual performance of duties, fitness for the position. After initial appointment to a regular position, a twelve (12) month "Initial Probationary Period" shall be served. After a promotional appointment, a six (6) month "Promotional Probationary Period" shall be served. After appointment to another position in the same or different classification which is not promotional, the employee shall also serve a six (6) month probationary period.
- 1.3.43. "Probationary Status" means the employee has been appointed from an appropriate hiring list and is serving a probationary period. An employee who is serving a promotional probationary period may be termed to be in a "Promotional-Probationary Status".
- 1.3.44. "Promotion" means the appointment of an employee from a position in one class to a position in another class having a higher maximum salary rate.
- 1.3.45. "Promotional List" means a list of current County employees, who, after undergoing a prescribed recruitment process, have been found qualified to be considered as candidates for a position. This term may be used interchangeably with the term 'Hiring List'.
- 1.3.46. "Recall" means the return of an employee who was laid off from a position to the same or

similar position.

1.3.47. "Reclassification" means amendment to a classification affecting one or all of the positions within that class by a revision of the job description.

1.3.48. "Regular Status" means the employee has successfully undergone a defined recruitment process and successfully served an initial probationary period in a position which is either full-time or part-time and is for an anticipated continuous duration of six months or more. Part-time regular status is differentiated as to whether the position is less than .5 FTE or .5 FTE or greater.

1.3.49. "Represented Employee" means an employee whose position has been determined to be appropriately represented by a designated collective bargaining unit.

1.3.50. "Resignation" means the employee has voluntarily ceased employment with the County.

1.3.51. "Retirement" means the employee has voluntarily resigned with the intent to receive retirement benefits. This intent is typically defined as application to receive benefits from the Public Employee Retirement System (PERS).

1.3.52. "Separation" means an employee has left employment with the County for reasons other than dismissal due to disciplinary action or resignation.

1.3.53. "Step Increase" means a merit based increase from one step to the next higher step within the established salary range for the class or position when a supervisor has determined that an employee has performed satisfactorily.

1.3.54. "Supervisor" means an employee who has been appointed to a position which has primary supervisory responsibilities for other positions within a department.

1.3.55. "Temporary Status" means an employee who is appointed to a position which is established as temporary or seasonal in character with an anticipated duration of six (6) months or 1040 hours or less in any calendar year. Temporary employees are not appointed to a regular position in the County Position and Salary Report and are not required to undergo a defined hiring process.

1.3.56. "Transfer" means an employee is appointed to a position in the same or different class which has the same salary range provided, however, that employee is qualified to do the work.

1.3.57. "Unclassified Service" means a person has been appointed to a position which has not been included in the classified service and is not subject to the provision of the Civil Service Ordinance and Rules.

1.3.58. "Voluntary Demotion" means a demotion requested by an employee in order to retain employment when a layoff is imminent or for other reasons where the action is entirely voluntary on the part of the employee.

1.3.59. "Work Week" means a seven day period beginning on Monday of each week and ending on the following Sunday.

1.4. Organization for Human Resources Administration.

1.4.1. General. The Human Resources Director shall be responsible to the Board of County Commissioners for implementation and enforcement of the adopted Rules and shall report to the Board of County Commissioners on the day-to-day human resources administration of the County.

1.4.2. Roster. The Human Resources Department shall establish and maintain a roster of all employees in the County showing for each employee the position title, salary rate, date of employment, and such other employment data as is deemed pertinent.

1.4.3. Reports to the Human Resources Department. Every appointment, transfer, promotion, demotion, performance evaluation, change of salary rate, and other temporary or permanent change of status of County employees shall be reported to the Human Resources Department in writing on the required forms as provided by the Human Resources Department.

1.4.4. Disclosure of Personnel Records. All requests for public disclosure of any personnel records shall be sent to the Human Resources Department for review prior to disclosure. Such requests shall be processed in accordance with Oregon law and the County Public Records Policy.

All requests for information from personnel files must be referred to and approved by the Human Resources Director or the appropriate designee. No employee may have access to another employee's file or employment information without requesting that information from the Human Resources Department, unless that information is required by the requesting employee to perform the employee's regular job duties (e.g., for payroll purposes). No employee who has access to employee personnel files shall provide any information from those files to other employees, unless that information is required to perform the employee's regular job duties, or to the public without approval from the Human Resources Director. Violation of this Section shall be considered cause for disciplinary action against an employee.

1.4.5. Personnel Files. A personnel file will be maintained in the Human Resources Department for each employee of the County. This personnel file, and the information contained therein, is the official employment record of each individual employee. This personnel file is solely the property of the County and, except as indicated below, no employee or other party has any right to or ownership in the personnel files. No information of any kind whatsoever shall be deemed official, or usable on behalf of or against any employee, unless it has been received in the Human Resources Department and included as part of the employee's official personnel file.

Department Heads will promptly forward all appropriate documents of a personnel nature to the Human Resources Department for inclusion into the employee's file. Department Heads may retain photocopies of certain documents for referral and convenience, but may not maintain separate personnel files within their departments.

Department Heads who choose to maintain files of convenience within their departments shall merge such files with the employees' official personnel file maintained in the Human Resources Department no later than thirty (30) days following the dismissal, resignation or separation of any employee.

Employees are responsible for ensuring that the County has accurate information on file. Employees must notify the Human Resources Department promptly with any change in information, such as addresses or telephone changes, emergency contact information changes, etc.

An employee may review the material in the employee's personnel file, except for responses to

requests for information from previous employers, interview notes or records of criminal investigation, and make copies of the materials, subject to reasonable copy charges. An employee is entitled to such review once per calendar year. Any requests to view the personnel file beyond that shall occur during hours other than the employee's regular work hours or the employee shall utilize vacation or comp leave. An employee who wishes to view their personnel file shall make such request to the Human Resources Department whereby an appointment shall be scheduled at an appropriate time but in no case later than 45 days after the employee's request.. A representative from the Human Resources Department must be present during any personnel file review.

An employee may respond in writing to any material in the employee's personnel file and the response shall become a part of the file, provided that written response is received within 15 days of the date of the document to which the response is directed.

Department Heads may have access to the personnel files of employees in their departments.

1.4.6. References on Employees. A supervisor or Department Head who responds to a request for an employment reference on a current or former employee shall limit the response to objective information which is verifiable by documented facts. This includes verifying dates of employment, positions held and salary. Whenever possible, employment references shall be referred to the Human Resources Department for response. Verification of employment requesting confidential information must be in writing and signed by the employee, authorizing release of the information. Salary level may be verified but not given over the telephone. Work reference requests, both for present and former employees, must be in writing and signed by the employee, authorizing release of the information.

1.4.7. Identity Theft Protection and Social Security Numbers. The Human Resources Director is responsible for coordinating the security program of personal information of employees that is collected by the Human Resources Department. The Finance Director is responsible for coordinating the security program of the personal information of employees that is collected by the Finance Department for payroll and benefits purposes.

The County shall comply with State and Federal law related to providing notice of any security breach to employees and to the disclosure, printing, displaying or posting of Social Security numbers. Social Security numbers are necessary identification for federal and state tax and other purposes. The County recognizes its responsibility to protect such sensitive information from unnecessary public disclosure. Social Security numbers shall not be used, in their entirety, as internal identification numbers. They shall not be printed unnecessarily on any report or form and shall be redacted from any documents which are required to be publicly disclosed but do not require the production of the Social Security number as an identifier. Personnel documents which contain Social Security numbers shall be appropriately stored, whether electronically or physically, so that there is appropriate protection against theft.

Change History

Version #	Approval Date	Effective Date	Brief Description
4	9/7/11	10/1/11	Reviewed by BOCC and approved by Order # 70-2011

Columbia County, Oregon	
Subject: The Classification Plan	Number: PR-002-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

2.1. Administration. The Human Resources Director shall have the authority for overall administration of the Classification Plan.

The Classification Plan is a document which embodies all classifications that have been established, and the specifications or job descriptions of these classes. The Classification Plan may consist of several different documents not necessarily collated into one document, including, but not limited to, the Pay Plan, the Position and Salary Report and appropriate job descriptions. The Classification Plan shall include positions that are subject to the Civil Service Ordinance and positions which are exempt from Civil Service.

The Human Resources Director shall be responsible for developing a uniform Classification Plan by ascertaining the actual duties, tasks and responsibilities of all County positions, and having job descriptions prepared. The Plan shall be submitted to the Board of County Commissioners for positions which are not subject to Civil Service, and to the Civil Service Commission for those positions subject to Civil Service, for formal adoption and approval.

The Classification Plan shall be developed and maintained to provide:

- A. That all positions which are substantially similar and comparable as to kind, difficulty and responsibility of work are included in the same classification.
- B. That the same means of recruitment and appropriate examination method may be used in filling all positions within a classification.
- C. That the same schedule of pay shall be applied with equity to all positions within a classification.
- D. A means to establish job performance standards, develop training programs, and establish appropriate career lines.
- E. A means to accomplish personnel planning and improved budgeting procedures.
- F. A means to appropriately identify the status of each position in relation to FLSA/BOLI rules on minimum wage, overtime, union representation and other factors.

The Classification Plan shall set forth for each County position:

- A. A title; a statement describing the nature and distinguishing characteristics of the essential duties of the work; knowledge, abilities and qualifications; general minimum recruiting

qualifications; special requirements that are necessary for satisfactory performance in the classification; salary range; union status; FLSA/BOLI status.

B. Job descriptions shall be construed as a general statement of the kind of work characteristics of all County positions allocated to that classification.

C. The use of particular expressions pertaining to duties, qualifications, requirements or other attributes shall not be interpreted to exclude others not mentioned but appropriate to the job. Job descriptions are descriptive and shall not be construed as restrictive.

D. Job descriptions shall be provided to each Department Head for each position under the department's jurisdiction on forms prescribed by the Human Resources Director. It is the responsibility of each Department Head to provide a copy of the appropriate job description to each employee in the department.

2.2. Employee Categories. Positions shall be defined as follows: Full-time or part-time (differentiated between <.5 FTE and =>.5 FTE); regular or temporary; union represented or not; and FLSA exempt or not, as those terms are defined in Rule 1. Employees may not be re-categorized from either a temporary to regular position or a part-time <.5 FTE to =>.5 FTE part-time or full time position without undergoing a defined recruitment process through the Human Resources Department.

2.3. FLSA Exempt/Non-Exempt Determination. The Human Resources Director shall determine which positions qualify under Federal and State law for minimum wage and/or overtime exemptions. The determination shall follow guidance from BOLI and the US Department of Labor.

2.4. Independent Contractors. The Human Resources Director shall review any requests to allow services to be performed by an independent contractor who is an individual not operating under a defined business license or federal business identification number and make a determination as to the appropriate status of that individual. The review and determination shall follow guidance from BOLI and the US Department of Labor regarding independent contractor status.

2.5. Periodic Review of Classification Plan. The Human Resources Director shall periodically review the Classification Plan, and may add, combine, divide or abolish classifications, or revise descriptions of existing classifications, or establish new classifications upon approval from the Board of County Commissioners. These revisions shall be made following consultation with the affected Department Heads.

2.6. Procedure to Reclassify or Establish a New Position. When a Department Head plans a new type of work or a new position, or desires to reclassify a position, the request shall be submitted in writing to the Human Resources Director. The Human Resources Director will consider a reclassification if the request indicates that permanent and substantial changes in the duties assigned to a position have been made. The new duties must be clearly defined and assigned before a review is begun. The Human Resources Director will be responsible for determining into which classification and salary range the new position should be assigned or if it is necessary to create a new classification. The Human Resources Director shall submit plans for new positions to the Board of County Commissioners and new and reclassified positions subject to Civil Service to the Civil Service Commission after the position is classified and an appropriate salary range is assigned by the Human Resources Director and approved by the Board of County Commissioners.

A reclassification request can be initiated by an employee who believes the position to which the employee is assigned is improperly classified. Such request will be forwarded to the employee's Department Head for consideration. The employee's request and the Department Head's recommendation will be forwarded in writing to the Human Resources Department within fifteen (15) days from the date the employee requested reclassification. The Human Resources Director shall review the request and the Department Head's recommendation and, if the request is deemed valid, prepare a reclassification for consideration by either the Board of County Commissioners or the Civil Service Commission, as appropriate. To be deemed valid, the employee must provide substantive information that supports and justifies the request. Requesting a review without such justification will not be deemed a valid request.

When substantive or significant changes are planned in the work, duties and responsibilities of established positions, including changes that would constitute a promotion or demotion, written justification of the proposed changes shall be submitted on appropriate forms to the Human Resources Director. The Human Resources Director will have the same responsibilities as outlined above.

Reclassification shall not be used to avoid the provisions of these Rules dealing with layoff, transfers, demotions, promotions or dismissals. If the reclassification entails a change of salary range, the employee shall be placed at the nearest and highest step in the new range to the employee's step in the old range. The anniversary date of a reclassified employee shall be adjusted according to whether the reclassification constitutes a promotion, demotion or transfer. See sections in Rule 3 related to these actions.

Reclassification reviews will take into consideration the timing of the budget process and corresponding constraints. The Human Resources Director will review the requests and, if approved, will submit the request to the Board of County Commissioners or the Civil Service Commission, as appropriate, for final approval. The Human Resources Director will then amend the Classification Plan and the Position and Salary Report.

2.6.1. Incumbents of Reclassified Positions. When reclassification occurs under the provisions of this Section, an employee occupying the position may be retained in the position after it has been reclassified without examination provided that:

- A. The Human Resources Director determines that the reclassification results from an official recognition of a change in duties and responsibilities, which has already occurred;
- B. The Department Head determines that the performance of the duties and responsibilities of the incumbent has been satisfactory; and
- C. The Human Resources Director certifies that the incumbent possesses the minimum qualifications of the new job description.

The above conditions are included as a means of encouraging proper classification and organization without jeopardizing the status of employees. If all the above conditions cannot be met, the Department Head and the Human Resources Director shall be guided by other appropriate provisions of these Rules.

2.6.2. Appeals of Allocations. Any Department Head or employee affected by the classification of a position may file a written request for reconsideration. The Human Resources Director shall review

the classification of the position and submit the findings to the Board of County Commissioners or the Civil Service Commission, as appropriate, and the employee concerned. The process of appeals to the Civil Service Commission are outlined in the Civil Service Rules.

Change History

Version #	Approval Date	Effective Date	Brief Description
4	9/7/11	10/1/11	Reviewed by BOCC and approved by Order # 70-2011

Columbia County, Oregon	
Subject: The Compensation Plan	Number: PR-003-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

3.1. Preparation and Adoption of the Pay Plan. The Human Resources Director shall recommend to the Board of County Commissioners a compensation plan for adoption for Columbia County. The compensation plan shall include salaries negotiated by employee representatives as well as salaries for non-represented employees. The compensation plan shall include for each class a salary with a minimum and maximum rate. Flat rates may be used instead of salary ranges where appropriate.

In the development of the plan, the Human Resources Director shall consider the principle of equal pay for equal work, as well as the relationship between classes, the relative difficulty and responsibility of work, the availability of qualified applicants, prevailing rates of pay, cost of living factors, the performance criteria and the financial policies and economic considerations of the County.

3.2. County Position and Salary Report. The Human Resources Director is responsible for maintaining the Position and Salary Report. No department of the County may create new classifications or change the compensation for positions without requesting such new position or salary change from the Human Resources Director. Once the classification has been prepared and a salary range assigned by the Human Resources Director, the request will be taken to the Board of County Commissioners for approval and further to the Civil Service Commission for positions subject to Civil Service. Upon approval of the request, the Human Resources Director will amend the Position and Salary Report.

3.3. Administration of the Compensation Plan. Where the compensation for a classification, as prescribed in the Position and Salary Report, is based on a salary range, the following rules shall govern the use of the range.

3.3.1. Rates of Pay. Each regular full-time and .5 FTE or greater part-time employee shall be paid at one of the steps of the range prescribed for the classification. Less than .5 FTE part-time employees shall be paid at a rate approved by the Human Resources Director.

3.3.2. Beginning Salary. Normally an employee will be appointed at the first step of the range established for the classification. Appointments at higher steps will be governed by the following procedure:

A. The appointing authority who believes that the appointment should be made at a step higher than the first step shall justify the action to the Human Resources Director. The Human Resources Director shall review the matter and make a determination based upon the factors listed below. Should the appointing authority disagree with the determination, the Board of County Commissioners shall make the final decision should the Human Resources Director disagree with the need for appointment at a higher step in the range.

B. The factors to be reviewed in approving an appointment beyond the first step are: availability of applicants with the qualifications for the vacant position; qualifications of all available applicants; the resulting relationship with other similar classifications; prior experience of the candidate in a comparable position; and the time available to continue the recruitment process. Budget considerations will be an important factor in the recommendation from the Human Resources Director.

3.3.3. Salary Step Increases. When an employee has performed satisfactorily, as determined by the appointing authority, the employee may be granted an increase in salary of one step at the completion of each twelve (12) month period from the employee's anniversary date of appointment or promotion until the employee has reached the top step of the salary range for the classification. Raises in salary resulting from step increases are based on satisfactory performance, and are not granted automatically. The anticipated step increase may be denied or delayed based upon the employee's unsatisfactory performance. Eligibility for step increases will be delayed by layoffs or unpaid leaves of absences.

3.3.4. Pay Periods, Pay Days and Payment of Salary. Employees are paid on the last business day of each month for the period beginning on the 1st day of the calendar month and ending on the last day of the calendar month. If a pay day falls on a weekend or holiday, employees will be paid on the preceding work day. Any errors in an employee's paycheck shall be corrected on the next monthly paycheck, provided sufficient notice is given to Payroll.

Regular employees have the option of receiving a draw on their monthly pay up to an amount not to exceed forty-five percent (45%) of their regular gross wages. The draw check will be issued on the 15th of each month or the last work day before the 15th. Employees shall request draws using the forms and procedures as prescribed by Payroll.

Pay checks are normally distributed in each department; however, employees may be required to appear at the Payroll Office to receive pay checks when paperwork is not complete or other communication is required with the employee. All other arrangements for mailing or pick-up must be made in advance with Payroll.

Employees may be paid by check or through direct deposit of funds to either a savings or checking account at their bank of choice (providing the bank has direct deposit capability). To activate direct deposit, the Direct Deposit Authorization form must be completed and submitted, with a voided check, to Payroll. Due to banking requirements, it may take several weeks for activation of a direct deposit.

3.3.5. Employee Evaluations. All employees should have their work performance evaluated by their immediate supervisor and/or Department Head before completion of the probationary period and annually thereafter.

All employees should have their work performance evaluated before any salary step increase is granted, except where across the board salary increases occur. Additionally, employees at the maximum salary rate in their classification should receive an annual evaluation. (See Rule 13)

3.3.6. Promotions. A promotion is an appointment to a position in a classification which has a higher maximum salary rate than the employee's present classification. Normally an employee shall receive the nearest higher salary to the employee's current salary in the new range on the date of promotion. The appointing authority who believes that the promotion should be made at a higher rate within the new range must present the request in writing to the Human Resources Director. The Human

Resources Director shall review the matter and shall give consideration to the qualifications and prior experience of the candidate as well as the County budget. The process for final determination shall be as outlined in Section 3.3.2 above. The anniversary date of an employee who has been appointed to a promotional position will stay the same for purposes of calculating longevity and leave accruals. The date of the appointment into the promotional position shall become the anniversary date used for calculating eligibility for salary step increases less periods of layoff or leave without pay. All promotions shall be made effective the first of the following month.

3.3.7. Demotions. A demotion is an involuntary or voluntary appointment to a position in a classification which has a lower maximum salary rate than the employee's present classification or a reduction in rate to a lower step on the salary range. Normally, an employee shall receive the nearest lower salary to the employee's current salary in the new range on the date of demotion. This shall not result in an employee receiving a higher salary. An employee's anniversary date shall not be changed when an involuntary demotion occurs.

3.3.8. Transfers. A transfer is an appointment to another position in the same or similar classification and the same salary range. The employee's pay and anniversary date shall remain the same. An employee who 'bumps' another employee according to the terms of a collective bargaining agreement is not considered to have transferred to that position.

When an employee is transferred to a position in a different classification which has the same salary range, the employee's pay remains the same. The employee will be required to serve a probationary period of six (6) full months; however, the employee's anniversary date will not change. Should the employee not successfully complete the probationary period, the employee shall return to the same or comparable position as previously held, provided that position still exists and is funded and vacant.

3.3.9. Salary Range Changes. When the salary range for a position is changed, the employee's pay will be based on the nearest salary level in the new range as in the old. If the employee's pay is higher than the highest step in the new range, the employee's pay shall be frozen until such time that the employee's pay becomes less than or equal to the highest step in the new salary range. The Human Resources Director may implement a different step if conditions warrant. Such a range change shall not alter the employee's anniversary date.

3.3.10. Payment of Salary. All employees entitled to overtime under the FLSA shall be paid on the basis of either the actual number of hours worked, including authorized leaves with pay, or on a monthly basis compensating for all regular hours worked. All employees exempt from the provisions of the FLSA shall be paid on the basis of their monthly salary less any periods of leave without pay in compliance with the FLSA.

3.3.11. Rate of Pay on Return by Reinstatement. When an employee is reinstated following an unpaid leave of absence, the employee shall be paid at the same step in the salary range that was being paid at the time the employee left for such leave of absence unless the salary range for that position has changed in the interim time period. The employee's anniversary date shall be adjusted forward to exclude the period of time spent on the unpaid leave of absence.

3.3.12. Rate of Pay on Recall. When an individual is recalled, the employee shall be paid at the same salary step at which such employee was being paid at the time of layoff. The anniversary date shall be adjusted forward to exclude the period of time spent on layoff.

3.3.13. Rate of Pay for Temporary Employees. The pay for temporary employees shall usually be an hourly rate based on the pay for full-time employees in the same classification. If the position is not classified, the rate of pay shall be determined by the Human Resources Director based upon a recommendation from the appointing authority. Temporary employees are not entitled to any other benefits or compensation outlined in these Rules. Such employees do not receive paid vacation or sick leave, holiday pay, shift differential or other types of compensation.

3.4. Overtime

3.4.1. Authorization of Overtime. All overtime must be approved by the employee's supervisor prior to working any overtime. However, in the case of unanticipated need, the employee shall notify the supervisor as soon as possible of the need to work overtime. It shall be the responsibility of the Department Head to ensure that all overtime earned by employees is recorded and paid or accrued as compensatory time off as allowed below.

3.4.2. Definition of Overtime. Overtime shall be considered as time worked in excess of forty (40) hours per week.

3.4.3. Compensation. The rate of compensation for overtime worked shall be one and one-half (1½) times the employee's rate of pay or one and one-half (1½) hours times the number of overtime hours worked as compensatory time.

3.4.4. Compensatory Time. Compensatory time shall be allowed to accumulate to a maximum of forty (40) hours for all employees. When the maximum accumulation of compensatory time is exceeded, all overtime hours worked shall be paid at the overtime rate or the appointing authority may choose to ensure that compensatory time is taken as it is earned and not accumulated.

Department Heads may require employees to utilize available compensatory time leave prior to utilizing vacation leave. This may be required regardless of the actual compensatory time balance accrued. The County may, at its own discretion, pay an employee for all accrued compensatory time at the employee's current rate of pay.

3.4.5. Other Benefits. Time worked as overtime shall not be used to earn employee benefits or to serve out probation or salary step increase periods. Compensatory time off may be used as part of the established work week to earn employee benefits and to serve out probation and salary step increase periods.

3.4.6. Exemption to Overtime. Upon determination by the Human Resources Director, certain positions shall be considered as exempt from overtime on the basis of the nature of work, conditions of employment or by definition of administrative, executive and professional classifications as provided by State and Federal. The Position and Salary Report shall indicate which positions are exempt from the overtime provisions.

3.4.7. On-Call Time. Employees who are required to be on-call to the extent such time would be compensable under the FLSA shall receive pay as outlined in Appendix A.

3.5. Annual Compensation Review. Annually, prior to the adoption of the budget of the ensuing year, the Human Resources Director shall submit a recommended compensation plan covering all non-represented County employees to the Board of County Commissioners. The Board of County

Commissioners may provide for a general salary adjustment to the salary range schedule and this shall be distinguished from merit salary step increases.

3.6. Out of Classification Work. Employees may occasionally be asked to perform duties beyond the scope of their normal positions or be asked to temporarily assume the duties of higher level budgeted positions for a short period. Such work is considered to be a part of an employee's duties. However, in the event that such work extends beyond a short-term assignment, the County establishes the following criteria for compensating employees for temporarily performing work beyond the assigned duties of their current job class, and for employees temporarily assigned the duties of management or administrative positions. Employees whose regular class is as assistant to a Department Head or chief deputy are excluded from this Section.

A. Employees may be temporarily assigned the duties and responsibilities of a higher level position under the following circumstances: the position is currently vacant; the employee normally filling the position is on leave; the employee normally assigned to the position has been temporarily relieved of all regular duties; or, temporarily increased work load requirements.

B. The same employee shall not be assigned to the higher level duties for more than six (6) consecutive months unless specifically approved by the Human Resources Director, who may extend the assignment for not more than an additional six (6) months.

C. Employees must be formally assigned and actually performing the duties of the higher job class to be eligible for higher class pay.

D. Except for on-the-job-training, whenever an employee is required to perform any work for one (1) full work day or more in a classification above that in which the employee is normally classified, the employee shall receive the nearest higher salary to the employee's current salary in the higher classification range. If a particular higher classification does not exist for the level of work to be performed, then the employee shall be paid at one step higher than the current step earned.

E. Time spent on leave while receiving higher class pay shall be compensated for at the employee's rate of pay for the employee's regular classification. Employees leaving the County service while receiving higher class pay shall have all accrued and payable leave compensated for at their regular classification rate.

F. Work performed pending action on a request for reclassification of a position or approval of a recommendation to reclassify a position is specifically not covered by this policy, nor may out-of-class pay be used to reward employees for outstanding service, nor for any other purpose than those stated.

3.7. Severance Pay. Regular full-time and .5 FTE or greater part-time employees who have completed at least one (1) full year of service with the County shall be entitled to severance pay as listed in Appendix A if they are laid off. An employee who has been laid off and returns to fill a position temporarily within the County, shall not be entitled to severance pay when the temporary position is terminated.

Should an employee be offered and refuse another position in lieu of lay off, either within the same classification or a transfer to another similar classification in the same salary range, the employee's refusal shall be considered a resignation, provided the employee was able to perform the essential duties of the position with or without reasonable accommodation. In such a situation, the employee would not be considered eligible for severance pay.

3.8. Additional Pays. For information on additional special pays, see Appendix A.

Change History

Version #	Approval Date	Effective Date	Brief Description
4	9/7/11	10/1/11	Reviewed by BOCC and approved by Order #70-2011

Columbia County, Oregon	
Subject: Recruitment, Examination, Appointment and Personnel Changes	Number: PR-004-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

All appointments shall be made in accordance with these Rules. No question in any written or verbal test, on any application form, in any interview or by any appointing authority shall be so framed as to attempt to elicit information concerning race, color, ancestry, national origin, sex, sexual orientation, marital status, age, religion, military status, veteran status, disability, political affiliation or any other protected classification, unless it is necessary to determine bona fide qualifications for a position. Certain information may be required by the Human Resources Department to collect data as required by the federal Equal Employment Opportunity Commission (EEOC).

Sections 4.1 through 4.4 apply only to recruitments for positions not subject to Civil Service. The Civil Service Ordinance and Rules apply to recruitments for positions subject to Civil Service.

4.1. Announcements and Applications.

4.1.1. Determination to Open Recruitments. The Human Resources Director shall determine when to open a recruitment to establish a hiring list for a position. Recruitments may be announced in the absence of a hiring list, or when a hiring list is about to be exhausted or abolished.

4.1.2. Announcements and Recruiting. Public announcement of all recruitments shall be made at least two weeks in advance of the final closing date for the receipt of applications, except in the case of promotional recruitments. Such notice shall be made by posting an announcement on the bulletin boards of the County. The Human Resources Director shall supplement this with a reasonable effort to attract qualified persons for the recruitment. Notice of a promotional recruitment shall be made by posting an announcement on bulletin boards within the County for a period of at least five (5) business days. Announcements of recruitments shall specify the title and salary range or rate of pay for the job, a summary of duties to be performed, the minimum qualifications required, the final date on which applications will be received, and all other conditions of the recruitment which the Human Resources Director determines should be included.

4.1.3. Filing Applications. All applications shall be properly made out on forms prescribed by the Human Resources Director and filed with the Human Resources Department on or prior to the last date for filing as given in the recruitment announcement. No applications will be accepted after the published closing date. Unsigned or incomplete applications will not be accepted. The ability to appropriately follow instructions and submit a complete application and other materials as required is considered part of the initial examination process. Candidates who do not successfully complete this process shall not be considered. Applications filed with the County shall become the property of the County. It is the responsibility of the applicant to notify the Human Resources Department of any change in address.

4.1.4. Disqualification of Applicants. Applicants may be refused an opportunity to be considered for a position and qualified applicants may be refused inclusion on a hiring list for any of the following reasons:

- A. Failure to meet the minimum qualifications for the position which includes following the application instructions or failing to submit the appropriate documents required;
- B. Failure to furnish true statements;
- C. Practice or attempted practice of fraud or deception in connection with the filing of an application;
- D. Failure of an applicant, after notification, to be promptly present at the time and place designated for any portion of the recruitment process;
- E. Submitting an application for the same position within the six (6) months preceding the current recruitment;
- F. Using, or attempting to use, political pressure or bribery to secure an advantage in the recruitment process.

4.2. Examinations Performed In Order to Establish a Hiring List. This Section applies to examinations or tests of any type which are performed in order to establish a hiring list. Examinations or tests which are performed by the appointing authority are not subject to the terms of this Section.

4.2.1. Scheduling of Examinations. Examinations shall be scheduled at such time or times as the Human Resources Director may approve and may be postponed by order of the Human Resources Director if the best interests of the County will be served thereby.

4.2.2. Preparing and Conducting Examinations. The Human Resources Director shall prepare or cause to be prepared all examinations, and the questions or tests shall be approved by the Human Resources Director prior to the holding of an examination.

4.2.3. Form of Examinations. Examinations shall be competitive and shall be of such form and type as may be deemed appropriate in the judgment of the Human Resources Director in order to fairly test and determine the qualification, fitness and ability of an applicant to perform the duties of the class for which the applicant seeks appointment. Examinations may include but are not necessarily limited to performance tests, experience and education ratings through a review of the application, verbal examinations and demonstrations of skill and tests of physical ability to perform the essential functions of the job, with or without reasonable accommodation. Such tests may be used in conjunction with, or may be substituted for, written examinations.

4.2.4. Retake of Examinations. Applicants who fail an examination shall not be permitted to retake the exam during that recruitment process.

On certain performance tests, more than one opportunity to take the test may be offered. A retake of a performance test shall be at the discretion of the Human Resources Director and shall depend on such factors as the number of applicants, time to administer the test and the level of the applicant's performance on the initial test.

4.2.5. Grading of Examinations. The Human Resources Director shall determine a final score for each applicant's examination, computed in accordance with the weight given to each of the examinations established by the Human Resources Director. Failure in any part of the examination shall disqualify the applicant in the entire examination. All applicants for the same position shall be accorded uniform and equal treatment in all phases of the examination procedure.

The Human Resources Director shall utilize appropriate techniques and procedures in rating the results of examinations and in determining the passing score for the examination.

4.2.6. Examination Results. No examination shall be deemed to have been completed until the gradings have been determined, the general averages computed and the eligible hiring list established. The results of the examination as determined by the Human Resources Director are final.

4.2.7. Inspection and Review of Examination Papers. The examination papers of applicants, which includes all documents submitted or prepared as part of the recruitment process, are not open to inspection by the public or by applicants. The references received shall be deemed confidential to the extent authorized by law and shall not be open to the applicant or to other applicants or to the public.

4.2.8. Preservation of Examination Papers. Examination papers shall be preserved for a period of at least three (3) years after the establishment of the eligible hiring list, after which time the papers of applicants may be destroyed.

4.2.9. Continuously Open Examinations. Other provisions of these Rules notwithstanding, continuously open entrance examinations may be held for classes in County service where vacancies are frequent and where the examination procedure described previously in this Rule is not practical. Applications will be accepted for continuously open examinations any time between the date of the original announcement and the termination of the open period.

4.2.10. Promotional Examinations. When the Human Resources Director believes there are qualified and interested employees currently employed by the County eligible for recruitment, the examination shall be designated as promotional and recruiting restricted to such employees.

4.3. Establishment of Hiring Lists.

4.3.1. Establishment of Lists. After each examination, the Human Resources Director shall prepare a hiring list of those applicants who have successfully passed all parts of the recruitment process.

4.3.2. Order of Names. The names of successful applicants shall be placed on the list in the order of their final ratings, starting with the highest. If two or more applicants have final ratings which are identical, they shall be deemed to hold the same ranking on the list.

4.3.3. Duration of List. Each hiring list shall normally remain in force for one (1) year from the date of its establishment, except that at the discretion of the Human Resources Director, this period may be reduced, extended, for not more than thirty (30) months, or terminated at any time, if, in the Human Resources Director's opinion, the best interests of the County would be served thereby.

4.3.4. Removal of Names from List. The Human Resources Director may remove the names of an applicant from a list:

- A. For any of the causes listed in Section 4.1.4;
- B. If the applicant fails to reply within five (5) business days from the date of mailing of a written inquiry mailed to the applicant's last known address or fails to respond within three (3) business days to a telephone call;
- C. If the applicant declines an appointment;
- D. If the applicant has been previously considered but not appointed to any of the available positions in the class;
- E. If the applicant requests removal;
- F. If the applicant is found not suitable for all of the available positions in the class;
- G. If the applicant is appointed to a position in the class or a higher class in the County;
- H. If the applicant is appointed to a position which is promotional to the class for which the list was established;

4.4. Certification.

4.4.1. Requisition. Whenever a vacancy is to be filled other than by transfer or demotion, the appointing authority shall request the certification of the names of applicants eligible for such vacancy.

4.4.2. Certification of Eligible Applicants. Upon receipt of a request for certification of eligible applicants, the proper number of available applicants shall be certified from an appropriate hiring list. Certification shall be made from lists in the following order:

- A. The hiring list for positions which are designated as Department Heads shall include the names of all applicants who successfully passed the recruitment process.
- B. The hiring list, entrance or promotional, for all other positions not subject to Civil Service shall consist of all applicants who have successfully passed the recruitment process. The number of names certified from the hiring list shall be seven (7), plus the names of all applicants who have the same whole number base score as the individual ranking lowest on the certificate.
- C. Additional names may be certified upon receipt of a written statement from the appointing authority that one or more of the applicants certified do not meet the qualifications for the position that is to be filled, or has declined consideration for this position and the number of certified applicants is below the proper number as authorized in this Section.

4.4.3. Appropriate Lists. If a hiring list is not available for the class of a particular position, certification can be made from a list for a class which the Human Resources Director determines to be comparable or from a list for a class involving related duties, responsibilities and qualifications, if deemed appropriate by the Human Resources Director. Whether an applicant has previously declined or waived an appointment, or failed to receive an appointment or failed to accept an appointment under

this Section, shall not affect the consideration of the applicant for appointment to a position in the class for which the list was established.

4.4.4. Availability. An applicant may be considered not available by the appointing authority if the applicant fails to reply within three business days of a telephone inquiry to the applicant's last known telephone number or within (5) business days from the date of mailing to a written inquiry mailed to the applicant's last known address.

4.4.5. Examinations/Tests Performed by the Appointing Authority. The appointing authority to whom the applicants are certified may examine the applications and conduct examinations including verbal interviews, structured questionnaires, practical tests, written tests, exercises or assessment center, etc. In all cases the testing will be job related and designed to determine each applicant's knowledge, skills and abilities for the position.

4.4.6. Reference and Background Checks. Before any offer of employment is made by the appointing authority, the appointing authority shall conduct appropriate reference checks and/or background checks on any proposed candidate to be hired.

Per County Ordinance, the Human Resources Director shall have the authority to obtain from the Columbia County Community Corrections Department a criminal background and driving record history on candidates for or employees in the following positions:

- A. Heading a department or division;
- B. Quasi law enforcement positions (e.g., building inspector, code enforcement officer, animal control officer, etc.);
- C. All positions which have authority to enter or inspect property within the County (e.g., property appraisers, building inspectors, surveyors, etc.);
- D. Being required to operate a County owned vehicle (e.g., road workers, etc.);
- E. Having contact with minors as a regular job duty (e.g., park workers, etc.);
- F. All positions which have access to or regularly handle money or receipts for the County (e.g., accountant, deputy tax collector, etc.).

The Human Resources Director shall obtain, or have the Department Head who oversees the position obtain, a signed release from any such candidate prior to requesting such criminal history. The Community Corrections Department shall provide the Human Resources Director with a documented report of the criminal history and driving record of the requested candidate or employee.

Criminal history and driving records checks for candidates for law enforcement positions (e.g., any position in the Sheriff's Office or Community Corrections) shall be conducted by the department intending to make the job offer.

Results of the background checks will be withheld in help determining the applicant's fitness for the position.

In determining fitness for a position, the County will not perform any background screening prohibited by Federal or State law.

4.4.7. Travel Expenses. The County will not reimburse any candidate's travel expenses for initial interviews. The Board of County Commissioners may, upon request, and at its discretion otherwise, permit reimbursement for travel expenses.

4.5. Appointment. All regular appointments to County positions shall be made in conformity with this Section. The appointing authority shall make a selection from the names certified. The appointing authority shall notify the Human Resources Director of the decision to employ the applicant and shall notify the applicant of the selection, in writing, after review of the job offer letter by the Human Resources Director. The appointing authority may contact the selected applicant to determine whether the applicant is willing to accept employment and to indicate that a request to hire has been made, but must state that a formal offer of employment can only be made in writing. The appointing authority shall also notify all those certified and interviewed but not selected.

4.5.1. Reinstatement. Every employee accepts and holds a position subject to reinstatement of another person thereto in accordance with one of the following procedures:

A. Reinstatement of a regular employee from a leave of absence granted by the appointing authority or the Board of County Commissioners.

B. Reinstatement of a former employee in accordance with law or these Rules or by any order of a court of competent jurisdiction.

In no event specified above shall a person displaced during the probationary period be deprived of an earned position on the list from which the employee was certified.

4.5.2. Probationary Appointments. When a vacancy exists in a regular position and the duration of employment is expected to be in excess of six (6) months, a probationary appointment shall be made.

4.5.3. Regular Appointments. Regular appointments shall be made upon successful completion of the probationary period as provided in Section 4.6 and the employee so appointed shall be designated as having attained regular status.

4.5.4. Temporary Appointments. If there is a need for a temporary appointment, the appointing authority shall make a reasonable effort to attract qualified applicants to the position. A temporary appointment shall only be made to an applicant who meets the minimum qualifications for the position.

Temporary appointments shall not be eligible to receive any of the employee benefits outlined in these Rules for probationary or regular employees.

4.6. Probationary Period.

4.6.1. Nature, Purpose and Duration. All initial appointments to a position as a regular full-time or .5 FTE or greater part-time employee subject to Civil Service shall be made from an official hiring list produced by the Human Resources Department, for a probationary period of twelve (12) months. The probationary period is designed to give the employee time to learn the position and to give the supervisor time to evaluate the employee's potential and performance. During the probationary period, the County may dismiss an employee at any time for any reason not prohibited by law.

A prior temporary appointment shall not reduce the probationary period.

Under certain circumstances, the probationary period may be extended. The extension must be approved by the supervisor, the Department Head, the Human Resources Director and, for represented employees, the appropriate bargaining unit.

4.6.2. Status of Employees Not Subject to Civil Service. Employees whose positions are not subject to Civil Service, such as departments heads, temporary employees or regular part-time employees who are less than .5 FTE, are considered "at will" employees and serve no probation period as they are not subject to the just cause protections afforded employees subject to Civil Service.

4.6.3. Regular Appointments. Regular appointment of a probationary employee shall begin the day following the end of a successful 12 month probationary period.

4.6.4. Promotional Probationary Periods. Following the completion of the initial probationary period, a regular employee shall be required to serve six (6) additional months of probation for each promotion or transfer. A regular employee may be required to serve an additional six (6) months of probation for each reclassification.

4.6.5. Appointment to a Higher Class During Promotional Probationary Periods and Initial Probationary Periods. The serving of a promotional or initial probationary period shall not, by itself, prevent an employee from being appointed to a position in a higher class, provided the employee is eligible for such an appointment and on an appropriate hiring list. If an employee is appointed to a new position during a probationary period, the probationary period for the class to which the employee is appointed shall begin with the date of appointment to the new position. No employee in an initial probationary period shall be eligible for appointment to a higher classification before successfully completing at least six (6) months of the initial probationary period.

4.6.6. Dismissal During Probation.

A. Dismissal During Initial Probation. At any time during the initial probationary period, a probationary employee may be dismissed from County service by the appointing authority without right of appeal or hearing. At the end of the probationary period, the appointing authority shall either notify both the employee and the Human Resources Department, in writing, of the appointment to regular status or the dismissal of the employee from County service.

B. Demotion During Promotional Probation. At any time during a promotional probationary period, if an employee's performance is unsatisfactory, that employee may be demoted or transferred to the employee's former position. The appointing authority shall notify the employee in writing of the reasons for the demotion or transfer. The incumbent of the former position shall be returned to the appropriate list and/or to the incumbent's former position in a like manner.

C. Performance Evaluation During Probationary Period. Employees in a probationary period should receive regular evaluations of their work performance during the probationary period.

4.7. Promotion. Promotional procedures shall be those outlined in Rule 4 for recruitment, examination, certification and appointment. The appropriate salary changes shall be made in accordance with Section 3.3.

4.8. Demotion. A demotion is an appointment to a position in a classification which has a lower maximum salary rate than the employee's present classification, or a reduction in rate to a lower step in a range. See Section 3.3 for change in salary.

4.8.1. Voluntary Demotion. An employee may make a request in writing to the appointing authority for demotion from a position in one class to a position in a class of lower salary. If an employee is qualified, the appointing authority may, at his/her sole discretion, approve the request, provided it would not result in the layoff of another employee. The employee is not required to serve an additional probationary period and the appointment does not have to be from a certified eligibility list.

4.8.2. Class and Salary Demotions.

A. A class demotion shall be the demotion of an employee from one class to a lower class. This normally occurs as a part of disciplinary action (see Rule 5) or because of failure to perform the duties of the class satisfactorily, whether during or after the promotional probationary period. The employee's anniversary date shall remain the same.

B. Salary demotion is the reduction of salary to one of the lower rates in the range for the appropriate class as a form of disciplinary action (see Rule 5). The employee's anniversary date shall remain the same.

4.9. Transfer.

4.9.1. Position Transfer. An appointment to a position in the same classification at the same or different location shall constitute a position transfer. In all cases, the employee shall be given ten (10) business days' notice of a change unless the employee and appointing authority mutually agree to a different effective date for the transfer.

4.9.2. Classification Transfer. A classification transfer is an appointment to a position in a different classification which has the same salary range. Before a classification transfer is made, approval of both appointing authorities shall be required and the Human Resources Director shall verify that the employee is qualified to perform the duties of the new classification. See Section 3.3 for salary change. Ten (10) business days' notice shall be given to the employee of the classification transfer unless the employee and both appointing authorities mutually agree to a different effective date for the transfer.

4.10. Seniority. The following guidelines apply to all employees, except that nothing contained herein shall supersede provisions of existing collective bargaining agreements.

A. Seniority will be determined as follows:

- 1) The total length of continuous service within the affected job classification. If a tie occurs, then
- 2) The length of continuous service within the affected department. If a tie occurs, then
- 3) The total length of continuous service within the County. If a tie occurs, then
- 4) It shall be broken by lot in a manner to be determined by the Human Resources Director.

B. In computing seniority, the following factors will be taken into account:

- 1) Regular part-time work equal to or greater than .5 FTE will be pro rated; part time work less than .5 FTE will not be counted.

- 2) Time spent in an abolished classification that has a current equivalent will count toward seniority in the equivalent classification.
- 3) Time spent on authorized leave with pay will count toward seniority.
- 4) All time spent on a leave without pay will not be counted, except for certain military leave without pay as outlined by federal law which shall be counted.
- 5) Time spent in temporary appointments will not be counted.
- 6) Time spent on layoff will not be counted.
- 7) Seniority will be forfeited by dismissal for cause, voluntary resignation or due to expiration of a layoff list.

4.11. Layoff.

4.11.1. Reasons for Layoff. An appointing authority may lay off an employee due to: the position being abolished; shortage of funds or work; a material change in duties, a disability which prevents the employee from performing assigned duties with or without reasonable accommodation; or for other reasons which do not reflect discredit on the service of the employee. A dismissal or leave of absence without pay of an employee as a disciplinary action shall not be considered a layoff.

4.11.2. Method of Layoff. Unless a layoff is the result of a disability that cannot be reasonably accommodated and except as provided below, layoff shall be within a department and within a classification (or specialty area within a classification) in inverse order of seniority with the County. The appointing authority shall determine the number of positions in a specific classification to be reduced in the department. Where a classification has defined specialty areas as designated in the job description, the appointing authority shall determine the number of positions within such specialty areas to be reduced. The employee with the least seniority shall be laid off.

4.11.3. Breaking Ties. In the event two or more employees have the same seniority, the person whose date of classified employment within the County is chronologically first will be considered as having greater seniority. In the event that two or more employees have the same seniority and the same date of employment within the County, layoff will be determined by the appointing authority on a merit basis.

4.11.4. Status of Temporary Employees. Employees who are laid off may be offered any temporary position for which they are qualified and which may be available in the department from which they were laid off. Temporary employees will not be employed in any department implementing layoffs unless any laid off regular employees, who are qualified and available for the nature of the work involved, are first offered and decline to accept the temporary position. The determination of a regular employee's qualifications and availability to perform the work of a temporary employee shall be within the discretion of the appointing authority.

4.11.5. Notice of Layoff. An appointing authority will notify the Human Resources Director of a pending layoff as soon as practicable. All affected employees shall be given written notification by their appointing authority at least ten (10) business days before the effective layoff date, stating the reasons for layoff.

4.11.6. Demotion in Lieu of Layoff. Any regular employee subject to layoff may file a written request with the appointing authority requesting a demotion in lieu of layoff. The appointing authority may grant this request in any class for which a vacancy exists and where it appears that the employee may be expected to perform satisfactorily. If the appointing authority determines the employee will likely not perform satisfactorily in the vacant position or that this action is not in the best interest of the

department, the appointing authority shall, upon conferring with the Human Resources Director, notify the employee in writing giving the reasons for denying the request.

In all cases where an employee is demoted in lieu of layoff, the employee's name shall be placed on recall lists for the positions from which the employee was demoted. See Sections 3.3 and 4.8 for information on demotions.

4.11.7. Offer to Accept Layoff. Prior to implementing any layoff, the appointing authority may announce impending layoffs within any classification. Any employee, within an affected classification, regardless of the employee's seniority, may offer to accept a layoff. The appointing authority may elect to layoff an employee offering to be laid off in lieu of imposing a layoff based on seniority. The decision to accept an offer of layoff, as provided herein, is solely within the discretion of the appointing authority. An employee's offer to accept layoff is irrevocable.

4.11.8. Interruption of Employment for Military Service. Pursuant to ORS 408.270, regular employees who leave the County service for military service and return to their position within six (6) months after receiving an honorable discharge or release from active duty under honorable conditions, shall receive full seniority credit for such military service.

4.11.9. Loss of Service Credit. An employee, other than an employee on layoff status or on an authorized unpaid leave of absence, who separates from the County service and subsequently returns to County employment, shall not regain previously accrued service credit.

4.11.10. Recall. Any regular employee laid off from a position, or demoted in lieu of layoff, shall retain recall rights to that position for one (1) year from the date of layoff or demotion in lieu of layoff. Employees shall be recalled in order of seniority.

If an employee no longer meets the minimum qualifications for the position to be recalled, that employee shall lose the right to recall to that position.

If an employee is unavailable to work or fails to reply within ten (10) business days from the date of mailing of a written recall inquiry, to the laid off employee's last known address, the employee shall lose the right to recall to that position. It is the responsibility of the employee to notify the Human Resources Department of any address change. If the laid off employee refuses an offer to return to employment in the position from which the employee was laid off, that employee shall be deemed to have resigned from the County and shall have no further right of recall.

4.11.11. Salary and Benefit Administration.

A. Regular employees who are laid off will retain any unpaid accrued sick leave during the time they are on the recall list. Unpaid accrued sick leave will become available for use upon appointment following recall. Sick leave is lost when the term of eligibility for recall expires.

B. Employees who are laid off will be paid for unused accrued vacation leave at their regular rate of pay, provided they have completed at least six (6) months of service and are eligible for vacation benefits.

C. Laid off employees retain, but do not continue to accrue, seniority during the time they are on the recall list. Seniority is lost when the term of eligibility for recall expires.

D. Upon reappointment due to recall, an employee shall receive pay at the same step in the salary range that the employee was at when laid off or demoted in lieu of layoff. The employee shall begin to accrue benefits and status toward salary step increases as if there had been no break in service. The anniversary date of a recalled employee will be adjusted so that the time spent on layoff or in a lower level classification (as a result of a demotion in lieu of layoff) will not count towards salary step increases, longevity pay or leave accrual for the position to which the employee was recalled.

4.12. Special Employment Programs. The Human Resources Department is responsible for the coordination of all special employment programs funded by external agencies (e.g., vocational rehabilitation programs, Experience Works, MTC Training programs, etc.). Department Heads will forward all requests for participation in special employment programs to the Human Resources Department. The Human Resources Director is authorized to sign contracts and agreements for special employment programs on behalf of the County.

4.13. Employment of Relatives/Nepotism. Oregon law prohibits any public official (elected or appointed) from appointing, employing, or promoting a relative or member of the household to a position with the public body for which the public official works or serves unless the public official complies with the conflict of interest requirements. Further, under Oregon law, a public official may not supervise or participate in any interview, discussion or debate regarding the appointment, employment or promotion of a relative or a member of the household.

Oregon law also prohibits an employer from refusing to hire or from dismissing an individual "solely because another member of that individual's family presently works for that employer". However, the County is not required to hire or to continue employment of an individual when this would:

- A. Place either family member in a position of exercising supervisory, appointment, or grievance adjustment authority over the other family member or in a position of being subject to such authority which a member of the family exercises;
- B. Cause the County to violate a federal or state law or rule;
- C. Cause the County to violate the conditions of eligibility for financial assistance from federal or state government; or
- D. Cause the County to disregard a bona fide occupational requirement reasonably necessary to the normal operation of the County.

For purposes of this Section, a member of an individual's family means: spouse, children, parents, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, or step-parent or step-child of the individual.

The County will not hire a person if so doing would create any of the above circumstances. Although a reasonable effort will be made to accommodate an existing employee, the County will not continue the employment of an individual if doing so would create any of the above circumstances.

See Rule 19 regarding Romantic/Sexual relationships between co-workers who are not family members.

Change History

Version #	Approval Date	Effective Date	Brief Description
4	9/7/11	10/1/11	Reviewed by BOCC and approved by Order #70-2011

Columbia County, Oregon	
Subject: Conduct, Discipline and Appeals	Number: PR-005-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

5.1. Employee Conduct. The County provides the public a number of highly responsible services in which many individuals, businesses and other public agencies rely on the quality and reliability of the County's programs and services. The expected standard of conduct for all employees in the service of the County shall be to uphold the public interest as opposed to advancing individual interests. Thus, all employees are expected to provide excellent and reliable service to the public. Any failure to meet this high standard is cause for concern, discipline or possible dismissal.

5.2. Discipline. Disciplinary action dealing with employee misconduct shall be instituted by the appointing authority when appropriate. Disciplinary action shall be for, but not limited to, any of the causes set forth in this Section.

Any employee may be subject to disciplinary action by verbal reprimand, written reprimand, demotion, suspension without pay, reduction in salary or dismissal.

Copies of written reprimands, demotions, suspensions without pay, reductions in salary or dismissals shall be sent to the Human Resources Director immediately upon such action being taken. Appointing authorities who are considering disciplinary action to the extent of demotion, suspension without pay, reduction in salary or dismissal shall consult with the Human Resources Director prior to taking such action.

5.3. Cause of Disciplinary Action. Any action which reflects discredit upon the County or is an impediment to the effective performance of County functions shall be considered good cause for disciplinary action. Improper action by an employee in an official capacity, any action by an employee not connected with official duties which brings the County into discredit, any action which affects the employee's ability to perform, or any improper use of the employee's position for personal advantage shall also be judged cause. In addition, cause includes, but is not limited to, the following:

- A. Conviction of a felony.
- B. Conviction of a misdemeanor which is related to the position held by the employee.
- C. Theft, unauthorized possession, or unauthorized removal of County property.
- D. Harassment or discrimination against a County employee, a member of the public or a member of another agency.
- E. The use of alcoholic beverages, or the use of controlled substances, which affects the performance in the position held by the employee.

- F. Partaking of intoxicating beverages or non-prescription controlled substances while on duty, or being intoxicated while on duty.
- G. Insubordination.
- H. Inefficiency or incompetence.
- I. Inattention to duty, tardiness, indolence, carelessness, or damage to or negligence in the care and handling of County property.
- J. Improper or unauthorized use or removal of or damage to County vehicles or equipment.
- K. Claim of sick leave under false pretenses or misuse of sick leave.
- L. Absence from duty without authorized leave.
- M. Misconduct in the performance of employment duties, or actual malfeasance or nonfeasance.
- N. Failure or refusal to carry out job assignments and management requests.
- O. Inefficient or substandard performance of an assigned duty or responsibility.
- P. Unauthorized release of County information.
- Q. Use of profanity or verbal abuse.
- R. Physical violence of any type that is not connected to an assigned job duty (e.g., restraining an inmate or subduing a suspect).
- S. Dishonesty.
- T. Absenteeism or tardiness in reporting to work or returning from rest periods or meal breaks.
- U. Failure to report and duly record an absence.
- V. Failure to create and maintain effective working relationships with co-workers and others.
- W. Unauthorized taking of County funds or property or unauthorized charges against a County account.
- X. Violation of departmental or Countywide safety policy.
- Y. Willful giving of false information or withholding information with intent to deceive when making application for employment or promotion.
- Z. Willful violation of any provisions of law or rules adopted by the Board of County Commissioners or any provisions of departmental rules.

These examples are not all-inclusive. Other behavior may also lead to discipline, including immediate dismissal.

5.4. Kinds of Disciplinary Action. Discipline is designed to be progressive and corrective and will usually, but not necessarily, begin with a verbal reprimand. If the behavior in question continues, subsequent discipline will proceed to more serious forms, which can end in dismissal from County employment. Discipline should be viewed as correcting a deficiency, and should be applied only to the extent that "correction" is relevant.

It is not always necessary, however, that the discipline process commence with a verbal or written warning or include every step. Some acts, particularly those that are intentional or serious, warrant more severe discipline on the first or subsequent offense. In all situations, consideration will be given to the seriousness of the offense, the intent and attitude of the individual, and the environment in which the offense took place. Dismissal is appropriate when efforts at corrective action fail or the seriousness of the violation or problem warrants such action.

In all cases, however, only that level of discipline necessary to correct the behavior or problem should be applied. Supervisors shall adhere to the procedures and tenets of progressive and corrective discipline as outlined in this Rule.

Progressive discipline has the following levels of severity. However, discipline may originate at any level:

- A. **Verbal Reprimand:** This is a warning procedure rather than a punitive one, and should serve to forestall the employee from being placed in such a position that a more severe form of formal penalty must be used. When a verbal reprimand is administered, the supervisor may make a brief record of the warning for the supervisor's personal record.
- B. **Written Reprimand:** The written reprimand is also a warning procedure, however, the written reprimand is used to put the employee on official notice that future conduct will result in a more severe form of action. The employee may choose to provide a written rebuttal to be placed in the employee's personnel file attached to the written reprimand provided that such rebuttal is received by the Human Resources Department within 14 days of the date of the written reprimand.
- C. **Suspension Without Pay:** Suspensions are commonly used as a form of discipline after a verbal and written reprimand. However, it can be used sooner based upon the severity of the conduct. The supervisor, with the approval of the appointing authority, may suspend an employee for disciplinary reasons, for a period not to exceed thirty (30) days at any one time, by notifying the employee and stating the reasons for this suspension in writing. No service credit may be acquired by an employee nor can the employee complete qualified payroll periods and the employee will not be eligible for leave accruals during the period of suspension without pay. Employees exempt from the overtime provisions of FLSA shall not be subject to suspensions without pay which would violate the provisions of the FLSA.
- D. **Demotions:** Demotion, both in pay or to a lower classification, may be used as a form of discipline when dismissal is not warranted or when the appointing authority feels that the employee has the potential for correcting conduct. The procedures as outlined in Section 3.3 and 4.8 shall govern a demotion as disciplinary action.

E. Dismissal: Prior to any dismissal of any employee, the appointing authority shall consult with the Human Resources Director, in a timely fashion, in order to ensure the appropriate process is followed.

1. Probationary employees may be dismissed at any time for any reason during their initial probationary period without right of appeal. In dismissing a probationary employee, written notification of the dismissal shall be delivered to the employee and the Human Resources Director.

2. Regular employees subject to Civil Service may only be dismissed for just cause. When the decision to dismiss a regular employee subject to Civil Service has been made, the appointing authority shall give the employee ten (10) business days written notice prior to the effective date of the dismissal. If the appointing authority believes that, in the best interest of the County, the immediate separation of an employee from the assignment is required, the appointing authority may suspend the employee with or without pay during the ten (10) day notice period required by these Rules. Written notice to the employee and Human Resources Director that a dismissal will immediately follow a suspension is sufficient notice for dismissal, however, the ten (10) business day notice of appeal is calculated from the date the dismissal actually becomes effective. Appointing authorities and supervisors should review appropriate collective bargaining agreements for further guidance related to represented employees.

3. Employees not subject to Civil Service are considered "at will" employees and are not subject to paragraph 2 above. When the decision to dismiss an employee not subject to Civil Service has been made, the appointing authority shall give the employee ten (10) business days written notice prior to the effective date of the dismissal. If the appointing authority believes the best interest of the County requires the immediate separation of an employee from the assignment, the appointing authority may suspend the employee with or without pay during the ten (10) day notice period required by these Rules. Written notice to the employee and Human Resources Director that a dismissal will immediately follow a suspension is sufficient notice for dismissal.

4. Regular part-time and full-time employees who have worked for the County for more than 12 months shall be given "due process", meaning they will be afforded the opportunity to respond, in writing or verbally, to the appointing authority during the ten (10) day notice period regarding the reasons for dismissal. The appointing authority shall consider this response and may change the proposed dismissal action if the employee provides sufficient grounds to do so.

5. Temporary and less than .5 FTE part-time employees may be dismissed at any time for any reason not prohibited by law, without right of appeal. The temporary or less than .5 FTE part-time employee shall be given written notice of the dismissal.

5.5. Procedure for Taking Disciplinary Action. If disciplinary action is to be taken against an employee, it shall be done in a manner that will not embarrass the employee before other employees or the public, if possible. For all forms of disciplinary action, the supervisor shall follow any department procedures established by the appointing authority and should keep the appointing authority fully informed of any action taken. When it is necessary to suspend, demote or dismiss a regular employee, the following steps should be taken.

A. The supervisor shall prepare in writing a statement of the reason(s) for disciplinary action stating a description of the problem, including dates, location, rules violated and particular actions, if appropriate. The written statement should include previous verbal or written warnings given the employee. The statement shall be delivered to the appointing authority for review and necessary action.

B. After a review of the supervisor's statement and consultation with the Human Resources Director, the appointing authority shall meet with the employee to review the information provided by the supervisor, and outline to the employee any investigation to be undertaken and the disciplinary action being considered by the appointing authority. If it is necessary to relieve the employee from the employee's duties, the appointing authority shall suspend the employee with pay pending the completion of any inquiry into the allegation. The suspension with pay shall be only for such period of time as is reasonably necessary. The appointing authority should give the employee a reasonable opportunity to respond to the supervisor's statement before action is taken.

C. If, after the employee has responded, the appointing authority still believes disciplinary action is appropriate, the appointing authority shall prepare a letter outlining the cause of action and the particular action to be taken along with the appropriate Personnel Action form. The letter and Personnel Action shall be approved by the Human Resources Director.

D. The appointing authority shall notify the employee by mail or, if possible, by hand delivering the letter and Personnel Action form. A copy of those materials should be provided to the Human Resources Director within twenty-four (24) hours after delivery to the employee. If dismissal is the proposed action, the appointing authority shall notify Payroll and the Human Resources Director at least 24 hours in advance so that a final pay check can be prepared in a timely manner.

All supervisors shall review collective bargaining agreements for variations in disciplinary actions and procedures for represented employees.

5.6. Appeal of Disciplinary Action. Only employees subject to Civil Service who have attained regular status may appeal certain disciplinary actions under the provisions of the Civil Service Ordinance and Rules.

When a collective bargaining agreement provides for grieving disciplinary action, the employees represented by the bargaining unit may choose either the grievance procedure outlined in the bargaining agreement or may appeal to the Civil Service Commission per the provisions of the Civil Service Ordinance and Rules. However, a bargaining unit employee may choose only one of these procedures.

5.7. Resignation. Any employee may resign from County service by presenting a letter of resignation to the appointing authority. To resign in good standing, an employee must give the appointing authority at least two (2) weeks notice, unless, because of extenuating circumstances, the appointing authority agrees to permit a shorter period of notice. If the appointing authority deems it in the best interest of the County service, the resigning employee may be placed on administrative leave in the period, not to exceed two (2) weeks, prior to actual separation from the County. Resignations and signed personnel actions shall be promptly forwarded to the Human Resources Director. The Human Resources Director or appointing authority may conduct exit interviews or utilize other similar techniques to verify the reasons for each resignation.

The resignation shall provide an effective date which shall be the last day actually worked. All accumulated compensatory time off and vacation leave earned shall be paid and the employee may not use those benefits to complete a month of service or earn additional benefits.

Change History

Version #	Approval Date	Effective Date	Brief Description
4	9/7/11	10/1/11	Reviewed by BOCC and approved by Order #70-2011

Columbia County, Oregon	
Subject: Attendance	Number: PR-006-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

6.1. Attendance. Employees are expected to be at their work location and ready to begin work at the beginning of their work schedule and to remain at work for the entire shift, less breaks and meal periods.

Employees shall not be absent from work for any reason other than those specified in these Rules without making prior arrangements, as far in advance as possible, with their supervisor, except for unavoidable situations. Unless such prior arrangements are made, the employee, who for any reason fails to report to work on time, is required to immediately notify the supervisor of the reason for being absent or tardy. If the absence continues beyond one (1) day, the employee must notify the supervisor on a daily basis unless other arrangements have been approved.

Any unauthorized absence of an employee from work will be an absence without pay and may be a cause for disciplinary action, up to and including dismissal.

Frequent tardiness or other attendance irregularities may be cause for disciplinary action.

6.2. Time Records. Daily individual attendance records will be maintained by each department and submitted monthly to Payroll. For FLSA non-exempt employees, this record shall include date, time in/out from work, time in/out for lunch and any absences and leave used. All FLSA non-exempt employees must record the actual time of day work started and ended with the actual time of day in and out for the meal period. Each employee is responsible for his or her own record. All time records must be signed by the employee. Employees are not to record or clock or sign in or out for other employees. Failure to accurately record time worked or leave used will be cause for disciplinary action, up to and including dismissal.

6.3. Work Periods. The work period for all FLSA non-exempt employees shall be a seven (7) day period beginning on Monday at 12:01 am and continuing to Sunday at 12:00 a.m. (midnight). Other work periods may be established within collective bargaining agreements or by written authorization of the Human Resources Director.

6.4. Hours of Work. The regular work week schedule for FLSA non-exempt, full-time employees shall consist of five (5) work days, Monday through Friday, inclusive. Each work day shall consist of seven and one-half (7 1/5) hours for those employees working a thirty-seven and one-half (37 1/2) work week and eight (8) hours for those employees working a forty (40) hour work week, excepting a meal period.

A modified regular work week may be established for certain positions, which may consist of four (4) days of ten (10) hours for those employees working a forty (40) hour work week, or three (3) days of nine and one-half (9 1/2) hours and one (1) day of nine (9) hours for those employees working a thirty-seven and one-half (37 1/2) hour work week.

Hours of work for part-time and temporary employees may vary from the normal office hours and will be determined by the Department Head.

A flexible work schedule shall be established by the appointing authority of each department. The appointing authority shall send notice, in writing, to the Human Resources Department of any alternative schedule established for employees.

6.5. Meals and Rest Periods.

6.5.1. Meals. All FLSA non-exempt employees who work for at least six hours in a day shall take an unpaid lunch period of at least thirty (30) minutes during each full work shift. Employees may receive an unpaid lunch period of one (1) hour during each work day. Whenever possible, such meal periods shall be scheduled in the middle of a shift. Additional 30 minute unpaid meal periods shall be granted for work which extends more than three (3) hours beyond the regular full-time work day. Supervisors should check collective bargaining agreements for specifics on meal periods for represented employees.

6.5.2. Breaks/Rest Periods. All FLSA non-exempt employees shall receive a paid rest period (break) of not less than fifteen (15) minutes for each four (4) hour work period. Rest periods shall be scheduled as near as possible to the midpoint of each four (4) hour work period.

Breaks and meal time not used may not accumulate for later use and may not be used to make up for a late arrival to or early departure from work.

6.6. Leaves of Absence Without Pay.

6.6.1. Absence Without Leave. No employee shall be absent from work without permission of the immediate supervisor. An employee absent for three (3) consecutive days without authorization, except for an unavoidable situation, shall be considered to have resigned his or her job as of the last day of active employment.

6.6.2. Leave Procedure. Employees may request leaves of absence for the purposes specified in these Rules. Requests for leave shall be in the form determined by each Department Head. Approval of the leave shall be obtained prior to the beginning of the leave.

6.6.3. Leave Without Pay. The appointing authority may, for a reasonable purpose and in writing, grant a leave of absence without pay for a period not to exceed thirty (30) calendar days. Leave requests in excess of thirty (30) days must be approved by the Human Resources Director. In no circumstances, except for military leave, shall leave without pay be granted which exceeds 180 days. When granting leave without pay, the employee must exhaust all vacation, compensatory, holiday and, if the leave is for medical reasons, all sick leave, prior to being placed on leave without pay status. Notice of the granting of leave under this Section by the appointing authority shall be sent to the Human Resources Director.

6.6.4. Anniversary and Probationary Period Dates. A probationary employee on a leave of absence without pay will have the end of the probationary period adjusted forward equal to the amount of leave without pay taken.

An employee on a leave of absence without pay will have the anniversary date adjusted forward equal to the amount of leave without pay taken.

6.6.5. Benefits While on Leave Without Pay. Benefits may be extended for regular employees who are on approved leaves of absence without pay, as follows:

A. Benefits shall continue to be paid by the County for any employee on an approved leave of absence without pay for the month in which the leave began, provided that the employee was considered to be in a regular employment status for at least half of the month in which the leave began.

B. Benefits will continue to be paid during the following month provided the employee returns to work for at least half of the month following the month the leave began.

C. If an employee is on an authorized leave of absence for medical reasons, the County will continue to pay the benefits premiums for that employee for a period of three (3) months from the date that the authorized leave of absence without pay began.

D. As provided by the Consolidated Omnibus Budget Reconciliation Act (COBRA), employees are entitled to continue their health insurance coverage subject to the COBRA provisions. When paid benefits by the County end, an employee shall be allowed to pay the full premiums for health insurance at the current premium rate provided that the employee complies with the procedures established by the Finance Department. If the employee fails to comply with the procedures established, all coverage for the employee shall be discontinued without right of reinstatement until the employee returns to work in a regular capacity. At that time, the employee will be enrolled as though the employee were a new employee.

E. Under no circumstances may an employee be authorized to continue benefits under these provisions beyond the period authorized by the respective benefit policy agreements.

F. Should insurance coverage lapse for any reason, the employee, upon returning to work, shall be subject to all of the terms and conditions of the insurance contract just as though the employee were a new employee.

6.7. Administrative Leave. Administrative leave is a leave with pay utilized by the County when it would be appropriate for an employee to not report to work while a situation is being considered. Administrative leave is not considered a form of discipline. Employees may be placed on administrative leave by the appointing authority and the Human Resources Director for a period not to exceed ninety (90) days. Employees placed on administrative leave shall continue to receive their pay and accrue benefits during administrative time off from regularly scheduled employment. The employee must be readily available at the employee's residence during regular working hours and will be immediately available for any investigations and interviews which occur during regular working hours. If the employee wishes not to be readily available during regular working hours, the employee must receive prior authorization to utilize paid leave for absences during regular working hours.

6.8. Emergency/Disaster Leave.

6.8.1. Emergency Road Conditions. Any employee who is unable to report to work due to hazardous road conditions caused by ice, snow, flood waters, washouts or slides shall utilize accrued vacation or

compensatory leave or, if accrued leave is unavailable to an FLSA non-exempt employee, be on an unpaid leave. Employees are advised to use their best judgement in making a decision of whether or not to report to work under such conditions. The employee will notify the supervisor or Department Head as soon as possible of any such absence.

Any FLSA non-exempt employee who reports to work late due to hazardous road conditions will utilize accrued vacation or compensatory leave or, if accrued leave is unavailable, be on an unpaid leave for that period of time.

Any employee who is unable to report to work or reports to work late under such conditions shall not be subject to discipline unless the appointing authority determines that the employee abused this privilege. In the event the appointing authority is in doubt of the existence of such conditions, verification of conditions with the appropriate agency having jurisdiction over the roadway or roadways in question shall be obtained.

6.8.2. Closure of Non-Essential County Offices. If the County declares non-essential County offices closed due to emergency conditions, regular full-time and $\geq .5$ FTE part-time employees shall receive regular pay for that day. If an employee is on scheduled paid or unpaid leave and non-essential County offices are closed due to emergency conditions, that employee shall continue on such leave and have the appropriate number of hours deducted from leave balances for paid leave as though offices were not closed. This provision shall not apply for any closure of County offices greater than one (1) week in length. Appointing authorities shall make the determination as to which employees in their departments are considered essential and, therefore, must report to work during emergency conditions.

Employees shall make every effort to report to work as soon as is reasonably possible under emergency conditions provided County offices are declared open.

6.9. Failure to Return from Unpaid Leave. Any employee who has been granted a leave of absence and who, for any reason, fails to return to work at the expiration of the approved leave of absence, shall be considered as having resigned from County employment.

6.10. Maximum Leave Duration: Dismissal. Any employee who is on paid leave of any kind, sick, vacation, compensatory, etc., shall be dismissed for cause unless the employee returns to work at the end of the approved leave period. In all cases, the employee must comply with this Rule and no leave, paid or unpaid, may extend for a period longer than six (6) months without approval of the Human Resources Director. Injured workers on workers' compensation leave may have statutory reinstatement rights.

Change History

Version #	Approval Date	Effective Date	Brief Description
4	9/7/11	10/1/11	Reviewed by BOCC and approved by Order #70-2011

Columbia County, Oregon	
Subject: Family Medical Leave	Number: PR-007-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

The County will comply with the Federal Family and Medical Leave Act (FMLA) and with the Oregon Family Leave Act (OFLA). The County posts the mandatory FMLA/OFLA notices and, upon hire, provides covered employees with required notices on employee rights and responsibilities through these Rules.

This Rule provides employees with a general description of their FMLA/OFLA rights and responsibilities. In the event of any conflict between this Rule and the applicable law, employees will be afforded all rights required by law.

If an employee has any questions, concerns, or disputes with this Rule, the employee must contact the Human Resources Director in writing.

7.1. General Provisions. The County will grant up to 12 weeks (or up to 26 weeks of military care giver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this Rule. The Human Resources Director may adopt forms and specific procedures to implement the terms of this Rule.

7.2. Eligibility. To qualify to take family or medical leave under this Rule, the employee must meet all of the following conditions:

7.2.1. FMLA Eligibility. The employee must have worked for the County for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.

The employee must also have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. Time spent on paid or unpaid leave does not count as hours worked.

7.2.2. OFLA Eligibility. The employee must have worked for the County for a period of 180 calendar days immediately preceding the date that leave begins. Additionally, the employee must have worked an average of 25 hours per week during the 180 day period, unless the leave is to care for a newborn child or newly placed adoptive or foster child (parental leave), in which case there is no hourly threshold for parental leave eligibility.

7.3. Type of Leave Covered. To qualify as FMLA/OFLA leave under this Rule, the employee must be taking leave for one of the reasons listed below:

- A. The birth of a child and to care for newborn child within one year of birth.
- B. The placement of a child for adoption or foster care and to care for the newly placed child within one year of placement.
- C. To care for a spouse, child or parent with a serious health condition (described below). OFLA leave may also include care for a parent-in-law, same sex domestic partner, grandparent or grandchild.
- D. For OFLA leave, home care for a non-serious condition of a child (Sick Child Leave).
- E. The serious health condition (described below) of the employee which makes the employee unable to perform one or more of the essential functions of the job and that involves inpatient care or continuing treatment by a health care provider. For OFLA leave, this includes pregnancy related conditions.
- F. For FMLA leave, a qualifying exigency for a spouse, son, daughter or parent who has been notified of an impending call to active duty in support of a military operation in which armed forces are, or may become, involved in actions against an enemy or opposing force, or during a war or national emergency.
- G. For FMLA leave, to care for a spouse, son, daughter, parent or next of kin (nearest blood relative unless another blood relative is specifically designated in writing), who is a military service member and was injured or became seriously ill in the line of duty (Military Care giver Leave also known as Covered Service Member Leave).

A “serious health condition” is defined under FMLA as an illness, impairment, or physical or mental condition involving one of the following:

- Inpatient care at a hospital, hospice or residential medical care facility; or
- Continuing treatment by a health care provider, which requires one or more of the following:
 - A period of incapacity (inability to work) of more than three consecutive calendar days and subsequent treatment or incapacity relating to the same condition and either:
 - Treatment two or more times by a health care provider. These treatments must occur during a 30 day period that begins on the first day of incapacity, unless this is prevented by extenuating circumstances beyond the employee’s control. The first visit must be in-person and must occur within seven days of the first day of incapacity; or
 - Treatment by a health care provider on at least one occasion and that results in a regimen of continuing treatment under the supervision of the health care provider. Again, the first visit must be in-person and must occur within seven days of the first day of incapacity.

A “serious condition” under OFLA is defined as an illness, injury, impaired or physical or mental condition of an employee or family member that:

- Requires inpatient care in a medical care facility such as a hospital, hospice or residential facility such as a nursing home; or

- The treating health care provider judges to pose an imminent danger of death, or that is terminal in prognosis with a reasonable possibility of death in the near future; or
- Requires constant or continuing care such as home care administered by a health care professional; or
- Involves a period of incapacity (inability to work or perform regular daily activities for more than three consecutive calendar days and any subsequent required treatment or recovery period relating to the same condition). This incapacity must involve two or more treatments by a health care provider or one treatment plus a regimen of continuing care; or
- Results in a period of incapacity or treatment for a chronic serious health condition that requires periodic visits for treatment by a health care provider, continues over an extended period of time, and may cause episodic rather than a continuing period of incapacity, such as asthma, diabetes or epilepsy; or
- Involves permanent or long term incapacity due to a condition for which treatment may not be effective, such as Alzheimer's disease, a severe stroke or terminal stages of a disease. The employee or family member must be under the continuing care of a health care provider, but need not be receiving active treatment; or
- Involves multiple treatments for restorative surgery or for a condition such as chemotherapy for cancer, physical therapy for arthritis, or dialysis for kidney disease that if not treated would likely result in incapacity of more than three days; or
- Involves any period of disability of a female due to pregnancy or childbirth or period of absence for prenatal care.

“Incapacity” is the inability to work or perform other regular daily activities due to the serious health condition, treatment for the serious health condition or recovery from the serious health condition and includes pregnancy or for pre-natal care.

“Health care provider” is defined as a doctor of medicine or osteopathy, a physician assistant, a nurse practitioner, a nurse-midwife, a clinical social worker, or a chiropractor (limited) who is authorized to practice medicine or surgery (as appropriate) by the state in which the provider practices within the scope of their practices.

“Treatment” includes (but is not limited to) examinations to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examinations or dental examinations.

This Rule covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Several types of illnesses and injuries are specifically excluded by law from the definition of serious health condition. Some examples include: Absence because of substance abuse by itself, cosmetic treatment, common cold, flu, earaches, upset stomach, minor ulcers, headaches other than migraines, routine dental or orthodontia problems and periodontal disease.

Employees with questions about what illnesses are covered under this Rule are encouraged to consult with the Human Resource Director.

If an employee utilizes paid sick leave for a condition that progresses into a serious health condition and the employee then requests leave as provided under this Rule, the County may designate all or some portion of the earlier related leave taken as leave under this Rule, to the extent that the earlier leave meets the necessary qualifications.

7.4. Qualifying Exigency Leave under FMLA. An eligible employee with a spouse, son, daughter or parent called to active duty status in the National Guard or Reserves in support of a contingency operations may take up to 12 weeks of FMLA leave to deal with qualifying exigencies arising out of the relative's call to active duty. This does not apply to family members who are in the regular armed forces, because it is expected that these families are accustomed to the call-up.

Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor. The qualifying exigency must be one of the following: 1) short-notice deployment (a call to active duty seven days prior to deployment) - limited to seven calendar days of leave beginning on the date the military member is notified of deployment, 2) military activities related to the call to active duty, 3) child care and school activities, 4) making or updating financial and legal arrangements, 5) counseling, 6) rest and recuperation (limited to five days per leave to spend with the military member on leave), 7) post-deployment activities, defined as up to 90 days following termination of active duty status, and 8) additional activities that arise out of active duty agreed to by the employer.

If the employee is taking leave to deal with a third party (for example, to make child care arrangements), the employee must provide specific information about this third party and the nature of their meeting so that the employer can verify the need for leave.

7.5. Military Care giver Leave under FMLA. Also known as Covered Service Member Leave, FMLA provides up to 26 weeks of leave to an eligible employee who is the spouse, child, parent or next of kin of a covered service member who is undergoing medical treatment, recuperation, or therapy or is otherwise in outpatient status for a serious injury or illness incurred while on active duty. This leave is available only during a single 12 month period and will be combined with any other FMLA leave the employee takes in the same period. The combined total leave cannot exceed 26 workweeks. The leave year is a single 12 month period that begins with the first day the employee takes leave.

A "covered service member" is defined as a current member of the Armed Forces, including a member of the National Guard or Reserves, or a service member who is on the temporary disability retired list, in outpatient status. Former members of the Armed Forces, National Guard or Reserves or service members on the permanent disability retired list are not considered covered service members.

7.6. Amount of FMLA/OFLA Leave. An eligible employee can take up to 12 weeks for the reasons listed in 7.3 above during any 12-month period. An eligible employee can take up to 26 weeks for FMLA Military Care giver Leave during a single 12-month period. The 12-month period is measured as a rolling 12-month period measured forward from the first date an employee uses any leave under this Rule.

For FMLA leave, if both husband and wife work for the County and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the two employees may only take a combined total of 12 weeks of leave. If both husband and wife work for the County and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

For OFLA leave, a female employee who uses any leave due to complications with pregnancy is entitled to take up to 12 weeks additional leave in the same leave year for any OFLA qualifying reason.

Also for OFLA leave, a male or female employee who uses the full 12 weeks of parental leave may still use up to 12 weeks of sick child leave during the same year.

7.7. Employee Status and Benefits During Leave. While an employee is on leave, the employee's health insurance benefits will continue during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the employee will be required to reimburse the County the amount it paid for the employee's health insurance premium during the leave period.

If the employee pays a portion of the health care premium while on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Finance Department by the 20th day of each month or such other deadline as may be set by the Finance Department. If the payment is more than 30 days late, the employee's health insurance coverage may be dropped for the duration of the leave. The County will provide 15 days' notification prior to the employee's loss of coverage.

If the employee contributes to a life insurance or other benefits plan, the employer will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums. If the employee does not continue these payments, the County may discontinue coverage during the leave. If the County maintains coverage, the County may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

An employee is not entitled to the accrual of any seniority or employment benefits during the period of leave, although any benefits that accrued before the leave began are unaffected by the leave. Unpaid FMLA/OFLA leave is not credited towards benefits accrual, vesting or eligibility to participate in benefits.

7.8. Employee Status After Leave. An employee who takes leave under this Rule may be asked to provide a fitness for duty clearance from the health care provider. This requirement will be included in the employer's response to the FMLA/OFLA request. Generally, an employee who takes FMLA/OFLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms, provided that position would otherwise still exist. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions. The County may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

7.9. Use of Paid and Unpaid Leave. FMLA/OFLA may be paid or unpaid, depending on the employee's status and whether or not accrued leave is available. Eligible employees will be required to use all accrued vacation, holiday, personal and compensatory leave prior to being placed in unpaid leave status, per County policy related to unpaid leaves. Eligible employees who utilize FMLA/OFLA leave for their own or a family member's serious health condition or for parental leave (or for sick child leave under OFLA) will also be required to utilize all accrued sick leave prior to being placed in unpaid leave status. FMLA/OFLA leave begins when the eligible leave begins at which time the

employee may be in paid or unpaid leave status. FMLA/OFLA leave runs concurrently with any qualifying paid leave taken.

7.10. Intermittent Leave or a Reduced Work Schedule. An employee may take FMLA/OFLA leave in 12 consecutive weeks or may, when medically necessary, use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule (which is a change from full time to part time employment with benefits pro-rated per County policy). In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

The County may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule in instances when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the County and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with the County before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary.

7.11. Certification for the Employee's Serious Health Condition. The County will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the form prescribed by the County.

The County may directly contact the employee's health care provider for verification or clarification purposes. However, the employee's direct supervisor will not be allowed to make this contact. Before the County makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification.

The County has the right to ask for a second opinion if it has reason to doubt the certification. The County will pay for the employee to get a certification from a second doctor, which the County will select. The County may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the County will require the opinion of a third doctor. The County and the employee will mutually select the third doctor, and the County will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

7.12. Certification for the Family Member's Serious Health Condition. The County will require certification for a family member's serious health condition. The employee must respond to

such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the form prescribed by the County.

The County may directly contact the employee's family member's health care provider for verification or clarification purposes. The County will not use the employee's direct supervisor for this contact. Before the County makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification.

The County has the right to ask for a second opinion if it has reason to doubt the certification. The County will pay for the employee's family member to get a certification from a second doctor, which the County will select. The County may deny FMLA leave to an employee whose family member refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the County will require the opinion of a third doctor. The County and the employee will mutually select the third doctor, and the County will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

7.13. Certification of Qualifying Exigency for Military Family Leave. The County will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the forms prescribed by the County.

7.14. Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave. The County will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the form prescribed by the County.

7.15. Recertification. The County may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the County receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of the leave. Otherwise, the County may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence. The County may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

7.16. Procedure for Requesting FMLA Leave. All employees requesting FMLA/OFLA leave must provide verbal or written notice of the need for the leave to the Human Resources Director. The HR Director will complete and provide the employee with a Notice of Eligibility and Rights. It is also the responsibility of the employee's supervisor to ensure that the HR Director is immediately informed of any employee's need for FMLA leave.

When the need for the leave is foreseeable, the employee must provide the County with at least 30 days' notice. When an employee becomes aware of a need for FMLA/OFLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next

business day. When the need for FMLA/OFLA leave is not foreseeable, the employee must comply with the County's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances. When the need for OFLA leave is not foreseeable, the employee must give verbal or written notice within 24 hours of starting leave.

7.17. Designation of FMLA Leave. The HR Director or designee will complete and provide the employee with a written response to the employee's request for FMLA leave designating whether or not the leave qualifies under FMLA.

7.18. Intent to Return to Work From FMLA Leave. On a basis that does not discriminate against employees on FMLA leave, the County may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Change History

Version #	Approval Date	Effective Date	Brief Description
4	9/7/11	10/1/11	Reviewed by BOCC and approved by Order #70-2011

Columbia County, Oregon	
Subject: Employee Benefits	Number: PR-008-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

The County has established a variety of employee benefit programs to assist regular employees and eligible dependents. This Rule contains a very general description of the benefits to which regular non-represented employees may be entitled. Benefits for represented employees are as provided for in the respective collective bargaining agreements. This general description is not intended to, and does not, provide all the details of some of these benefits. Therefore, this Rule does not change or otherwise interpret the terms of the official plan documents. Employees' rights can be determined only by referring to the full text of the official plan documents, which are available in the Human Resources Department. To the extent that any of the information contained in this Rule is inconsistent with the official plan documents, the provisions of the official plan documents will govern in all cases. Temporary employees are not entitled to benefits under this Rule.

Nothing contained in the benefit plans described herein shall be held or construed to create a promise of employment or future benefits, or a binding contract between the County and its employees, retirees, or other dependents. The County retains the right, in its sole and absolute discretion, to amend, modify or terminate, in whole or in part, any or all of the provisions of the benefits plans described herein, including any health benefits that may be extended to retirees and their dependents. Further, the County reserves the exclusive right, power and authority, in its sole and absolute discretion, to administer, apply and interpret the benefit plans described herein.

8.1. Health and Welfare Benefits.

8.1.1. Eligibility. Full-time regular employees and .5 FTE or greater part-time regular employees are eligible to enroll in a County group medical, dental and life insurance plan. All benefits listed under Section 8.1 are effective the first of the month following thirty (30) calendar days of service. Dependents of employees, as dependent is defined in the selected plan booklet, are also eligible for coverage under the County health insurance plan. Regular part-time employees who are .5 FTE or greater may choose to waive the insurance coverages described below. Temporary employees, and part-time employees whose regular work schedules are less than .5 FTE are not eligible for benefit coverage.

8.1.2. Benefits. The specific terms and conditions of coverage are specified in the selected plan documents for health insurance issued by the insurance company, which are available in the Human Resources Department.

8.1.3. Plan Modifications. The Human Resources Director, from time to time, and in conjunction with the Health Benefits Committee, for as long as that Committee is active and functional, will evaluate the health coverage plan(s) to be offered and will make recommendations to the Board of County Commissioners related to benefits plans.

8.1.4. Medical Plan/County Contribution. Each eligible employee may choose to be covered by a medical insurance plan offered by the County as described in Appendix A. The County will pay the premiums for each plan as described in Appendix A. The County will pay a pro-rated amount towards the premium corresponding to the normal hours worked for .5 FTE or greater part-time regular employees.

8.1.5. Dental Plan/County Contribution. Each eligible employee may choose to be covered by a dental insurance plan offered by the County. The County will pay the premiums for each plan as described in Appendix A. The County will pay a pro-rated amount towards the premium corresponding to the normal hours worked for .5 FTE or greater part-time regular employees.

8.1.6. Coverage for Dependents. Dependents (spouses or children) covered under the County's health plan lose their eligibility for the insurance when a divorce happens or when the children reach a certain age, become married or move away from home. You have the responsibility to inform the County within 60 days after an event occurs that removes your dependent(s) eligibility. ***Any employee failing to notify the County within 60 days of loss of eligibility of any dependent(s) will be responsible for any cost difference in premium payment that the County cannot recoup from the insurance company.***

8.1.7. Life Insurance Plan/County Contribution. Full-time regular employees are covered by County paid term life insurance in the amount described in Appendix A with an accidental death and dismemberment rider. The County will pay a pro-rated amount corresponding to the normal hours worked for .5 FTE or greater part-time regular employees

Employees may purchase additional life insurance coverage through the plan offered by the County. The additional premium shall be deducted from the employee's monthly paycheck.

8.1.8. VEBA Plan. The County shall fund VEBA accounts for eligible employees as indicated in Appendix A.

8.1.9. Other Benefits. The County may provide employees with optional benefits to be paid as payroll deductions such as flexible spending accounts and supplemental insurance programs. Details regarding such plans are available in the Human Resources Department.

8.1.10. Continuation of Benefits. The County shall continue to pay the insurance premiums for the coverages listed above for three (3) months for employees on authorized leaves of absence without pay due to non-job related illness or injury. The County retains the right to request an independent medical evaluation to verify medical need for the leave of absence without pay.

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the County's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; or when a dependent child no longer meets eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the County's group rates plus an administration fee, if any. The County shall provide each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage

under the County's health insurance plan. The notice contains important information about the employee's rights and obligations.

The County will also comply with the provisions of ORS 243.303 which require that employees who retire from County service be given the opportunity to continue to carry health insurance coverage through the County's plan(s), at their own expense, until eligible for Medicare coverage.

8.2 Retirement Benefits.

8.2.1. Public Employees Retirement System (PERS). The County shall participate in PERS and shall pay the required employer contribution as calculated by the PERS Board. The County will pick up the 6% employee contribution for all employees who qualify for PERS coverage.

8.2.2. Deferred Compensation. Regular employees may defer a portion of their taxable income by participation in a Section 457 deferred compensation plan offered through the County. Initial enrollment may be made at any time during the year for earnings beginning the first of the following month. Changes in contribution and other particulars are governed by the terms and conditions of the plan, which is available in the Human Resources Department.

Prior to retirement, participants may withdraw the balance of their deferred compensation account only upon separation of employment with the County. In the event of an unforeseeable emergency, that portion of the account needed to pay for the emergency may be withdrawn. The Internal Revenue Service (IRS) defines the conditions and restrictions of contributions and withdrawals from deferred compensation plans and requires employer approval of early withdrawal on a hardship basis. The Human Resources Director must review and approve all requests for early withdrawal, based on IRS guidelines.

8.3. Leave Benefits.

8.3.1. Eligibility. Full-time regular employees and .5 FTE or greater part-time regular employees are eligible for leave benefits from the County. Regular part-time employees who are .5 FTE or greater receive leave benefits pro-rated based on the employee's FTE. Temporary employees, and part-time employees whose regular work schedules are less than .5 FTE are not eligible for leave benefits.

8.3.2. Holidays.

The following days shall be recognized and observed as paid holidays effective on the date these Rules are adopted:

- New Year's Day (January 1)
- Martin Luther King Jr's Birthday (third Monday in January)
- President's Day (third Monday in February)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Veterans' Day (November 11)
- Thanksgiving Day (fourth Thursday in November)
- Day after Thanksgiving
- Christmas Day (December 25)

Half Day on either the day before Christmas or the day before New Year's
Two floating holidays (must be taken during the fiscal year)

8.3.2(a). Weekend Holidays. Whenever a holiday falls on a Sunday, the succeeding Monday shall be observed as the holiday; whenever a holiday falls on a Saturday, the preceding Friday shall be observed as the holiday.

8.3.2(b). Holidays Which Fall on Regular Days Off. Whenever a holiday falls on an employee's regular day off, the employee shall either take the preceding day off unless the day is a Monday when the succeeding Tuesday shall be taken as the holiday or, with the supervisor's approval, the employee may accrue the holiday as leave to be taken on a different day within the fiscal year. Any such holiday leave accrued but not used by June 30 of each year shall be forfeited and not paid.

8.3.2(c). Holiday Pay. Eligible regular full-time employees shall receive 7.5 or 8 hours pay for each of the holidays listed above on which they perform no work. Part-time regular employees whose FTE is .5 or greater shall receive holiday pay in an amount proportionate to that which would be paid under full-time employment. Employees whose work schedule incorporates a longer hour day shall utilize vacation or compensatory time to make up the difference in holiday pay or may revert a regular 5/8 work schedule during a week in which a holiday falls.

8.3.2(d). Holiday During Leave. Should an employee be on an authorized leave with pay when a holiday occurs, the holiday shall be paid and not charged against sick or vacation leave accumulation.

8.3.2(e). Eligibility for Holiday Pay. Except when the employee is on authorized leave with pay, the employee shall be eligible to receive holiday pay if present or on paid leave on the scheduled work day immediately preceding and immediately following the holiday.

8.3.2(f). Floating Holidays. Two (2) floating holidays shall be credited to employees on the payroll as of July 1 of each fiscal year. One (1) floating holiday shall be credited to employees hired after July 1 and on or before January 1 of each fiscal year. No floating holidays shall be granted to employees hired after January 1 and on or before June 30 of any fiscal year. Floating holidays must be used by June 30 of each fiscal year and shall not be allowed to accumulate to the following fiscal year. Floating holidays will not be paid upon separation from the County.

8.3.2(g). Work Performed on Holidays. Overtime wages shall be earned for work required to be performed on a holiday, in addition to the regular pay for the holiday.

8.3.3. Vacation Leave.

8.3.3(a). Accrual of Vacation Leave. All full-time regular employees shall be credited with vacation leave according to the schedule listed below. Part-time employees whose FTE is .5 or greater shall accrue vacation leave in an amount proportionate to that which would be accrued under full time employment. No employee shall take vacation leave prior to completing six full months employment with the County. Leave shall accrue to the employee's leave balance account at the end of each calendar month. Employees may not utilize leave which has not yet been accrued.

Completed Years of Service

Hours Accrued

37.5 Hour Week

40 Hour Week

0 through 5 years	7.5 hours per month	8.0 hours per month
5+ through 10 years	9.375 hours per month	10.0 hours per month
10+ through 15 years	11.875 hours per month	12.667 hours per month
15+ through 20 years	13.125 hours per month	14.0 hours per month
20+ years	15.0 hours per month	16.0 hours per month

8.3.3(b). Maximum Accrual. The maximum accrual of vacation leave for any employee shall be four hundred (400) hours except for employees who have 20 or more years of service, in which case, the maximum accrual of vacation leave shall be five hundred (500) hours. The Board of County Commissioners may authorize individual exemptions to this limitation. An employee will not continue to accrue vacation leave which would exceed the maximum accrual. Each employee shall be given reasonable opportunity to utilize vacation leave prior to loss of accrual of benefits. However, unless a request for exemption from the maximum accrual limit has been presented in writing to the Human Resources Director and subsequently approved by the Board of County Commissioners, no employee shall be allowed to accrue beyond the maximum amount allowed.

8.3.3(c). Vacation Schedule. Employees shall make requests for vacation leave using the method outlined by the Department Head. To allow for appropriate staff scheduling, a request for vacation leave should occur in a timely manner, as defined by the Department Head. The request shall be approved unless it is contrary to the needs of the department. Conflicts in scheduling shall be resolved by the Department Head usually using seniority in the department as the determining factor provided, however, that a more senior employee will not be granted leave if a less senior employee has already requested and been granted leave. Supervisors and Department Heads should check collective bargaining agreements for vacation scheduling procedures and prepare department procedures following these guidelines for leave requests.

8.3.3(d). Payment of Vacation Upon Resignation, Dismissal, Layoff or Death. An employee who resigns, is dismissed, laid off or dies before completing six (6) months service with the County shall not be compensated for accrued vacation leave. If the employee has completed six (6) months and resigns, is dismissed, laid off or dies, the employee or the estate shall receive cash compensation for accrued vacation leave. Employees who separate from County service after the 15th of the month, but before the last day of the month, and are otherwise eligible to receive payment for vacation leave accrual, shall be paid for the full leave accrual for that month. Employees who separate before the 15th of the month shall not be paid for any leave accrual for that final month.

8.3.4. Sick Leave.

8.3.4(a). Accrual of Sick Leave. Full-time regular employees who work a 37.5 hour work week shall accrue sick leave at a rate of 7.5 hours per month. Full-time regular employees who work a 40 hour work week shall accrue 8.0 hours of sick leave per month. Part-time regular employees whose FTE is .5 or greater shall accrue sick leave in an amount proportionate to that which would be accrued under full-time employment. Leave shall accrue to the employee's leave balance account at the end of each calendar month. Employees may not utilize leave which has not yet been accrued.

8.3.4(b). Maximum Accrual. Sick leave may be accrued to a limit of 2080 hours. Once this limit is reached, no further sick leave will accrue to an employee until such time as the sick leave accrual balance becomes less than the maximum allowed.

8.3.4(c). Use of Sick Leave. An employee who is unable to perform the employee's duties by reason of personal illness or injury, pregnancy, necessity of medical or dental care, exposure to contagious disease or serious illness in the employee's immediate family requiring the attendance of the employee, may utilize accrued sick leave. See Rule 7 for sick leave absences covered under FMLA/OFLA. Absence to attend an ill family member shall be limited to the time the employee's presence is actually required. Employees have the obligation to make other arrangements within a reasonable period of time for the attendance of immediate family members. A physician's statement regarding the nature of the illness, the need for the employee's absence and the estimated duration of the absence may be required at the discretion of the appointing authority for absences over three (3) days or whenever the County feels justification is required.

In the case of the employee's own illness or injury, notification should be given of the employee's intent to use accrued sick leave as soon as possible. For a temporary leave which is predictable, the employee shall give the appointing authority sufficient notice to plan for staffing during the employee's absence and shall provide the appointing authority with a written statement from the attending physician estimating the date the leave is to begin. The employee shall notify the appointing authority as soon as the attending physician releases the employee to return to work.

In all cases, for sick leave absences of more than one (1) week, the employee is required to provide the appointing authority with a diagnosis from the attending physician, stating the nature of the illness or injury and the estimated duration of the sick leave. This medical notification shall be provided in a timely manner, normally at the time the extended sick leave begins. Additional medical notifications may be required for continued extended sick leave. Failure to provide such notification may result in disciplinary action. Employees may be required to provide a statement from a medical provider certifying their release to work.

The County may, at its discretion, require an independent physician's examination to be conducted, at the County's expense, to verify illnesses for extended periods of absence.

The amount of sick leave provided and the maximum accrual limit are not intended to indicate an appropriate level of sick leave usage. Abuse of sick leave privileges shall be cause for disciplinary action up to and including dismissal. Disciplinary action may include a provision that an employee be required to furnish a physician's certificate for each use of sick leave following any abuse for a designated period of time.

8.3.4(d). Voluntary Transfer of Accrued Sick Leave. This Section is intended to allow employees to transfer some of their accrued sick leave to a fellow employee who has become ill or has been injured. This is a free and voluntary act and no employee should feel compelled to donate sick leave unless the employee desires to do so.

In the event that an employee uses all available accrued sick leave due to illness or injury and has exhausted all other leave balances, and remains unable to return to work, other employees may voluntarily choose to transfer accrued sick leave to the credit of the ill or injured employee. Sick leave donations may be made only in units of whole days. No employee may transfer more than one (1) week of sick leave to another employee during any fiscal year. When a sick leave transfer is processed, it is permanent and irrevocable. No employee receiving a transfer of sick leave shall be eligible to receive more than 240 hours of donated sick leave in any fiscal year.

In the event that the ill or injured employee resigns, is dismissed, retires, dies, or is otherwise terminated, the balance of the transferred sick leave shall not accrue any cash value.

Sick leave may not be transferred to cover periods of extended absence where illness or injury is not the principal reason for the leave.

Transfers of sick leave must be in writing and must be received by Payroll on or before the date due for time sheets submittal in any one month. The County has no obligation to retroactively pay transferred sick leave for a prior payroll period.

8.3.4(e). Sick Leave Without Pay. Upon written request from an employee, sick leave without pay may be granted by the appointing authority provided all other available and accrued leave, including sick, vacation, compensatory and holiday, has been exhausted.

8.3.4(f). Payment of Accrued Sick Leave Upon Retirement, Layoff or Death. Upon completion of at least five (5) years of consecutive service in County employment, full-time regular employees and part-time regular employees whose FTE is .5 or greater shall be entitled to payment of a portion of accrued sick leave balances. If such an employee retires, is laid off or dies, the County shall pay, at the employee's regular rate of pay, up to 50% of the accrued sick leave balance for that employee, to a maximum of 520 hours. Employees who separate from County service after the 15th of the month, but before the last day of the month, and are otherwise eligible to receive payment for sick leave accrual, shall be paid for leave accrual for that month. Employees who separate before the 15th of the month shall not be paid for any accrual for that final month.

8.3.5. Personal Leave. Non-elected employees, who are otherwise exempted from overtime under state or federal law may receive, in addition to vacation, sick and holiday leave, personal leave subject to these guidelines:

A. Eligible positions will be limited to those employees who are otherwise exempt from overtime provisions. The Human Resources Director will evaluate and approve positions for eligibility under this Section.

B. Exempt positions as approved by the Human Resources Director will be granted three (3) days per fiscal year of personal leave. Employees not on the payroll as of July 1 will not receive personal leave.

C. No carry-over of unused personal leave to the next fiscal year shall be allowed.

D. Exempt positions receiving the personal leave benefit will be not be compensated for overtime work either in cash payment or compensatory time off.

E. Personal leave may only be taken in increments of full work days.

F. There will be no restrictions on the use of personal leave unless stated in the guidelines contained herein. Employees are expected to use good judgment when exercising this benefit.

G. No employee will be allowed to use more than the maximum days provided in this Rule.

H. Employees who work less than full-time shall not be eligible for personal leave.

I. Employees shall not be entitled to receive compensation for personal leave upon resignation, dismissal, lay off or death.

8.4. Other Leaves. Full-time regular employees and .5 FTE or greater part-time regular employees are eligible for other leave benefits from the County as described below. Regular part-time employees who are .5 FTE or greater receive other leave benefits pro-rated based on the employee's FTE. Temporary employees, and part-time employees whose regular work schedules are less than .5 FTE are not eligible for other leave benefits.

8.4.1. Jury Duty and Witness Leave. Employees shall be granted leave with pay any time they are required to report to jury duty or as a witness in cases in which the employee or County has no interest. The employee shall reimburse the County all witness fees or pay for jury duty, except mileage expenses, unless the employee receives said compensation while on an authorized leave of absence with the exception of sick leave. With the exception of certain County-employment related litigation, employees shall not be compensated for hours of work missed due to litigation in which they hold a personal interest.

Employees who are required to report for jury duty or as a witness shall not be required to appear for their normal shift on that work day if the jury or witness responsibilities exceed four (4) hours. If jury duty or witness responsibilities constitute four (4) hours or less, employees on the day shift shall report for the remainder of their work day. Employees on other than day shift shall have the number of hours spent on jury or witness duty deducted from their normal shift on that work day and shall report for the first remaining hours of their work shift.

Employees shall not be compensated for any jury duty or witness duty outside regular work hours.

8.4.2. Military Leave. Military leave shall be granted in accordance with federal (the Uniformed Services Employment and Reemployment Act - USERRA) and state law. The County notifies employees of their rights under USERRA by posting a notice prepared by the Veterans' Employment and Training Services (VETS) on employee bulletin boards.

8.4.3. Bereavement Leave. An employee shall be granted up to five (5) days of bereavement leave, with regular salary, as may be necessary as a period of mourning, to make household adjustments, arrange for funeral services, or to attend funeral services in the event of death in the immediate family of the employee. Employees are expected to use only the amount of leave necessary. For purposes of this section, immediate family is defined as the spouse, domestic partner, son, daughter, grandparents, grandchildren, mother, father, brother or sister of the employee or the employee's spouse or domestic partner or the aunt, uncle, niece, nephew, stepparent or stepchild of the employee or any relative regularly residing in the employee's home. Bereavement leave may be authorized by the Human Resources Director at his/her sole discretion in circumstances justified by an employee who enjoyed an exceptional relationship with a person not within the scope of this paragraph.

Use of accrued sick leave and/or vacation may be authorized to extend bereavement leave with approval of the Department Head.

Proof of death and relation to the employee may be required.

8.4.4. Domestic Violence Leave. The County will comply with the Oregon Crime Victims' Law and will grant eligible employees a reasonable leave of absence if the employee or the employee's minor child or dependent needs time off to deal with issues of domestic violence, sexual assault, or stalking. These arrangements might include such things as seeking medical treatment, obtaining counseling, relocating, getting legal advice or making contact with law enforcement personnel.

The employee is required to give reasonable notice of the need for leave, unless that is not feasible. The employee is also required to provide to the Human Resources Director documentation regarding the events leading to the need for leave. This documentation could include police reports, medical and/or counseling documentation, attorney records, etc. The Human Resources Director will keep that information confidential.

There is no fixed time period for this leave and it will be granted to the extent it is necessary and does not create an undue hardship or cause significant difficulty or expense for the County. Crime Victims' Leave is unpaid. However, the employee may utilize accrued vacation or other paid leave for this purpose.

Change History

Version #	Approval Date	Effective Date	Brief Description
4	9/7/11	10/1/11	Reviewed by BOCC and approved by Order #70-2011

Columbia County, Oregon	
Subject: Training	Number: PR-009-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

9.1. General Training Activities. The County shall encourage and promote training opportunities for employees and supervisors to ensure that services rendered to the County may be made more effective. The Human Resources Director shall assist the departments in meeting training needs and shall work in cooperation with the departments to encourage the development of training programs designed to meet personnel needs.

9.2. Orientation of New Regular Employees. The Human Resources Department shall provide an orientation to familiarize new regular employees with their obligations and rights and to inform them about the general functioning of County government. Departments shall provide additional orientation specific to the department and position.

9.3. Authorized Travel and Conference Attendance. Food, lodging and travel expenses shall be paid by the County according to an approved per diem schedule and receipt of a properly detailed County expense form to an employee required to attend a conference when the conference is held at a location other than the employee's job location. See Rule 18 for additional information on travel.

9.4. Tuition Reimbursement. The County shall pay the tuition and costs of instructional material to any employee required by the County to attend a regular course of instruction. An employee who voluntarily attends courses which are directly related to the business of the County may receive tuition from the County if the employee has successfully completed the course of instruction, and prior to the employee attending the course of instruction, the County agreed, in writing, to pay tuition costs. The appointing authority shall determine if the course of instruction is directly related to the business of the County.

Change History

Version #	Approval Date	Effective Date	Brief Description
4	9/7/11	10/1/11	Reviewed by BOCC and approved by Order #70-2011

Columbia County, Oregon	
Subject: Safety and Workers Compensation	Number: PR-010-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

10.1. **General Policy.** The County believes that safe working conditions for each of its employees can be attained through the proper use of safety equipment, by proper job instruction, frequent review of safe work practices and adequate supervision. The purpose of this Rule is to define the County policy and establish responsibility for the administration and coordination of an effective safety program, which includes the County's obligation to provide workers' compensation insurance.

10.2. **General Responsibility.**

10.2.1. **County Responsibility.** It shall be the responsibility of the Board of County Commissioners to ensure the prevention of injury and illness accidents. The County will provide direction and full support to supervisors and employees regarding all safety and health procedures, job training and hazard elimination practices. All County officers and officials are directed to continuously and effectively assist in the administration of the County's Safety Committee, safety programs, and policies, to monitor work practices and conditions, to promote safety awareness within the departments and to eliminate or report to the Safety Committee hazardous conditions and practices. It shall be the responsibility of the Human Resources Director to coordinate the administration of the County's safety program.

10.2.2. **Supervisor Responsibility.** Supervisors are directly responsible for supervising and training their workers. This includes proper procedures, work practices and safe methods to do the job. Supervisors shall enforce County rules and take immediate corrective action to eliminate hazardous conditions and practices. Supervisors shall not permit safety to be sacrificed. In addition, supervisors will be held accountable for all safety and health issues.

10.2.3. **Safety Committee.** The Safety Committee shall consist of management and employee representatives from within the County. The Committee is responsible for making recommendations on how to improve safety and health in the workplace. The Committee is also responsible for accident prevention procedures; identifying hazards and recommending corrective actions; identifying employee safety training needs; and establishing accident investigation procedures for the County. See County Safety Charter and Policy, separate from these Rules.

10.2.4. **Employee Responsibility.** All employees are required as a condition of their employment to follow all established safety policies and procedures. Each employee is expected to cooperate in all aspects of the County's safety and health program. Accidents that result due to employee negligence may subject such employee to disciplinary action. This includes compliance with the following:

- A. Accidents must be reported immediately to the supervisor.

B. Required personal protective equipment must be worn by all employees. There are no exceptions.

C. Hazardous conditions and other safety and health concerns must be reported to the supervisor immediately.

10.3. Safety Policy/Rules. The safety policies and rules adopted separately by the Board of County Commissioners are incorporated by this reference.

10.4. Workers' Compensation. All employees are insured under the provisions of the Oregon State Workers' Compensation Act for injuries received while at work for the County. Any employee involved in an on-the-job injury or illness must report the incident to the supervisor and, if medical care was sought, complete the required workers compensation Report of Injury or Illness (Form 801) within 24 hours of the incident unless medically unable to do so, in which case the Report shall be completed by the employee as soon as possible. Such reports shall be submitted to Human Resources immediately upon completion.

The day of the injury shall be considered a work day and the employee will receive normal salary for that day. In order to receive workers' compensation leave, the employee must have completed the workers' compensation forms as well as any forms required by the Human Resources Department or the Columbia County Safety Committee.

A regular full-time or .5 FTE or greater part-time employee who sustains any injury compensable under the workers' compensation law, in addition to any compensation paid to the employee under the law, shall receive from the County, in lieu of wages, the difference between such compensation payments and amount of the employee's regular gross wage, less amounts ordinarily withheld from straight time wages for State and Federal income taxes and Social Security contributions, for a period not to exceed ten (10) business days from the date upon which workers' compensation payments commence. After the ten (10) business days, the employee may utilize vacation, compensatory time or sick leave at the rate of one-quarter (1/4) of the regular work day per each day on leave to cover the difference between workers' compensation payments and the employee's pay under the workers' compensation leave provision.

The employee may utilize the workers' compensation leave provision only while the employee is medically unable to work due to a compensable work injury. Employees shall not receive service credit after the ten (10) business days workers compensation leave, unless paid leave accruals are utilized. The need for leave must be verified, in writing, by an appropriate health care provider. Any leave taken due to an on-the-job injury or illness shall be reported on the employee's time sheet as such.

It shall be the responsibility of the employee to notify the appointing authority as soon as the employee is permitted to return to work on a limited or full time basis. Failure to notify the appointing authority shall be cause for disciplinary action. Procedures for filing workers' compensation injury forms and County accident report forms, as well as notification procedures regarding length of absence and return to work shall be established by the Human Resources Director. Supervisors shall ensure that the appropriate physician's statements regarding restricted work activity are obtained. The Human Resources Director shall implement an Early Return to Work policy and all departments shall comply with that policy.

For FLSA non-exempt employees, if ongoing medical treatment is necessary during work hours after an employee has returned to work on a limited or regular basis, the employee may utilize accumulated vacation, compensatory or sick leave to receive payment for such time away from work.

During the term of the verified workers' compensation claim, the County shall continue full insurance coverage for employees enrolled prior to the workers' compensation injury or illness. This continuation provision shall not extend for a period greater than six (6) months from the date of injury.

10.5. Workplace Violence. The safety and security of County employees, customers, vendors, contractors and the general public are of vital importance. Therefore, acts of violence made by an employee against another person's life, health, well-being, family or property will not be tolerated. Employees found guilty of violence will be subject to discipline up to and including immediate dismissal. The County expressly prohibits the following:

- A. Any act or threat of violence made by an employee against another person's life, health, well-being family or property.
- B. Any act or threat of violence, including, but not limited to, intimidation, harassment, or coercion.
- C. Any act or threat or violence which endangers the safety of employees, customers, vendors, contractors or the general public.
- D. Any act or threat of violence made directly or indirectly by words, gestures or symbols.
- E. Use or possession of a weapon on County premises, in County vehicles or while conducting business for the County. The sole exclusion is those employees in the Sheriff's Department and Community Corrections who are expressly authorized to possess and use weapons as part of their regular job duties.

It is a requirement that employees report to their supervisor or the Human Resources Director any behavior that compromises the County's ability to maintain a safe work environment. All reports will be investigated immediately and kept confidential, except where there is a legitimate need to know.

10.6. Drug and Alcohol Policy. No employee may consume or be under the influence of any alcoholic beverage or be under the influence of any non-prescription controlled substance, including medical marijuana, while on official County business, during working hours, or at any time while operating any kind or type of vehicle or equipment while conducting County business. For purposes of this Section, working hours includes meal and other breaks allowed during the course of a working day. If probable cause exists, an employee may be immediately directed to submit to a toxicological analysis. If the employee refuses the examination, or if the examination results are positive, the employee shall be subject to discipline, up to and including dismissal.

No employee shall possess, distribute or sell any alcoholic beverage or any controlled substance while on official County business, during working hours, or at any time while operating any kind or

type of vehicle or equipment which is the property of Columbia County. Any employee found to have violated this provision shall be subject to discipline up to and including dismissal.

The sole exception to this Rule shall be law enforcement employees involved in special drug enforcement operations.

10.6.1. Pre-Hire Drug Testing. Employees in public safety positions may be required to submit to and successfully pass a post-offer, pre-hire drug test.

10.6.2. Drug Free Workplace Policy for Federally Funded Positions. Employees whose positions are funded through federal monies are also subject to the Columbia County Drug Free Workplace Policy, which is incorporated by reference herein, and attached as Appendix B. Employees of the Transit Department shall further comply with the Drug and Alcohol Policy for Mass Transit Safety-Sensitive Functions and employees of the Road and Parks Departments shall further comply with the Fitness for Duty Policy. Each employee of those affected departments shall be provided with a copy of the Policy.

Change History

Version #	Approval Date	Effective Date	Brief Description
4	9/7/11	10/1/11	Reviewed by BOCC and approved by Order #70-2011

Columbia County, Oregon	
Subject: Grievance Procedure	Number: PR-011-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

11.1. General Policy. It is the policy of the County to provide for an orderly process whereby employees may have their problems and complaints considered as fairly and rapidly as possible without fear of reprisal. These procedures are available to all regular full and part time employees for non-disciplinary issues. However, employees represented by a bargaining unit must use the grievance procedure outlined in the collective bargaining unit agreement if the action pertains to an interpretation of an Agreement provision. Every effort shall be made to find an acceptable solution by informal means at the lowest possible level of supervision. Unless otherwise designated by the Board of County Commissioners, the Human Resources Director shall act as the Board's designee for receiving disputes at Step 3 of the grievance process. All matters relating to grievances shall be directed to the Human Resources Director.

Prior to the initiation of a grievance, an employee should discuss the dispute with the supervisor in an attempt to resolve the problem informally. Even when such discussions are ongoing, however, any grievance must be filed within the timelier provided in this Rule. Only the Human Resources Director may grant, in writing, an extension for the timelier of a grievance process.

All proceedings and evidence of any kind whatsoever that are related to a grievance shall be considered exempt from public disclosure to the extent allowed by law until the conclusion of the final administrative proceeding within the County.

Grievances shall be commenced and processed according to the provisions stated in this Rule and they shall constitute the exclusive and binding process for the resolution of disputes constituting grievances. In no case shall an employee be allowed to bypass any of the steps of the grievance process.

11.2. Discrimination and/or Harassment. If any employee (regular, temporary, full or part time) thinks s/he has been discriminated against or harassed due to a protected classification status, the employee may file a complaint as described in Rules 14 and 15 below.

11.3. Retaliation. Retaliation against an employee for filing a grievance in good faith is strictly prohibited. An employee may ask Human Resources to investigate allegations of retaliation for using, in good faith, the grievance process. Where Human Resources determines that the request merits further review, Human Resources shall investigate the complaint and make a recommendation to the Department Head and/or the Board of Commissioners, as appropriate.

11.4. Time Periods and Notices. Time limits established by this Rule may be waived through the written mutual consent of the employee and Human Resources. However, absent a written waiver by Human Resources, failure of the employee to submit or prosecute a grievance in accordance with time and notice limits established herein shall constitute abandonment of the grievance.

Failure of the County to respond to a grievance within the time limits specified herein shall result in the employee having the absolute right to elevate the grievance within ten (10) business days to the next higher step in the grievance process. Failure of the employee to take the appropriate action within the time limits specified herein shall be treated as final disposition of the subject matter of the grievance. A grievance may be dismissed at any time, and at any step, upon receipt by Human Resources of a signed statement from the aggrieved employee(s) that the dispute has been resolved or withdrawn.

All time periods specified in this section are measured in business days.

11.5. Definition of Non-Disciplinary Grievance. A grievance may be filed under these procedures if an employee or group of employees in the County believes an injustice has occurred due to:

- A. A lack of a County policy or department policy;
- B. A policy that is unfair;
- C. A deviation from a policy;
- D. A disagreement with another employee or supervisor; or
- E. A discretionary action of a Department Head or elected official in the application of the Rules of the County;

The grievance must be in writing. Such a grievance shall be referred to as a non-disciplinary grievance.

11.6. Grievance Procedure.

11.6.1. Step 1.

A. The grievance must:

- arise in the department in which the employee works;
- pertain directly and personally to the employee's own employment with the County;
- not be used to harass or otherwise impede the efficient operations of the County;
- not have been pursued through any other internal or external process;
- not challenge the same issue challenged by another grievance.

B. A grievance at Step 1 shall be initiated by the filing of a written statement with the employee's immediate supervisor within ten (10) business days following the occurrence of the circumstances giving rise to the grievance, or the date the employee first knew or should have known of such circumstance.

C. The written statement shall including the following information.

1. The name and position of the employee seeking the grievance.
2. The date of the circumstances giving rise to the issue of grievance, and the date the employee claims first knowledge thereof.
3. A clear and concise statement of the issue of grievance, including all relevant facts necessary for a full and objective understanding of the employee's claim(s).
4. The specific Rule, Policy, or provision alleged to have been violated, if any.

5. The remedy or relief sought by the employee.
6. The signature of the person submitting the issue to the grievance procedure.

D. If the supervisor responds, that response shall be in writing to the person filing the grievance within ten (10) business days following receipt of the written grievance. This statement shall either deny the grievance or acknowledge what step(s) will be taken to remedy the issue.

E. If the employee is satisfied with the supervisor's written response, the grievance shall be deemed resolved without further action. If the employee is not satisfied with the supervisor's written response, or if the supervisor fails to respond within the time limits herein established, the employee may proceed to Step 2 of the grievance process. If the employee's immediate supervisor is the Department Head, the employee shall proceed to Step 3 of the grievance process.

As a general rule, the employee must initiate a grievance with the employee's immediate supervisor. However, the employee may initiate the grievance with someone other than the immediate supervisor in the following circumstances:

- A grievance alleging discrimination or retaliation by the immediate supervisor may be initiated with the Department Head or Human Resources.
- A grievance involving a dismissal, demotion or suspension without pay (see Section on Disciplinary Grievances below) may be initiated with the Department Head.
- A grievance challenging the application of the layoff policy should be initiated with Human Resources.

11.6.2. Step 2.

A. Within ten (10) business days following the date of the supervisor's written response at Step 1, or in the case of no written response, within ten (10) business days of the last date for a written response, the employee shall file with the Department Head a copy of the statement submitted at Step 1, together with the supervisor's response or a statement that the supervisor failed to respond within the time limit provided herein.

B. If the Department Head responds, that response shall be in writing to the person filing the grievance within ten (10) business days following receipt of the required grievance documents by the Department Head. The Department Head may meet with the employee to clarify the issues presented in the written statement.

C. If, after the tenth (10th) business day following the Department Head's receipt of the written statements, the Department Head has not responded in writing, or if the employee is not satisfied with the Department Head's response, the employee may proceed to Step 3 of the grievance process.

11.6.3. Step 3.

A. Within ten (10) business days following the date of the written response at Step 2, or in the case of no written response, within ten (10) business days of the last date for a written response, the employee shall file with the Human Resources Director all of the written materials that are required to be filed with the Department Head at Step 2, together with the Department Head's

written response, or a statement that the Department Head failed to respond within the time limit established herein. Failure to provide copies of all necessary documents shall be cause for immediate denial of the grievance.

B. Within ten (10) business days following receipt of the written statements by the Human Resources Director, a hearing date shall be scheduled before the Board of County Commissioners. If a quorum of the Board is not available within the 10 day time period, then the hearing shall be scheduled as soon as a quorum is available. The date set for hearing shall be agreeable to all parties. The hearing shall be scheduled so as to occur not later than thirty (30) calendar days after the Step 3 filing date. In the case of extreme hardship and at the written request of the employee filing the grievance and with approval of the Human Resources Director, or for the convenience of the Board, the hearing may be delayed for a period not to exceed an additional thirty (30) calendar days.

C. The Human Resources Director shall ensure that an official record of the hearing is prepared and made available to all parties pursuant to reasonable charges approved by the Board of County Commissioners. The Human Resources Director shall, with the assistance of County Counsel, determine and establish all administrative procedures of a Step 3 grievance hearing.

D. Step 3 grievance hearings shall be limited in attendance to:

1. the Human Resources Director and any aide(s) she or he may request;
2. other representative(s) of the County who shall present evidence for the County's case;
3. the employee(s) presenting the issue at appeal;
4. representative(s) of the employee(s);
5. all other witnesses either party wishes to call to testify during the period of their testimony;
6. County Counsel.

E. In order to allow reasonable notice to witnesses who are employees of the County, the parties shall furnish the Human Resources Director a written list of witnesses they choose to call at least three (3) business days prior to hearing. The Human Resources Director will thereafter notify each affected Department Head to arrange for the witnesses to be present and available for hearing. In addition to notice by the Human Resources Director, each party shall notify each of their witnesses, including non-employee witnesses, of the time and date and place of the hearing.

F. At the hearing, the parties shall be given the opportunity to present evidence, examine and cross examine witnesses, orally argue their positions and generally attempt to resolve all issue(s) in dispute. The Human Resources Director will set appropriate time limits for testimony from the parties. Unless a remedy is specifically agreed to in writing by the parties, the Human Resources Director shall prepare on behalf of the Board of County Commissioners findings of fact within ten (10) business days following the close of the Step 3 hearings record. On the request of either party, the closing of the hearings record may be extended for a period not to exceed ten (10) business days to allow the parties to submit additional written statements.

11.7. Finality of Grievance Procedure. The written findings of fact prepared by the Human Resources Director and approved by the Board of County Commissioners shall be considered final

as to Columbia County. However, this provision is not intended to prevent either party from appealing or other forms of relief that may otherwise be available.

11.8. Disciplinary Grievances. Non-represented full-time and greater than .5 FTE part-time regular employees may use the grievance procedure outlined above to grieve disciplinary actions involving demotions, suspensions without pay and/or dismissals taken by their supervisor or Department Head. Employees represented by a bargaining unit shall use the procedures outlined in the collective bargaining unit agreement to grieve disciplinary issues.

Change History

Version #	Approval Date	Effective Date	Brief Description
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Columbia County, Oregon	
Subject: Civil Service Commission	Number: PR-012-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

The Columbia County Civil Service Ordinance and Rules set forth the formation, rights and responsibilities of the Columbia County Civil Service. The Civil Service Ordinance and Rules govern all matters related to hiring for positions subject to Civil Service.

Change History

Version #	Approval Date	Effective Date	Brief Description
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Columbia County, Oregon	
Subject: Performance Evaluation	Number: PR-013-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

13.1. General Policy. It is the policy of the County to review the work of each regular employee annually to assure that the employee is meeting the performance standards of the particular position. The review shall include a rating of the employee's quality and quantity of work, a review of problems and successes which occurred during the previous year, establishment of a goal for career development and job enrichment, a review of the areas which may need improvement and setting of goals for the employee for the ensuing year.

13.2. Performance Evaluation. The Human Resources Director shall establish and make effective a system of performance evaluation designed to give a fair evaluation of the work performed, and of the efficiency, faithfulness and value of employees in the County. Such evaluations should be prepared and filed for each employee annually. Department Heads are responsible for ensuring the completion of the performance evaluations of employees working in that department.

13.3. Procedure for Performance Evaluations. Formal performance reviews should be conducted at least annually for regular employees. Employees in a probationary period should receive performance evaluations regularly, on a quarterly basis, if feasible. Department Heads shall follow the evaluation procedures outlined by the Human Resources Director.

The immediate supervisor of the employee shall meet with the employee and complete the performance evaluation form in accordance with the procedures established by the Human Resources Director. The performance evaluation form shall be completed by the immediate supervisor and/or the appointing authority prior to completion by the employee and copies shall be distributed after all required signatures have been obtained. The performance evaluation should be completed prior to the end of the month in which the evaluation is due. Upon establishment of the performance evaluation system, Department Heads shall conduct performance evaluations prior to granting a salary step increase to employees. After twelve (12) months of satisfactory service, no employee shall be deprived of a salary step increase due to a Department Head's lack of timeliness in preparing performance evaluations.

Copies of all performance evaluations shall be sent to Human Resources for the employee's personnel file.

Change History

Version #	Approval Date	Effective Date	Brief Description
4	9/7/11	10/1/11	Reviewed by BOCC and approved by Order #70-2011

Columbia County, Oregon	
Subject: Equal Employment Opportunity and Protected Classification	Number: PR-014-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

14.1. **Policy Statement.** It is the policy of Columbia County to be fair and impartial in all of its relations with its employees or applicants for employment at the County where employment is based on personal capabilities and qualifications. The County is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, the County expects that all relationships among persons in the workplace will be business-like and free of bias, prejudice and harassment. This Policy applies to all applicants and employees and prohibit harassment, discrimination and retaliation whether engaged in by fellow employees, by a supervisor or manager or by someone not directly connected to the County (e.g., an outside vendor, consultant or customer). Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

AFFIRMATION OF POLICY

The Columbia County Board of Commissioners hereby reaffirms its official policy of non-discrimination towards any qualified employee or applicant for employment. Discrimination on the basis of race, sex, color, religion, national origin, age, sexual orientation, political affiliation, marital status, military reservist status, ancestry, genetic information, disability, veteran status or use of military leave, association with a protected class, or any other characteristic protected by law (except where there are bona fide occupational qualifications), is prohibited by all employees of Columbia County. This policy will apply, but not be limited to, recruitment, promotion, hiring, layoff, dismissal, demotion, transfer, rates of pay, fringe benefits, training or other forms of compensation, use of facilities, social and recreational programs, and other terms, conditions and privileges of employment for all job classifications. All personnel actions will be administered in accordance with this Rule. This Rule shall be disseminated to all County employees and be available to all affected members of the community and relevant labor market.

14.2. **Program Responsibility.** The Human Resources Director shall serve as the Equal Opportunity Officer to carry out this Policy and Program. The Human Resources Director shall advise and assist staff and management personnel in all matters regarding implementation of and compliance with this Equal Employment Opportunity Policy. Department Heads and supervisors shall be responsible for compliance within their own departments and sections.

Employee questions or concerns should be referred to the Human Resources Department. Appropriately disciplinary action may be taken against any employee willfully violating this Rule.

14.3. Sexual Harassment. It is the County's policy that sexual harassment is unacceptable conduct and will not be tolerated. Sexual harassment is a form of sex discrimination and is an unlawful employment practice under federal, state and local laws. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when, for example (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. It can include, but is not limited to: unwanted sexual advances or requests for sexual favors, sexual jokes and innuendo, verbal abuse of a sexual nature, commentary about an individual's body, sexual prowess or sexual deficiencies, leering, catcalls or touching, insulting or obscene comments or gestures, display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail), and other physical, verbal or visual conduct of a sexual nature. Sex-based harassment that does not involve sexual activity or language (e.g., a male supervisor who yells only at female employees and not males) may also constitute discrimination if it is severe or pervasive and directed at employees because of their sex/gender.

Some specific examples of other inappropriate or illegal behaviors include: (1) negative or offensive comments, jokes or suggestions about another employee's gender or sexuality; (2) obscene or lewd sexual comments, jokes, suggestions or innuendoes; (3) slang, names or labels such as "honey", "sweetie", "boy", "girl", that others find offensive; (4) talking about or calling attention to another employee's body or sexual characteristics in a negative or embarrassing way; (5) laughing at, ignoring or not taking seriously an employee who experiences sexual harassment; (6) blaming victims of sexual harassment for causing the problems; (7) continuing certain behaviors after a co-worker has objected to that behavior; (8) displaying sexual pictures, cartoons or calendars on any County property.

Sexual harassment negatively affects morale, motivation and job performance. It results in increased absenteeism, turnover, inefficiency and loss of productivity. It is inappropriate, offensive and illegal, and it will not be tolerated in this County.

14.4. Protected Class Harassment. Harassment on the basis of any other protected class is also strictly prohibited. Under this Policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, sex, color, religion, national origin, age, sexual orientation, political affiliation, marital status, military reservist status, ancestry, genetic information, disability, veteran status or use of military leave, association with a protected class, or any other characteristic protected by law or that of his/her relatives, friends or associates and that (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to, epithets, slurs or negative stereotyping, threatening, intimidating or hostile acts, denigrating jokes and display or circulation in the workplace of written or

graphic materials that denigrates or shows hostility or aversion toward an individual or group (including through e-mail).

Harassment of any protected class negatively affects morale, motivation and job performance. It results in increased absenteeism, turnover, inefficiency and loss of productivity. It is inappropriate, offensive and illegal, and it will not be tolerated in this County.

14.5. Religious Beliefs and Practices.

14.5.1. Accommodation. Sometimes individuals hold religious beliefs or conduct religious practices that conflict with their work schedules or assigned responsibilities. At the employee's request, the County will attempt to provide a reasonable accommodation for sincerely held religious beliefs and practices of the employee if to do so does not impose an undue hardship on the County, or interfere with the employee's ability to perform the essential functions of the position. If an employee would like to request, or if a supervisor receives a request for a religious accommodation, the employee or supervisor should contact the Human Resources Department. Employees may be asked to provide appropriate documentation to support the request.

The County is not obligated to provide the employee's preferred accommodation, if there is more than one effective alternative from which to choose.

14.5.2. Expression of Religious Beliefs. The County will allow expression of sincerely held religious beliefs by employees in the workplace, to the extent that other types of personal expression are allowed, that are not harassing or disruptive. Employees who object to religious conduct occurring in the workplace should first inform the individual (co-worker or third party) engaging in the conduct that they wish it to stop. If the conduct does not stop, employees should report it to their supervisor or the Human Resources Department. Employees who do not wish to personally confront an individual who is directing unwelcome religious or anti-religious conduct towards them should report the conduct to their supervisor or the Human Resources Department where the circumstances will be investigated and appropriately addressed. Any employee who feels s/he has been subject to religious discrimination or harassment should follow the complaint procedures outlined in this Rule.

While supervisors are permitted to engage in certain religious expression, they should avoid expression that might, due to their supervisory authority, reasonably be perceived by employees as coercive, even when not so intended.

14.6. Genetic Information. The County will not attempt to obtain or discriminate against employees or applicants because of genetic information. Genetic information includes not only information about a individual's genetic test and the genetic tests of an individual's family members, but also information about any diseases, disorders, or conditions that someone's family member may have. If an employee or applicant feels the County has discriminated against that individual on the basis of genetic information, that individual should follow the complaint procedure outlined in this Rule.

14.7. Retaliation Prohibited. The County prohibits retaliation against any individual who in good faith reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this Policy and, like harassment or discrimination itself, will subject the offender to disciplinary action.

14.8. Reporting an Incident of Harassment, Discrimination or Retaliation. The County strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe that they experienced conduct that they believe is contrary to the County's policy or who have concerns about such matters should file their complaints with their department or the Human Resources Director before the conduct becomes severe or pervasive. Individuals should not feel obligated to file their complaints with their immediate supervisor or Department Head before bringing the matter to the attention of the Human Resources Director.

IMPORTANT NOTICE TO ALL EMPLOYEES: Employees who have experienced conduct they believe is contrary to this Policy have an obligation to take advantage of this complaint procedure. An employee's failure to fulfill this obligation could affect his or her rights in pursuing legal action. Also, please note that federal, state and local discrimination laws establish specific time frames for initiating a legal proceeding pursuant to those laws. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, the County strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. The County will make every effort to stop alleged harassment before it becomes severe or pervasive, but can only do so with the cooperation of its employees. The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly, thoroughly and impartially. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action and public records laws.

Misconduct constituting harassment, discrimination or retaliation will be dealt with promptly and appropriately. Responsive action may include, for example, training, referral to counseling, monitoring of the offender and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reduction of wages, demotion, reassignment, suspension without pay or dismissal, as the County believes appropriate under the circumstances.

Change History

Version #	Approval Date	Effective Date	Brief Description
4	9/7/11	10/1/11	Reviewed by BOCC and approved by Order #70-2011

Columbia County, Oregon	
Subject: American with Disability Act (ADA)	Number: PR-015-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

The County is committed to complying with all applicable provisions of the Americans With Disabilities Act ("ADA") the The Americans With Disabilities Act Amendments Act ("ADAAA") of 2008 and state law. This policy refers to federal and state law jointly as "ADA". It is the County's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job.

Consistent with this policy of nondiscrimination, the County will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the County aware of his or her disability, provided that such accommodation does not constitute an undue hardship on the County.

Employees or job applicants with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact the Human Resources Department. The County encourages individuals with disabilities to come forward and request reasonable accommodation.

15.1. Procedure for Request of an Accommodation. When an accommodation request has been received, the employee, Human Resources and a department representative will usually engage in an interactive process, to identify the precise limitations resulting from the disability and the potential accommodation that the County might make to help overcome those limitations. The County may request additional information in order to better consider any accommodation request. The County will determine the feasibility of the requested accommodation considering various factors, including, but not limited to, the nature and cost of the accommodation, the County's overall financial resources and organization, and the accommodation's impact on the operation of the County, including its impact on the ability of other employees to perform their duties and on the County's ability to conduct business.

The County will inform the employee of its decision on the accommodation request or on how to make the accommodation. If the accommodation request is denied, the employee will be advised of his/her right to grieve the decision by submitting a written statement explaining the reasons for the request.

The ADA does not require the County (i) to make the best possible accommodation, (ii) to make the specific accommodation requested by the employee if another effective accommodation exists, (iii) to reallocate essential job functions, or (iv) to provide personal use items (e.g., eyeglasses, hearing aids, wheelchairs, etc.). An employee or job applicant who has questions regarding this policy or believes that he or she has been discriminated against based on a disability should notify the Human Resources Department. All such inquiries or complaints will be treated as confidential to the extent permissible by law.

15.2. Grievance Procedure for ADA Complaints. Complaints related to an employee or job applicant who feels he/she has been discriminated against or harassed about a real or perceived

disability or has been denied a request for reasonable accommodation shall be sent, in writing, to: Human Resources Director, Columbia County, 230 Strand Street, St. Helens, Oregon 97051. Telephone: 503-397-3874. The Human Resources Director has been designated to coordinate the ADA compliance efforts in relation to employment at the County. The HR Director shall maintain the files and records of the County relating to complaints filed and ensuing investigations.

A. The complaint must be filed in writing and should contain: The name and address of the person filing it, or on whose behalf it is being filed and a brief description of the alleged violation of the ADA regulations. The complaint must be filed within twenty (20) calendar days after the complainant becomes aware of the alleged violation.

B. An investigation, as may be appropriate, shall follow the filing of the complaint. The investigation shall be commenced by the Human Resources Director, or the designee of the Human Resources Director, within a reasonable period of time after receipt of the complaint. The investigation will be informal but thorough, affording all interested persons an opportunity to submit relevant information.

C. A written determination as to the validity of the complaint and a resolution of the complaint, if any, shall be issued by the Human Resources Director, with a written copy provided to the complainant within 45 days following the filing of the complaint, unless the requirements of the investigation require additional time, in which case the determination shall be issued as soon as is reasonable. The decision of the Human Resources Director is final.

Change History

Version #	Approval Date	Effective Date	Brief Description
4	9/7/11	10/1/11	Reviewed by BOCC and approved by Order #70-2011

Columbia County, Oregon	
Subject: Whistle Blower Policy	Number: PR-016-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

The County strives to conduct operations with the utmost integrity and in strict accordance with all applicable federal, state and local law. Accordingly, employees are encouraged to bring to the attention of the County any improper conduct of County officials and employees. The County will not retaliate against any employee who makes such a disclosure in good faith and in accordance with the procedures set forth in this Rule.

For purposes of this Rule, improper conduct is any action undertaken by an officer or employee in the performance of his or her official duties which (a) is in violation of any federal, state or local law; (b) constitutes an abuse of authority; (c) creates a substantial and specific danger to public health or safety; or (d) grossly wastes public funds. Improper conduct does not include common personnel actions, such as the processing of grievances, decisions regarding hiring, promotion, dismissal and other discipline, or alleged violations of collective bargaining agreements, employment contracts or policies or procedures set forth in County policies.

16.1. Reporting Improper Conduct. Misconduct can often be corrected most expeditiously if handled internally. Accordingly, an employee who has a good faith concern that improper conduct has occurred, or is about to occur, must first raise that concern with the County. Specifically, the employee must submit his or her concerns and related information, in writing, to the Department Head of the department in which the employee works. In the event that the complaint concerns the Department Head, the complaint shall be submitted to the Human Resources Director. The identity of the reporting employee shall be kept confidential to the fullest extent possible under law, unless the reporting employee authorizes disclosure.

16.2. Investigation and Response. The County shall have fifteen (15) working days to address the complaint raised by the reporting employee and to provide the reporting employee with a written response which identifies the alleged improper conduct at issue, describes the scope and findings of the investigation and states what, if any, action, will be taken to correct any finding of improper conduct. If, in the County's opinion, a proper investigation would require a longer period of time, the County shall provide a written response to the reporting employee within this fifteen (15) day time period notifying the reporting employee of the estimated timeline by which the County will be able to provide a written response.

16.3. Request for Reconsideration. If the reporting employee is not satisfied with the investigation and/or resolution of the complaint, the reporting employee may request reconsideration, in writing, within five (5) working days of receipt of the County's written response. Written requests for reconsideration must be submitted to the Human Resources Director or designee and must identify the specific elements of the County's investigation or written response which the reporting employee finds unsatisfactory. The County has five (5) working days to notify the reporting employee, in writing, as to whether the reconsideration will be granted. Any reconsideration will be limited to examination of the specific issues raised by the reporting party in his or her written request for reconsideration. The

County will have ten (10) working days from the date reconsideration is granted to complete its additional investigation and provide the employee with a written response.

16.4. Disclosing Improper Conduct to Outside Agencies. If a reporting employee is still dissatisfied with the County's investigation or response, the reporting employee may disclose the improper conduct to an outside agency or organization for further review, provided that outside agency or organization has regulatory authority over the issue which is the subject of the complaint. Reporting employees may disclose improper conduct to outside agencies only after fully exhausting the reporting and reconsideration procedures set forth in this Rule.

Deviation from this reporting and reconsideration Rule is permitted only in those rare cases where the reporting employee can show that persons or property will suffer substantial or irreversible damage if the alleged improper conduct is not immediately addressed.

16.5. Retaliation Prohibited. Employees who comply with this Rule and who, in good faith report alleged improper conduct, as defined in this Rule, shall not be subject to discipline or dismissal for reporting, disclosure or other activities subject to this Rule. If an employee believes there has been retaliation for reporting improper conduct in accordance with this Rule, the employee shall report, in writing, such alleged retaliation to the Human Resources Director, who shall investigate and respond appropriately.

Change History

Version #	Approval Date	Effective Date	Brief Description
4	9/7/11	10/1/11	Reviewed by BOCC and approved by Order #70-2011

Columbia County, Oregon	
Subject: Employee Responsibilities	Number: PR-017-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

17.1. Purpose. The orderly and efficient operation of County government requires that employees accept certain responsibilities. Work rules governing personal standards of conduct as well as standard operating procedures are necessary to protect the health and safety of all employees, to maintain uninterrupted service and to protect the County's property. All employees are reminded that the County is a professional, business organization and its employees will be expected to conduct themselves accordingly. All employees shall actively work to provide the best possible service and promote the highest quality of public service.

17.2. Work Rules. The following work rules shall apply to all County employees. These are not intended to be all inclusive and the County may amend these guidelines to ensure the effective operation of County government.

- A. Employees (FLSA non-exempt) shall be at their designated work area on time and ready to work. Employees shall, except for regular breaks and meals periods, remain at work until the scheduled quitting time unless permission to leave is granted by the supervisor. Employees shall maintain their work areas in a clean and neat fashion.
- B. Where operations are continuous, employees shall not leave their positions until replaced by the next shift employee or until relieved by the supervisor.
- C. Employees shall follow all safety regulations including wearing protective clothing and using protective equipment. Employees shall immediately report safety hazards, accidents or injury to their supervisor.
- D. Employees shall be responsible for and not misuse County property, records or other materials in their care, custody and control.
- E. Employees shall deal with the public in a courteous and professional manner.
- F. Employees shall deal with fellow employees, County officials and other governmental agencies in a courteous, professional and effective manner.
- G. Employees shall immediately report to the supervisor any inability to work and the reason therefor.
- H. Employees shall notify the appropriate party whenever there is a change in their personal data affecting their personnel or payroll records.
- I. Employees shall not restrict or interrupt work or interfere with the work of others.

J. Employees shall report for and remain at work only in a condition which will enable them to perform the essential duties of their position with or without reasonable accommodation.

K. Employees shall not neglect their duties and responsibilities or refuse to perform assigned work unless to perform such work would constitute a safety hazard.

L. Employees shall not engage in conduct that reflects discredit on the County while on duty.

M. Employees shall not engage in unapproved soliciting or political activity while on duty.

N. Employees shall not use their position for personal gain, to solicit or conduct personal business or to coerce others.

O. Employees shall not use their positions to obtain information not related to their positions from other employees. Employees shall use the proper procedures available to the general public to obtain, on their personal time, any such information.

P. Employees shall not possess unauthorized firearms, weapons, drugs or intoxicants while on duty or on County premises.

Q. All reports, records or claims completed by employees, verbally or in writing, shall be true and accurate, to the best of their knowledge.

R. Employees shall not remove County property or the property of other employees without express approval of their supervisor or the owner of such property. Employees shall not use County property for personal gain.

S. Employees shall not violate any of the laws, statutes or ordinances of federal, state or local governments while on duty or on County premises.

T. Employees shall comply with all County rules, policies and procedures.

U. Employees, while on duty, shall not engage in gossip or spread rumors regarding other County employees. Unsubstantiated or baseless charges made by one employee against another employee will not be tolerated.

17.3. Workplace Bullying. Workplace bullying is strictly prohibited. The hallmarks of bullying include serious or repeated behavior that is unreasonable or unwarranted under the circumstances and that targets a weaker or defenseless individual or group or that is intended to likely to be harmful in either physical or mental ways.

Bullying is not rudeness or sullenness. It is not a one time incident. It is not a supervisor who insists that employees consistently follow rules, meet deadlines and produce top-quality work.

Employees who feel they have been subject to or witnessed bullying in the workplace should utilize the procedures outlined in Rule 11 to address the issue.

17.4. Code of Ethics. The Board of County Commissioners assert that a public office is a public trust, and that as one safeguard for that trust, all County officials and employees are required to adhere to the ethics rules set forth in ORS Chapter 244 and to the further provisions of these Rules.

A. No County employee shall engage in any act which is in conflict, or creates an appearance of conflict with the performance of official duties. An employee shall be deemed to have a conflict if the employee:

1. Has or has a family member with any financial interest in any sale to the County of any goods or services.
2. Solicits, accepts or seeks a gift, gratuity or favor from any person, firm, or corporation involved in a contract or transaction which is or may be the subject of official action by the County.

The County recognizes that personal friendships often precede and can evolve from official contact between employees and persons engaged in business with the County. Reasonable exceptions to this section are permitted for those occasions which are social in nature and a result of such a prior personal friendship and are not predicated on the employee's ability to influence, directly or indirectly, any matter before the County.

3. Participates in his/her capacity as a County employee in the issuing of a purchase order or contract in which the employee or a member of the employee's family has a private pecuniary interest, direct or indirect, or performs in regard to such contract some function requiring the exercise of discretion on behalf of the County.
4. Engages in, accepts employment from, or renders services for private interests for any compensation or consideration having monetary value when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in performance of official duties or give the appearance of the above.

B. Further, the following conduct is prohibited:

1. No employee shall use the employee's employment to obtain financial gain for the employee's household or family as defined in these Rules or any business in which the employee or a member of the employee's household or family is associated.
2. No employee shall use information received because of the employee's employment for private gain if that information is confidential or normally available to the general public only by special request or has not otherwise been dispersed by the County.
3. No employee shall solicit or receive a promise of future employment with the understanding that the promise will influence the employee's official action.
4. No employee shall solicit or receive any gift in anticipation of official action to be taken by the employee in the course of employment. For the purposes of this and the following sub-section, "gift" shall have the meaning set forth in ORS Chapter 244.
5. No employee shall solicit or receive during a calendar year gifts with an aggregate value of over \$50 from a source that has a legislative or administrative interest in the employee's office. Any gift in cash (which includes gift cards) is presumed to be a donation to the County and shall be deposited with the County Treasurer.

6. No employee shall take any action on behalf of the County which would create an actual or potential conflict of interest without first notifying the employee's appointing authority in writing of the actual or potential conflict of interest and requesting the appointing authority to dispose of the matter giving rise to the conflict pursuant to ORS Chapter 244.

7. County officials and employees who are in a position to influence contract decisions affecting non-profit organizations shall not serve on decision making boards of, or be employed by, contractors who could benefit from such involvement.

8. No employee shall solicit private business from other employees for personal gain while on County time. No supervisor or lead worker shall solicit private or charitable business from their staffs at any time, with the exception of a charitable effort organized County-wide.

This Rule is not all-encompassing. The "prudent person" theory can and will be applied: Action deemed inappropriate by a reasonable person, whether or not specifically cited in this Rule or in ORS Chapter 244, will be subject to inquiry.

Change History

Version #	Approval Date	Effective Date	Brief Description
4	9/7/11	10/1/11	Reviewed by BOCC and approved by Order #70-2011

Columbia County, Oregon	
Subject: Travel Policy	Number: PR-018-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

18.1. Travel Policy. This Policy applies to out-of-area (i.e., outside the geographical boundaries of Columbia County) travel for all County employees, volunteers and elected officials. Local travel which is a part of routine County operations will be controlled and monitored by standard departmental administrative procedures or by collective bargaining agreements, where appropriate. References below to “employees” shall be deemed, for the purposes of this Policy, to collectively refer to all individuals subject to the scope of this Policy, including County employees, volunteers and elected officials.

It is the responsibility of each Department Head to ensure that the employees under his/her authority comply with this policy. Department Heads may establish additional procedures when necessary to the operation of their respective departments, so long as they do not conflict with this Policy. The Finance Department shall be responsible for developing and maintaining travel expense reporting procedures and forms in order to ensure compliance with IRS regulations.

In any case where the regulations governing allowable costs under Federal and State grants or other specialized funding sources require unique procedures or additional documentation for travel costs, the Department Head who is responsible for the administration of that grant or funding sources will be responsible for ensuring compliance with such regulations. The Finance Department will provide assistance when it would minimize conflicts or reduce duplication of effort.

In all cases, employees are expected to understand and respect the County’s responsibility, as a public entity, to expend public funds in a responsible and cost effective manner. Employees are expected to make choices that reflect this responsibility by demonstrating use of cost effective travel options that do not reflect discredit upon the County.

18.2. Authorized Travel.

- A. Travel costs may be incurred for any legitimate County business purpose for County employees. Some examples include: attendance at work related conventions or conferences, meetings of professional associations, training seminars or workshops or meetings with government officials from other public agencies.
- B. All travel requests must be approved in advance by the Department Head or, if so authorized by the Department Head, the appropriate supervisor. Department Heads are to inform the Finance Department which supervisors are authorized to approve travel. Appointed Department Heads must obtain pre-authorization from the Board of County Commissioners (or appropriate elected official, such as the Sheriff) for any out of state overnight travel. A supervisor's travel requests must be approved by the Department Head. The amount of any per diem cash advance and the final actual expenses to be paid must both be approved by the Department Head or the appropriate supervisor. A supervisor’s cash advances and final actual expenses must be approved by the Department Head.

- C. Columbia County recognizes travel by air on behalf of Columbia County often takes place on what otherwise would be non-work time, including traveling or staying over weekends so as to secure the lowest total travel cost for the County; that often in the course of such travel, incidental expenses are incurred that are not reimbursable under the County travel policy or are of a nature that reimbursement does not occur; and that travel often involves being away from family and results in the inability to deal with family matters.

Therefore, subject to the limitations described below, frequent flier miles awarded to any of the following individuals in connection with air travel are part of the salary, benefits or compensation of those individuals when Columbia County pays or reimburses their air carrier travel expenses:

- (a) Elected officials who serve on regional or national boards on behalf of Columbia County if such compensation is not otherwise in conflict with any charter, ordinance or policy of the County, or unless such compensation is declined by the official; and
- (b) Columbia County employees.

18.3. Authorized Costs. Authorized travel costs include meals, day trips, transportation to and from a destination, lodging, and conference registration, as outlined below.

A. Meals - Authorized meal costs including the cost of any associated tip.

i. Per diem payment for meal costs - Per diem payments are payments received, as authorized by the Internal Revenue Services (IRS) prior to an overnight trip for anticipated expenses. Employees are not required to submit receipts justifying per diem payments.

On trips requiring one or more overnight stays, the County will pay a per diem to cover the cost of meals and incidentals for each 24 hour period between an employee's departure and return. When the travel period, or any part thereof, is less than 24 hours, the per diem will be paid on a pro rata basis, taking into consideration meals and incidental costs that would normally be incurred during that particular travel period. Employees must be involved in travel or the attended event crossing over the meal period to receive per diem for the meal. Employees who are required to begin or end travel more than three hours before or after the time of the employee's regular commute would have begun or ended may be eligible for an additional meal reimbursement. Eligible meal periods are to be separated by a minimum of four hours. The amount of the per diem shall be regulated by federal tax guidelines. The per diem shall be reduced for meals that are included in the conference registration fee regardless of whether the employee chooses to eat the conference provided meals. Conference provided "continental breakfasts" are not considered a conference provided meal. The per diem shall be reduced by the scheduled per diem amount for each provided meal (see sub-section c below for percentage amounts). Per diems will only be provided if such request is submitted to the Finance Department at least one week before the departure date.

Volunteers are not entitled to per diem allowances but must turn in all receipts for expenses, with an approved claim signed by the Department Head, upon their return from the County sponsored event in order to be reimbursed.

ii. Actual Meal Costs - If employees do not receive per diem payments prior to an overnight trip, they may request reimbursement by submitting receipts for actual meal costs along with the appropriate claim form. The County will reimburse employees for authorized actual meal costs up to the maximum allowed under IRS guidelines and broken down as necessary per meal as described in sub-section c below.

iii. Day Trip Meal Costs - Employees attending a full day event may be reimbursed for the lunch meal unless the meal was included in the registration fee. Employees traveling away from the regular workplace for several hours crossing the lunch hour may also be eligible for reimbursement for the lunch meal. Employees who conduct County related meetings during a meal may also be eligible for reimbursement for the meal costs. Employees who are required to begin or end travel more than three hours before or after the time of the employee's regular commute would have begun or ended may be eligible for an additional meal reimbursement. Employees must submit actual receipts for reimbursement.

iv. Reimbursement Amount - The amount allowed per meal reimbursement shall be based on IRS guidelines outlining the maximum per diem for the geographic location of the employee's travel proportioned from the IRS daily total which is breakfast at 20%, lunch at 30%, and dinner at 50%. Reimbursement for meals for day trips shall be taxed as appropriate under IRS guidelines.

B. Transportation to and from a destination - Out of area travel shall be undertaken by the most cost effective means, taking into consideration salary costs, when travel must be made on County time. Preference should always be given to travel by common carrier (coach or tourist class), or by County-owned vehicles. If travel is by motor vehicle and more than one employee is attending the same event, employees are expected to car pool when reasonable. If an employee chooses not to utilize an available County vehicle or chooses not to car pool, the County may refuse to reimburse the employee's personal costs of transportation. Transportation by common carrier may be either paid in advance or reimbursed, upon presentation of an appropriate claim with travel documentation.

i. Reimbursement for the use of personal vehicles will be at the current mileage rate allowed by the Internal Revenue Service. Reimbursement shall not include any mileage that would be related to a regular commute. Car pooling is required whenever possible. When personal or rented vehicles or airplanes are used for reasons of personal convenience, reimbursement is limited to the cost of the most economical common carrier rate.

ii. Generally, when personal vehicles are used on business trips, the mileage reimbursement is based on the distance between the employee's place of employment and the employee's destination. When employees travel directly to their destination from home, employees are expected to reduce the mileage reimbursement request by the usual distance traveled to the employee's place of employment.

C. Lodging - When employees conducting County business require overnight lodging, the lodging costs will be paid by the County, provided the employee meets the requirements of this section. Requests for advance lodging payments for conferences, conventions, etc. must be made at least two weeks prior to the event and will be paid directly to the hotel. Advance lodging payments must be supported by conference registration materials detailing the dates of the conference, the name of the hotel, and the amount of the lodging costs (plus tax).

When lodging payments are made in advance, hotel receipts are still required to be submitted to the Finance Department upon the employee's return. Discrepancies between advance lodging payments and actual payments must be resolved within 30 days of the employee's return. If lodging costs are not paid in advance, reimbursement will be made for the actual cost. Employees shall choose the most cost effective lodging choice and shall request exemption from lodging taxes, when appropriate, using the form supplied by the Finance Department

If traveling by air and staying over an additional night would be more cost effective than the cost of the air fare for returning the day prior (e.g., cheaper rates for Saturday night stay overs), the County will pay the costs of that extra night, provided the employee is able to document the cost effectiveness.

Lodging costs will only be paid when the necessary commute to and from the destination would last three or more hours before or after the regular full working day for employees. If the destination involves a multi-day conference, lodging costs will typically be paid when the necessary commute would last more than two hours on the scheduled conference days. The Department Head may approve individual exceptions to this should the circumstances, including cost effectiveness and safety considerations, warrant.

- D. Conference registration - Conference registration costs are generally paid in advance to the conference organizers. Whether conference registration costs are paid in advance or reimbursed, before payment will be made a claim for conference registration must be submitted to the Finance Department detailing the dates of the conference and the registration.

18.4. Insurance Requirements. Employees using personal vehicles of any type for County business are required to maintain insurance coverage on their own vehicle (as required by Oregon Revised Statutes). Employees should be aware that their personal insurance is the primary insurance coverage when they are using their personal vehicles on County business. The County does not provide insurance coverage for an employee's personal vehicle when it is used for County business. Employees who rent vehicles for County business shall rent the vehicles in their own name. Employees who are in a vehicle accident in a personal vehicle for County business purposes may apply to the Board of Commissioners for reimbursement of the insurance deductible, up to a maximum of \$500, if the facts show that the employee was indeed engaged in County business and was not at fault in the accident.

18.5. Unauthorized Costs. The County will not reimburse or pay for costs incurred by spouses, relatives or any other person or persons who accompany County employees on business trips. The costs of alcoholic beverages will not be reimbursed or paid by the County. Unreasonable or extravagant costs of any kind will not be reimbursed or paid by the County. The Finance Department has the authority to determine whether submitted requests for payment are reasonable.

18.6. Cash Advances.

- A. For purposes of this Rule, an advance payment made directly to a vendor for lodging, air travel or other services on behalf of the employee is considered an advance to the employee. Lodging and travel advance payments will be accounted for as receivables due from the employee. Upon return from the event the employee must turn in lodging receipts and air travel invoices to the Finance Department in order to clear this receivable. Per diem allowances paid to the employee do not need to be receipted to the Finance Department.

- B. According to IRS rules, cash advances cannot be issued prior to 60 days before the event requiring the advance. If more money was advanced than used for lodging or travel, the IRS rules require that the unused portion of the advance be returned within 30 days after the event. If cash advances are made more than 60 days in advance or if the unused portion is not returned within 30 days after the event, the IRS considers the advance to be employee compensation and it becomes income taxable to the employee. (Note: This only applies to cash advances received directly by the employee. Payments made directly to conference organizers and hotels are not included under this rule.)

Change History

Version #	Approval Date	Effective Date	Brief Description
4	9/7/11	10/1/11	Reviewed by BOCC and approved by Order #70-2011

Columbia County, Oregon	
Subject: Miscellaneous ,	Number: PR-019-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

19.1. **Cost Consciousness.** County employees shall practice every economy possible in the performance of their duties. Employees are encouraged to recommend to their supervisors work procedures which will result in a cost saving or improved service to the public.

19.2. **Dress and Personal Appearance.** Each employee is expected to dress and groom appropriately for the job. The appointing authority will be responsible for setting standards for appropriate dress in the department. The Human Resources Director will consult with and advise the appointing authorities so as to ensure that a proper appearance for the professional standards of the County is maintained. If an employee feels aggrieved by the dress and grooming requirements of the department, the appropriate dispute resolution system should be utilized.

In setting standards for dress and grooming, appointing authorities will consider the following factors:

- A. The nature of the work being performed.
- B. Safety considerations, such as necessary precautions when working with or near machinery.
- C. The nature of the employee's public contact, if any. Professional appearance for those employees with primary public contact is considered essential.

Failure to comply with established standards of appearance for a department will be considered grounds for disciplinary action.

19.3. **Employee Identification Cards.** The County shall issue employee identification cards to all regular full-time and regular part-time employees. Cards may also be issued to other employees who may require County identification in the performance of their duties. The card should be visually displayed by all employees, except as noted below, during work hours, while in County facilities or when acting in an official capacity. Employees, such as facilities, parks and road maintenance workers, for whom wearing the identification card would create a safety hazard shall carry the card on their persons in order that it may be produced upon request.

The Sheriff's Office may issue its own department identification card in lieu of the County identification card, if preferred.

Unauthorized or inappropriate use of the employee identification card is prohibited and will result in disciplinary action. Employees shall turn in their card when they leave County employment.

19.4. **Employee Representation.** Employees of the County shall have the right to form, join and participate in the activities of labor organizations of their own choosing for the purpose of representation and collective bargaining on matters relating to wages, hours, and working conditions as allowed by the Oregon Revised Statutes and Administrative Rules of the Employment Relations Board.

Each bargaining unit separately negotiates contracts for its members with the County. Wages, benefits and conditions of employment for represented employees will be provided as specified in the respective collective bargaining agreements. Employees are not granted time off with pay to perform union activities unless specifically provided for in the collective bargaining agreement. County equipment and facilities are not to be used for union activity unless specifically provided for in the collective bargaining agreement, or as specifically approved by the Board of Commissioners or Human Resources Director on a one time basis.

19.5. Information Technology (IT) Policy. Employee use of technology at the County shall be subject to the provisions of the County IT Policy, which is incorporated herein by reference.

19.6. Insurance Claims. Employees will not discuss matters involving claims against the County with anyone other than an authorized County representative. All questions pertaining to any such claims shall be referred to County Counsel's Office.

Any incident which requires or could lead to the filing of a claim with the County's property/liability insurance carrier must be reported to the supervisor immediately. The supervisor is then to report the claim or potential claim to the County's Insurance Agent of Record by the close of business on the day of the incident. The employee and supervisor will complete a written Incident Report and submit a copy to the Department Head. Employees are not to interact with any potential external claimant other than to provide the contact information of the County's Insurance Agent of Record. Employees are strictly prohibited from making promises to claimants (such as "we'll take care of it" or "the County will pay for all damages") or from making any statements which might indicate that the County is responsible for the claim.

All employees shall cooperate fully in the County's handling of such claims.

19.7. Lobbying Before State Legislature or Other Governmental Agency. In order to assure that the official policies of the County are expressed during appearances before legislative bodies or other governmental agencies, the following will apply:

A. All testimony or statements, written or verbal, given by an employee of the County before any governmental legislative body or other governmental agency, shall strictly comply with the policies set forth by the Board of County Commissioners, action by a motion, resolution or ordinance.

B. When there is lack of formal action by the Board, written authorization must be obtained from the Board prior to any activity by any County employee.

C. This section applies to any correspondence written on County stationary or sent from County email and to any verbal conversation when the speaker represents him/herself in any way as a County employee.

D. Any County employee who appears before any governmental legislative body or any agency during non-work hours will not represent themselves as employees of the County, unless all information given is in compliance with this Section. If, during the course of an appearance or verbal interchange, the fact emerges that the person is an employee of the County, then a disclaimer will be issued that the information or testimony given represents the personal views of the employee and not that of the County.

19.8. Lockers/Desks and Other Equipment. Some employees are provided lockers, desks or other equipment for work. Such equipment is provided for the convenience of employees, but remains the exclusive and sole property of Columbia County. No personal locks on County lockers or desks or other equipment are allowed. Moreover, Columbia County reserves the right to open and inspect lockers, desks or other equipment, as well as the contents, effects or articles that are in said equipment. Such inspection can occur at any time, with or without advance notice or consent, either before or after working hours, conducted by any Department Head or other employee authorized by the Board of County Commissioners.

19.9. Outside Employment. No employee shall accept outside employment that is incompatible or in conflict with the employee's position in the County service. No employee shall accept outside employment that meets any of the following criteria:

- A. Involves the use of County time, facilities, equipment and supplies or the prestige or influence of the employee's County position.
- B. Involves the performance of an act which may later be subject to control, inspection, review or audit by the department in which the employee works.
- C. Involves the receipt of money or other consideration for performance of duties which the employee is required to perform in the regular course of the employee's job.
- D. Involves competing with the County in providing a service or product.

Employees are responsible for assuring that their outside employment does not conflict with these Rules. Employees should report their outside employment to the Department Head, who may deny such outside employment if it would violate any of the above provisions.

19.10. Political Activity. No County employee may use County time, property or resources in any manner to promote any political issue or candidate, or to solicit funds for any political purpose or to influence the outcome of any election.

No County employee shall be eligible for appointment or election to any public office when the holding of such office would be incompatible or would substantially interfere with the discharge of official duties.

Nothing contained in this Section shall affect the rights of employees to hold membership in and support a political party, to vote as they choose, to express opinions while not in an official capacity on all political subjects and candidates, to maintain political neutrality and/or to attend political meetings.

19.11. Romantic or Sexual Relationships. Consenting romantic or sexual relationships between a supervisor/manager and an employee may at some point lead to unhappy complications and significant difficulties for all concerned - the employee, the supervisor/manager and the County. Any such relationship may, therefore, be contrary to the best interests of the County. Accordingly, the County strongly discourages such relationships and any conduct (such as dating between a supervisor/manager and an employee) that is designed or may reasonably be expected to lead to the formation of a romantic or sexual relationship. By its discouragement of romantic and sexual relationships, the County does not intend to inhibit the social interaction that is or should be an important part or extension of the working environment.

If a romantic or sexual relationship between a supervisor/manager and an employee should develop, it shall be the responsibility and mandatory obligation of the supervisor/manager to promptly disclose the existence of the relationship to the Human Resources Director. The employee may make the disclosure as well, but the burden of doing so shall be upon the supervisor/manager. The Human Resources Director shall inform those who have a need to know of such a relationship. Upon being informed of such a relationship, the County will take the steps it deems appropriate. At a minimum, the employee and supervisor/manager will not thereafter be permitted to work together on the same matters, and the supervisor/manager must withdraw from participation in activities or decisions including, but not limited to, hiring, evaluations, promotions, compensation, work assignments and discipline, that may reward or disadvantage the employee with whom the supervisor/manager has such a relationship. If this creates an inability for either party to effectively perform the essential duties of the position held at the County, this could affect that party's ability to retain employment with the County.

Any person (the parties involved in the relationship or co-workers or others) who believes that he/she has been adversely affected by such a relationship is encouraged to report this to the Human Resources Director so that the County may deal effectively with any potentially adverse consequences such a relationship may have on the working environment.

Employees who are not involved in a supervisory relationship with each other and who develop a romantic and sexual relationship shall ensure that such relationship does not adversely affect the workplace.

19.12. Solicitations. With the exception of activities formally approved by the Board of County Commissioners, no peddling or soliciting for sale or donation of any kind on County premises or using County resources is allowed. Exceptions may be granted by the Board of County Commissioners. Employees are free to discuss these matters before or after normal working hours and during lunch or rest periods in non-work areas.

19.13. Telephone/Fax Usage. All County employees are expected to provide courteous and informative service when using the telephone to conduct County business. Employees are not to make personal long distance phone calls on the County telephone system unless charging them to a personal calling card. Personal calls shall be limited to breaks and lunches except in the case of emergency. Personal calls on cellular telephones are to be limited to emergency/notification needs only. Facsimile machines are not to be used for personal use unless the appropriate fee is charged and paid, as paid by all members of the public.

When an employee is required to travel overnight on County business, one phone call from a County cell phone or charged to the room to a family member per day of the overnight trip is permitted for notification purposes. Such phone calls should not exceed ten minutes in length. Personal telephone calls in excess of this one call per day shall be paid for by the employee.

19.14. Tobacco Use in the Workplace. Smoking, chewing tobacco or other forms of tobacco use are banned in all County buildings, offices and vehicles or while conducting County business. Violation of this Section will be considered grounds for disciplinary action.

19.15. Uniforms/Clothing Expense. If an employee is required to wear a uniform, protective clothing, or any type of protective device as a condition of employment, such uniform, protective clothing, or protective device shall be furnished to the employee by the County or the County shall provide a reasonable clothing allowance to the employee.

The cost of maintaining the uniform or protective clothing or protective device in proper condition including tailoring, cleaning and laundering, shall be paid for by the County.

19.16. Vehicles Used for County Business.

19.16.1. Driver's Licenses. Any employee whose work requires driving a vehicle for County business must hold a valid driver's license from the State in which the employee resides. Candidates for hire into such position will undergo a driving records check through the Department of Motor Vehicles, processed through the Human Resources Department except as delegated elsewhere, as a condition of employment. A report indicating a suspended or revoked license status or a history of traffic violations may be cause to deny or terminate employment.

Periodic checks of employees' drivers' license may also be made throughout employment. Any employee who does not hold a valid driver's license will not be allowed to operate a vehicle for County business until such time as a valid license is obtained. If driving is an essential duty of the position held by an employee, loss of a driver's license may lead to dismissal from County employment.

Any employee performing work which requires the operation of a vehicle for County business must immediately notify the immediate supervisor when their license becomes expired, suspended or revoked and/or the employee is unable to obtain an occupational permit from the State Motor Vehicle Department. If an employee fails to report such an instance, that employee will be subject to disciplinary action, up to and including dismissal.

19.16.2. Use of Vehicles for County Business. Employees who operate vehicles for County business are expected to exercise care, perform required maintenance and to follow all operating instructions, safety standards and guidelines. This includes, but is not limited to:

- A. Employees must wear seatbelts at all times the vehicle is in motion.
- B. Consumption of alcohol or drugs while operating a vehicle for County business is not allowed.
- C. Employees are prohibited from providing rides to hitchhikers.
- D. Employees may use County radios or cellular telephones to arrange for aid to stranded motorists.
- E. Employees must notify the supervisor immediately of any accidents, damage or needed repairs and complete the appropriate reports.
- F. Employees must notify the supervisor of any personal conviction of any major traffic violations or loss of license.
- G. Employees must obey all laws and regulations related to the operation of motor vehicles.

19.16.3. County Vehicles. The improper, careless, negligent, destructive or unsafe use or operation of a County vehicle, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including dismissal.

County vehicles are not to be used for transporting family members or friends or conducting personal errands, except that, during the work day and within the County boundaries an occasional personal errand, such as driving to a restaurant for the lunch break, is allowed.

County vehicles, except for vehicles operated by sworn and non-sworn employees of the Sheriff's Office, may not be taken home overnight except as follows:

- A. Department Heads may formally assign a County vehicle, in writing, to an employee for use in commuting daily, provided there is an underlying reason, such as frequent need for after hours response, to justify such an assignment. Payroll shall be notified, in writing, of such assignments in order to calculate the appropriate tax consequences of such fringe benefit.
- B. Those employees who are formally "on call" for a designated period, and being paid for such status, may take a County vehicle home for the nights during this designated period.
- C. Employees may take a County vehicle home for one night when attending an out of County meeting, training or conference which takes place late at night after normal working hours or early in the morning prior to normal working hours. Department Heads may approve additional nights for multi-day events.
- D. Department Heads may establish supplementary department vehicle policies.

The Sheriff will establish rules as deemed appropriate for the use of marked and unmarked vehicles in the Sheriff's Office.

19.16.4. Personal Vehicles. Employees are encouraged to use County vehicles when conducting County business instead of their own whenever possible. Personal vehicles may be used for official County business with the prior approval of the employee's Department Head. Employees shall be reimbursed for mileage according to the terms of the Travel Rule.

Any employee who operates a privately-owned vehicle while conducting business for the County must maintain automobile liability insurance in accordance with State law.

19.16.5. Use of Cell Phone While Driving on County Business. The use of a cell phone while driving on County business may present a hazard to the driver, other employees and the general public. This section is meant to ensure the safe operation of vehicles operated for County business.

Employees must adhere to all federal, state or local rules and regulations regarding the use of cell phones while driving. Accordingly, employees must not use cell phones if such conduct is prohibited by law, regulation or other ordinance.

Employees should not use hand held cell phones for business purposes while driving. Should an employee need to make a business call while driving and not have hands free access, the employee should locate an appropriate area to park and make the call. Employees may use hands free cell phones to make business calls, but only in emergency situations.

Texting while driving is prohibited.

The Sheriff's Office may adopt its own rules regarding appropriate use of mobile technology to be used by sworn deputies.

Change History

Version #	Approval Date	Effective Date	Brief Description
4	9/7/11	10/1/11	Reviewed by BOCC and approved by Order #70-2011

Columbia County, Oregon	
Subject: Appendix A Benefits and Special Pays	Number: PR-APPA-2011
Approved by: Board of County Commissioners	Effective Date: 10/1/11
Maintained by: Human Resources Department	

The pay and benefits listed below are for eligible, non-represented employees of the County.

Certification Pay: Twelve months after hire, regular full-time, FLSA non-exempt, employees in the Sheriff's Office or Community Corrections Department who receive certification listed below in the field in which they are then working shall receive certification pay as listed. The pay is not cumulative.

Patrol/Police, Corrections, Parole/Probation Officer DPSST Intermediate 2.5% of base pay
 Patrol/Police, Corrections, Parole/Probation Officer DPSST Advanced 5.0% of base pay

Oregon Roads Scholar: Regular, full time, FLSA non-exempt employees in the Road Department who have received certification for completion of the Oregon Roads Scholar Program sponsored by the Oregon Technology Transfer Center shall receive a one time payment of \$500.

Herbicide Applicator's License: Regular, full time, FLSA non-exempt employees in the Road Department who receive an Herbicide Applicator's License from the Oregon Department of Agriculture shall receive a one time payment of \$500. An additional \$500 shall be paid each time the License is renewed for that employee.

Severance Pay: Any regular, full-time employee who has completed one (1) full year of service with the County but less than five (5) full years of service, and who shall be laid off as a result of causes other than dismissal, retirement, or resignation, shall receive two (2) full weeks pay. Any employee who has completed five (5) or more full years of service with the County and who shall be laid off as a result of causes other than dismissal, retirement, or resignation, shall receive four (4) full weeks pay. Such severance pay shall be in addition to any other accrued pay to which the employee is entitled.

However, should the employee be offered and refuse transfer within the same classification, reclassification within the same pay scale, or retraining for a class within the same pay scale or higher, the employee's refusal shall be considered as a resignation, if the employee was able to perform the essential duties of the job.

On-Call Time. Regular, full-time, FLSA non-exempt employees who are required to be on-call to the extent such time would be compensable under the FLSA shall receive the equivalent of one day's pay (either paid or accrued as compensatory time) at straight time for each full week (seven days) of on-call time served.

Vacation Buy Out: Once every two years, employees may choose to be paid for one week (equal to the employee's regular work week hours) of accrued vacation and/or compensatory leave, provided the employee has a combined accrued vacation/compensatory leave balance of at least 100 hours before the payout.

Employees who choose to request this buy out explicitly, clearly and unmistakably agree to the following waiver: Any amounts paid to employees under the terms of this section for accrued vacation and/or compensatory leave payouts are specifically not to be included in the calculation of an employee's overtime rate.

Health Insurance: The Human Resources Department will maintain summaries of the current medical and dental insurance plans provided by the County. The County will pay the premium for said coverages for each eligible employee and eligible dependents as recommended by the Health Benefits Committee and approved by the Board of County Commissioners. Payment of insurance premiums by the County shall be pro-rated for part-time employees and eligible dependents. The insurance coverages may change per recommendation from the Health Care Benefits Committee or for other reason.

Life Insurance: The County shall provide group life insurance in the amount of \$40,000 for each employee. Employees may purchase additional coverage through the plan offered by the County. The additional premium shall be deducted from the employee's monthly paycheck.

HRA/VEBA Account: The County will set up a HRA/VEBA account for each eligible employee. The County will set aside funds each year

Other Optional Benefits: The County may, at its discretion, choose to offer other benefits (either paid by the County or the employee).

Change History

Version #	Approval Date	Effective Date	Brief Description
4	9/7/11	10/1/11	Reviewed by BOCC and approved by Order #70-2011

Columbia County, Oregon	
Subject: Appendix B Drug Free Workplace Policy	Number: PR-APPB-2011
Approved by: Board of County Commissioners	Effective Date: 11/5/97
Maintained by: Human Resources Department	

COLUMBIA COUNTY, OREGON

Original Adoption Date: February 27, 1997

DRUG FREE WORKPLACE POLICY

Amended on November 5, 1997

SECTION 1. PURPOSE

The purpose of this Policy is to prohibit the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the workplace.

This Policy is established to comply with the County's obligations under the Drug-Free Workplace Act of 1988 (41 U.S.C. Section 701 et. seq.) and implementing Federal regulations.

SECTION 2. ESTABLISHMENT OF DRUG-FREE AWARENESS PROGRAM

The County has established a Drug-Free Awareness Program to inform employees of the:

- A. dangers of drug abuse in the workplace;
- B. existence of and content of this Policy for maintaining a drug-free workplace;
- C. availability of drug counseling, rehabilitation, and employee assistance programs, if any; and
- D. penalties that may be imposed for drug abuse violation occurring in the workplace.

SECTION 3. POLICY

3.1 **Prohibition.** An employee shall not unlawfully manufacture, distribute, dispense, possess, or use a controlled substance in the workplace.

3.2 **Application.** This Policy applies to all exempt, unclassified, classified and temporary employees as defined herein. Each such employee shall be provided with a copy of this Policy.

3.3 **Compliance with Policy.** An employee shall, as a condition of employment, abide by the provisions of this Policy.

3.4 **Violation.** Any violation of this Policy will subject the employee to discipline, up to and including dismissal, in accordance with the Civil Service Ordinance, Personnel Rules and, for employees represented by a bargaining unit, in accordance with the appropriate Collective Bargaining Agreement.

SECTION 4. DEFINITIONS

Appointing Authority: any person vested with the authority to appoint to any County position.

Controlled substance: a controlled substance in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. Section 812) and as further defined by regulations in 21 C.F.R. Sections 1300.11 through 1300.15.

Conviction: a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.

Criminal drug statute: a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensation, possession, or use of any controlled substance.

Drug-free workplace: the site for the performance of work done in connection with a specific federal contract or federal grant at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance.

Employee: any employee of Columbia County directly engaged in the performance of work under a federal contract or pursuant to the provisions of a federal grant.

SECTION 5. NOTIFICATION OF CONVICTION

The employee shall, as a condition of employment, notify the appointing authority of any conviction for a violation of a criminal drug statute occurring in the workplace no later than five days after such conviction.

The appointing authority shall notify the appropriate Federal granting or contracting agency of an employee's criminal drug statute conviction for a violation occurring in the workplace no later than ten days after receiving notice of such conviction. The appointing authority shall also provide notice, including position title, to every project officer or other designee on whose project the convicted employee was working.

SECTION 6. SANCTIONS AND REMEDIES

The appointing authority, within 30 days of receiving notice of an employee's criminal drug statute conviction for a violation occurring in the workplace, shall:

- a. Take appropriate personnel action against the employee which may include discipline up to and including dismissal, and/or
- b. Require satisfactory participation by the employee in a drug abuse assistance or rehabilitation program approved for such purpose by a Federal, State, or local health, law enforcement, or other appropriate agency.

SECTION 7. EXEMPTIONS

Drug convictions outside the workplace do not apply under the Act or this Policy. Drug abuse by employees in the workplace that does not result in criminal convictions do not apply under the Act or this Policy.

SECTION 8. EMPLOYEE ASSISTANCE

An employee having a drug or alcohol problem is encouraged to seek assistance, on a confidential basis, under the employee's health insurance coverage or Employee Assistance Program if such coverage or program is provided.

SECTION 9. LEAVE FOR PARTICIPATION IN ASSISTANCE/REHABILITATION PROGRAM

The appointing authority may, upon employee request, grant leave with or without pay to permit the employee to participate in a drug abuse assistance or rehabilitation program.

This Policy is established and adopted this 5 day of November, 1997.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By Signature on file
Chairperson

By Signature on file
Commissioner

By Signature on file
Commissioner