

## **INTRODUCTION**

It is a Benton County guiding principle to create and maintain a work environment that utilizes the full intellectual capabilities of all its employees, fosters open and continuing communication, and develops teamwork. Our work environment will encourage learning, and challenge all to perform to the best of their abilities.

Some Benton County employees are represented by a bargaining unit (AFSCME, BCDSA, and ONA). Instances in which there is conflict between these policies and the collective bargaining agreement, the specific provision of the collective bargaining agreement shall prevail.

Personnel Rules apply to all non-represented employees as well as all represented employees when not in conflict with the applicable collective bargaining agreements.

### **RULE 1. GENERAL STATEMENT OF RULES**

**1.1 Purpose of Rules.** The purpose of these Rules is to serve as a guide for the employer/employee relationship. The Personnel Policy Manual contains general information and guidelines; it is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. Questions concerning the policies should be directed to your supervisor or the Human Resources Division. The Personnel Rules are established pursuant to the following objectives:

- A. To establish for the County a system of Personnel Administration based on merit, with systematic and equitable principles governing the appointment, compensation, tenure, promotion, demotion, transfer, layoff, training, evaluation, dismissal,

discipline and other aspects of County employment.

- B. To establish and maintain a uniform plan of job evaluation and pay based on the relative duties and responsibilities of employment by the County.
- C. To develop a program of recruitment, training, and advancement that will contribute to attracting and retaining qualified persons for County service.
- D. To provide a method of assuring that County management and employees are properly informed as to their respective mutual employment obligations.
- E. To provide that employment in the County service be subject to proper conduct on the job, and the satisfactory performance of work.

**1.2 Exception.** Nothing in these rules is intended to create or imply a contract of employment.

**1.3 Variances.** The Board of Commissioners alone has the authority to vary or modify the application of the Provisions contained herein in any case in which the application of said provisions is found consistent with their purpose and in the best interest of the County. No department head, or any other employee of Benton County, has the authority to change, alter, or vary the conditions of employment set out in these Personnel Policies.

**1.4 Application of Rules.** Any section, subsection sentence, clause or phrase of these Rules that is found to be inconsistent with the expressed terms of a properly negotiated and ratified collective bargaining agreement between Benton County and a duly certified bargaining representative shall not apply to those employees subject to such collectively bargained agreements.

**1.5 Equal Opportunity Employer.** It is the policy of Benton County to provide fair and equal employment opportunity to all qualified men and women within its workforce, and to prohibit discrimination in employment on the basis of race, color, religion, gender, national origin, disability, age, condition of pregnancy, sexual orientation, gender identity, military service, political affiliation, socio-economic, marital status or affectional preferences.

Benton County is committed to ensuring an inclusive, diverse workforce that is reflective of the community it serves. The County's Cultural Competency Policy & Educational Plan enacted in 2001 and this Equal Employment Opportunity Plan provide the foundation for this commitment.

Benton County's fair and equal employment opportunity policy includes, but is not limited to: 1) nondiscriminatory recruitment, screening, testing, hiring, training, promoting of persons in all job categories; 2) employment decisions that are based on Benton County's commitment to equal opportunity; 3) ensuring that promotion decisions are in accord with the principles of equal employment opportunity by imposing only valid requirements for promotional opportunity; 4) ensuring that all personnel actions such as; compensation, benefits, transfers, work assignments, layoffs, return from layoff, disciplinary actions , terminations, training, and education are administered in a fair and nondiscriminatory manner; and 5) ensuring steps are taken to correct under-representation of any protected group within the County's workforce.

It is the policy of Benton County to fully comply with Title VII of the Civil Rights Act of 1964; section 504 of the Rehabilitation Act of 1973; the Age Discrimination In Employment Act of 1975 as amended, the Americans with

Disabilities Act, the American Family and Medical Leave Act, and all other applicable Federal, State and local statutes, regulations, and/or ordinances that affect or foster Affirmative Action and Equal Opportunity. (In accordance with section 504 of the Rehabilitation Act of 1973, Benton County facilities are accessible to the handicapped.)

**1.6 Cultural Proficiency Policy.** Cultural Proficiency is the development of behaviors, attitudes and knowledge that enable Benton County Government to engage and support people from a variety of cultures. Cultures include race, ethnicity, national origin, gender, disability, sexual orientation, religion and socio-economic status.

The Benton County Board of Commissioners recognizes cultural proficiency as a learning priority for County employees. In support of this objective, County Government provides learning opportunities, educational resources and work time to enable employees to participate in partnerships, collaborations and learning activities that contribute to the achievement of a culturally proficient workforce.

Each 12-month period, all employees are required to attend a minimum of one training opportunity that will better enable them to effectively work with and serve internal and external customers from diverse cultural groups. A list of qualified trainers and training opportunities are available through Benton County Human Resources. Educational opportunities other than those provided by Benton County Human Resources may also meet this requirement with the approval of the Human Resources/EEO Manager. County department heads are responsible for tracking compliance with this educational requirement and will report results to the Board of Commissioners at their annual performance evaluations.

Cultural proficiency activities include trainings, programs

or workshops that:

- Provide awareness of one's own cultural communication style and how that reflects one's beliefs and values
- Assist in adapting one's communication style to others
- Educate and inform about working effectively in cross-cultural situations
- Improve our ability to recognize and to respond to cultural concerns of diverse groups, including histories, traditions, beliefs and value systems
- Acknowledge strength and legitimacy of other groups and inform participants about diverse perspectives.

**1.7 Gender Designation.** All references to employees in these policies designate both sexes and whenever the male gender is used it shall be construed to include both male and female employees.

## **RULE 2. DEFINITIONS**

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

**Administrative Leave.** Non-disciplinary paid leave granted by the department head during periods of investigation, pending medical release, and other purposes as approved by the Human Resources Manager.

**Appointment.** Formal assignment to a Benton County position.

**Board.** The Board of Commissioners of Benton County.

**County Business Hours.** Monday through Friday, 8:00 A.M. through 5:00 P.M., excepting legal holidays or special closure days approved by the Board.

**Compensatory Time Off.** Time off from work to compensate the employee for overtime worked at the rate

of 1.5.

**Continuous Service.** Service unbroken by separation from the County, except that time spent by an employee on authorized leaves of absence without pay as covered under these Rules and regulations.

**Controlled Substance.** Controlled substance means a drug or its immediate precursor classified in Schedules I through V of section 202 of the Federal Controlled Substances Act, (21 USC 812) unless authorized and prescribed by a medical physician, duly licensed and authorized to practice medicine and prescribe drugs.

**Demotion.** The voluntarily or involuntary assignment of an employee to a position in a lower salary grade.

**Discharge.** The termination of employment with the County, usually for cause, and usually following disciplinary action.

**Domestic Partner.** Two persons who jointly share the same permanent residence and intend to continue to do so indefinitely; are committed to each other, except that the partners do not have the status of a traditional marriage; are not legally married to anyone; are each other's sole domestic partner; and are jointly responsible to each other for the necessities of life. This relationship must be certified by affidavit available in Human Resources.

**Due Process.** Relating to a disciplinary procedure, which requires that reasonable notice be given to the employee of their right to be heard before property (i.e. wages, position) is taken.

**Employee.** Any person in paid County employment.

**Employment Category.** Determined by the appointment status and FTE (i.e., regular full-time, temporary, on-call, etc.).

**Fiscal Year.** Fiscal year is July 1<sup>st</sup> through June 30<sup>th</sup>. The year ends June 30<sup>th</sup> wherever fiscal year is referenced.

**Fixed Flex Schedule.** A fixed schedule, which exceeds 90 days consisting of varying hours within a 40-hour workweek.

**Intermittent (On-Call) Employees.** Employment

category. Employee who is available on an irregularly fluctuating basis because of the nature of the work. A person appointed to an intermittent position shall be informed in writing at the time of appointment that the position has been designed as an intermittent position and that the employee may expect to work only when work is available. A person who is appointed to an intermittent position may be scheduled for work at the discretion of the supervisor when the workload of the position so justifies without any penalty pay provision for short notice. The unscheduling of an employee appointed to an intermittent position shall not be considered a layoff. Intermittent (On-Call) employees are not eligible to accrue holiday, vacation, sick leave or personal leave. Intermittent (On-Call) employees are not members of the collective bargaining units. (Example: Elections Workers, On-Call County Mail, and On-Call Custodial Staff). Employees in this category will work less than 1040 hours in a fiscal year.

**Job Evaluation System.** A formal process for determining the relative value of jobs based on job content for the purposes of compensation.

**Job Family.** A grouping of positions within a promotional line.

**Just Cause.** Establishing justification for discipline reasonably related to the employee's ability or willingness to perform required work. The term includes any willful violation of reasonable work rules, regulations or written policies.

**Layoff.** Involuntary separation from service, reduction in FTE, increase in work hours, or change in employment category for reasons not reflecting discredit on an employee.

**Leave of Absence.** Time off from work for reasons within the scope and purpose of these Rules and regulations upon prior approval of the employee's supervisor, or department head.

**Leave Without Pay.** Leave without pay includes periods

following exhaustion of all paid accruals, where the employee is receiving no salary from the County and is not yet terminated.

**Limited Duration Employee.** Employment category. Employee occupies a regular status position, designed to perform special studies or projects of uncertain or limited duration, or for replacement of an employee on an extended leave of absence. Such appointments shall be for a stated period no less than six months but not exceeding two (2) years and can expire upon the earlier termination of the special study or projects. Limited duration employees have all the rights of regular status employees except that they are not entitled to layoff rights. Limited duration positions may be subject to bumping in times of layoff.

A person hired from a regular position into a limited duration position, shall retain all of their rights as a regular employee and continue accrual of seniority. At the conclusion of the limited duration appointment, if his/her former position is not available, then he/she shall be entitled to lay off rights. Should a limited duration appointment be converted to a regular position, the incumbent shall be credited seniority for the full time served in the position.

**Limited Part Time Employee.** Employment category. Employee who occupies an ongoing position with an established work schedule and FTE of less than .5. They are not members of the collective bargaining units and do not accrue seniority, holiday, vacation, sick leave or personal leave. Step increases are granted at the discretion of the department head. Employees in Limited Part Time positions are eligible to participate in the voluntary Deferred Compensation and Retirement Health Savings Plan programs.

**Overtime.** Time worked in excess of a 40-hour workweek, except when ORS 279.340 and ORS 279.342 are applicable, or collective bargaining language applies.

**Personnel Action.** Any action taken with reference to appointment, compensation, promotion, transfer, layoff,

dismissal, or other action affecting the status of employment.

**Point Factor System.** Type of job evaluation system that utilizes defined factors and degree levels to establish job value. An employee committee assigns points to the various factors for the purposes of compensation.

**Position.** A group of specified duties, tasks, and responsibilities assigned or delegated by the department head to be performed by an employee

**Position Description or Specification.** A written description of a position containing a title, statement of the duties, authority and responsibilities, including examples of representative work, and minimum qualifications for employment.

**Probable Cause.** Probable cause is the existence of circumstances, which would lead a reasonably prudent and knowledgeable person to believe in the guilt of a person. Most probable cause determinations are based on more than one evidentiary conclusion, which supports a common but well-founded belief of guilt.

**Probationary Employee.** An employee who has not completed the probationary period.

**Probationary Period.** Orientation or trial service period during which either the employee or the department head may terminate the employment relationship at any time, for any reason, without redress pursuant to the Grievance Procedure or Discipline Process. This definition may not apply to a promotional probationary period (refer to collective bargaining agreement). Employee attains regular status at the successful completion of the probationary period. Each person appointed or promoted to a regular position shall serve a probationary period of not less than 1040 hours and not more than 2080 hours for full time employees (refer to collective bargaining agreements). Part time employees shall have their probationary period prorated on an hourly basis in accordance to their position's established FTE. End-of-probation dates are calculated as the first day of the month following completion of the

required work hours.

**Promotion.** Employee successfully competes in a recruitment for a position in a higher salary grade.

**Reclassification.** A change in assignment of an individual position by raising it to a higher salary grade, reducing it to a lower salary grade, or changing it to another position title at the same salary grade on the basis of significant changes in the kind, difficulty or responsibility of the work performed.

**Regular Full Time Employee.** Employment category. Employee occupies a benefited position with an established FTE of 1.0 and has completed the probationary period.

**Regular Part Time Employee.** Employment category. Employee occupies a benefited position with an established FTE of less than 1.0 to .5 FTE and has completed the probationary period.

**Regular Seasonal Employee.** Employment category. Employee who occupies a regular status position, which occurs, terminates and reoccurs periodically and regularly regardless of the duration. Full time seasonal employees will complete probationary service after having served a combination of seasonal periods totaling six (6) full calendar months (a minimum of 1040 hours.) Regular part time seasonal employees will have their probationary period pro-rated on an hourly basis in accordance to their position's established FTE. It is recommended that performance evaluations be completed at the close of the employee's season rather than on the anniversary date when they return to work. Seasonal employees accrue all rights and benefits accrued by regular employees during their employment season. Seasonal employees may choose to cash in their vacation and comp time balances at the close of each season. (Examples: 9-month Park's employees, 9- or 10-month school based nurses).

**Student Intern.** Employment category. Employee works for school credit and/or a wage in order to combine classroom theory with practical experience in the workplace. Benton County is a partner with Benton

County schools and institutions of higher education in support of the State of Oregon's School Intern and School-to-Work program.

**Supervisor.** Any employee having authority in the interest of the employer to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward or discipline other employees; and having responsibility to direct them, adjust their grievances, or to effectively recommend such action.

**Suspension.** An enforced unpaid leave of absence for disciplinary reasons.

**Temporary Employee.** Employees hired for the purpose of meeting short-term, emergency workload needs. A temporary appointment or position is not expected to exceed the equivalent of six calendar months or 1040 hours in a fiscal year (7/1 to 6/30) period. Temporary employees are not members of the collective bargaining units and are not eligible to accrue holiday, vacation, sick, or personal leave. Temporary employees can, however, apply for regular status positions open to internal candidates only and, if appointed to a regular position of the same or equivalent classification, in the same department in which the temporary position was situated, may receive credit toward their probationary period.

**Termination.** The cessation of employment with the County.

**Trainee.** An employee who has been appointed to a position for a specific period of time to obtain knowledge, abilities, or skills through training. At the completion of the training period, the employee is expected to perform the work of the position.

**Transfer. [Lateral Transfer]** Employee is moved into another position with the same salary grade.

**[Administrative Transfer]** Management moves an employee from one position to another position of the same title and in the same salary grade.

**Working Hours.** With the exceptions noted herein, working hours shall be all scheduled hours of any days on which an employee is scheduled to work and any

authorized overtime hours or days. Working hours shall include any training time and/or travel time for which an employee is paid under the Fair Labor Standards Act.

**Work Week.** The regularly scheduled workweek shall normally be forty (40) working hours consisting of five (5) consecutive eight (8) hour workdays or four (4) consecutive ten (10) hour workdays. The normal workweek shall begin at 12:01 a.m. Monday (one minute after midnight on Sunday) and end on the following Sunday at 12:00 p.m. midnight.

### **RULE 3. CLASSIFIED AND UNCLASSIFIED SERVICE**

All positions in the County service shall be designated classified or unclassified, as follows:

**3.1 Classified Service.** The classified service shall include all positions, which are not excluded by Rule 3.2 of this section.

**3.2 Unclassified Service.** The unclassified service shall include offices and positions held by:

1. Elective officials, or those appointed to fill a vacancy caused by death, resignation, or removal of an elected official.
2. Deputy District Attorneys.
3. County Legal Counsel.
4. Department Heads.
5. Undersheriff
6. Fair Manager

### **RULE 4. ADMINISTRATION OF PERSONNEL RULES**

**4.1 Administration of Rules.** The Human Resources Manager shall administer these Rules and shall be

responsible for the management of the County Human Resources Division.

**4.2 Departmental Personnel Regulations.**

Department heads may not adopt internal operating and personnel procedures that are inconsistent with the provisions of these Personnel Rules, to govern the day-to-day activities and administrative conduct of their departments.

**4.3 Department Head Positions.** Department heads serve at the pleasure of the Board of Commissioners.

**4.4 Unclassified Service.** Unclassified positions are subject to all of the Personnel Rules except Rule 18 (Discipline) and Rule 20 (Grievance Procedures).

**4.5 Classified Service.** Classified positions are subject to all of the Personnel Rules.

**4.6 At Will Employment.** Benton County is an employment at will organization. That means that both the employer and employee can terminate the employment relationship at any time for any reason. This policy is neither a contract nor guarantee of continued employment, but will be used as a guideline only. Benton County reserves the right to deviate from these Rules and use its discretion in making all employment decisions, union contracts notwithstanding.

**RULE 5. PERSONNEL RECORDS**

**5.1 Personnel Files Generally.** The Human Resources Division maintains the official employee personnel file for each employee of the County. This personnel file, and the information contained therein, is the official employment record of each individual employee. No disciplinary or

corrective information of any kind whatsoever shall be deemed official, unless it has been received in the Human Resources Division, date stamped, and bears the signature of the employee. The employee's signature only confirms having received a copy of the material and does not indicate agreement or disagreement. In the event the employee refuses to sign it, the county may place the document in the file, provided it is signed by two (2) management or supervisory employees and mailed to the employee's address of record. Department heads and supervisors will promptly forward all appropriate documents of a personnel nature to the Human Resources Division for inclusion into the employee's file. Department heads may retain photocopies of certain documents pursuant to Rule 5.2, but may not maintain personnel files within their department.

Information in personnel files will be treated as exempt from public disclosure as provided in ORS Chapter 192. Information which cannot be treated as confidential under the law includes: name, job title, salary, and dates of employment with the County. Other information in the files may be subject to public disclosure by court order. Employees may review their files during regular County business hours. At the request of the employee, copies of materials included in such files will be furnished with reasonable advance notice to the Human Resources Division. Managers and supervisors may have access to the personnel files of their employees or employees of other departments who are being considered for transfer. The Board shall have access to all personnel files.

**5.2 Supervisor Records.** (Files Of Convenience). Department heads and supervisors may choose to maintain records (ex. copies of PA forms, work schedules, notes for performance evaluations) within their department. Within 30 days of discharge or termination, such files shall be merged with the employee's official personnel file

maintained in the Human Resources Division.

**5.3 Employee Status Changes.** Every appointment, transfer, promotion, demotion, dismissal, change of salary rate, leave of absence and other temporary or permanent changes in the status of the employee must be reported to the Human Resources Division in writing on a Personnel Action Form (PA).

## **RULE 6. APPOINTMENTS**

Benton County is an equal opportunity employer and does not discriminate on the basis of race, religion, color, sex, sexual orientation, age, national origin, disability, veteran status, marital status, socio-economic status, political affiliation, gender identity, or any classification protected by law.

All appointments shall be made in accordance with these Rules. No question in any written or oral test, on any application form, or by any department head shall be so framed as to attempt to elicit information concerning race, color, national origin, sex, sexual orientation, marital status, age, religion, military reservist status, disability, or political affiliation. Certain information may be required by the Human Resources Division to collect data as required by federal EEOC reporting.

It is the policy of the County to encourage its employees to apply for promotional or transfer opportunities within Benton County government. An interested employee may apply for a County position opening without repercussions or retaliation from supervisors. At the discretion of the interested employee, inquiry or application for a promotion or a transfer may be kept confidential and does not require prior approval of the employee's current supervisor or department head.

**6.1 Application.** Applications will be accepted when there are open positions. All applications for employment will be made on official County application forms, properly completed, and filed with the Human Resources Division on or before 5:00 P.M. on the date that the recruitment closes. The applicant must sign each application and such signature will constitute a certification that all information contained therein is true and complete.

All statements submitted on the employment application or attached resume may be subject to investigation and verification prior to appointment to County service.

It is the responsibility of Benton County managers to select for County service the best-suited person based on merit as determined by a comparison of job related qualifications.

All offers of employment are conditioned on presentation of satisfactory legal proof of eligibility to work in the United States of America.

False statements made on the employment application shall subject employees to disciplinary action, up to and including discharge when such falsifications are discovered.

**6.2 Discrimination on the Basis of Family Relationship.** Oregon law prohibits an employer from discriminating against an individual “solely because another member of that individual’s family works or has worked for that employer.” ORS 659.340

1. Appointments, transfers, and promotions to positions with Benton County shall be based on merit as determined by a comparison of job related qualifications. Preferential treatment of candidates who are related to persons involved in, or who have

an effective influence upon the selection of those candidates, is prohibited.

2. No department head shall hire, promote, or transfer an individual if such action would place either family member in a position of exercising supervisory, appointment or grievance adjustment authority over the other family member. [Nepotism Clause]
3. Nothing in this policy should be construed as to prevent the employment of more than one member of a family in the same department provided that employment has been based upon merit principles, and a member of the employee's family does not influence selection by the department head and would not be placed in a position of supervising that prospective employee.
4. It is further recognized that specific work site and duty conditions may warrant the employment of husband and wife teams for which their combined qualifications shall be used in the determination of merit. The Human Resources Manager must approve such employment in advance.

**6.3 Recruitment.** The Human Resources Division is responsible for the recruitment of all position openings. Position openings will be posted on the Human Resources Division's bulletin board and other designated County bulletin boards for at least ten (10) working days before the filling of the vacancy. Temporary positions of a short duration, 60 days or less may be filled without an announcement posting (see Temporary Hiring Process 6.7). Position announcements fall under the following categories:

- In-House Posting/County-Wide: Open to Benton

County employees only. Announcements are posted on the HR board and sent to County departments.

- In-House Posting/Department Only: Announcements are posted on HR board and sent only to the hiring department.
- Open-Competitive Posting: Announcements are posted on the HR board, sent to County departments, mailed to outside agencies, and posted on the Human Resources website.
- Length of Posting: Announcements are posted for a minimum of ten (10) working days.

At the discretion of the department head, a recruitment may be limited to applications from County employees, or further limited to applications from departmental employees. When the vacant position is at a division or program manager, or higher level, the department head must obtain direction on the recruitment and hiring process from the Board of Commissioners.

Hiring from a prior recruitment: Should a department head wish to consider a candidate from a prior recruitment, approval must first be obtained from the Human Resources Manager. Human Resources will review the request to fill additional positions from a prior recruitment if the additional vacancy occurs within three (3) months of the original recruitment and the position description for the vacancy is determined to be the same job as the position originally recruited.

Recruitment announcements of position openings will state the general duties, compensation, minimum qualifications, and essential functions required of the position. The announcement will also contain the dates, place and

manner of making application for the position, and any other information, which may be pertinent.

**6.4 Recruitment Advertising.** The Human Resources Division will provide recruitment advertising as is deemed necessary in cooperation with the department to attract qualified and diverse applicants.

**6.5 Screening of Applications.** Applicants invited to interview must possess the minimum qualifications, knowledge, skills, abilities and other requirements as stated in the position announcement.

**6.6 Selection Criteria.** Selection criteria must be job related and the department head may use a combination of screening methods to determine whether applicants possess the knowledge, skill and other requirements listed, including, but not limited to:

1. Information, which the applicants provide on the application form.
2. Performance on physical test or examinations, or any combination thereof.
3. Individual or group interviews.
4. Information and evaluation supplied by references, previous employers, and educational institutions.
5. Other appropriate screening methods as may be deemed advisable or necessary.

The Human Resources Manager shall establish or revise minimum qualifications, which relate to the ability of candidates to effectively perform the duties of a position. The County will reasonably accommodate qualified applicants with disabilities in compliance with the Americans with Disabilities Act (ADA).

Any job applicant or employee may be required to successfully pass a job- related physical or psychological

examination by a licensed medical doctor when specific physical or psychological standards have been established and are required for the applicant to be qualified to perform the duties of the position. In cases where a physical examination is required, the County shall pay the cost of the examination by a physician of the County's choosing.

**6.7 Temporary Hiring Process.** Temporary appointments shall be used only for the purpose of meeting short-term, emergency workload needs.

A temporary appointment or position is not expected exceed the equivalent of six calendar months or 1040 hours (six months) in a fiscal year. Temporary employees are not members of the collective bargaining units and are not eligible to accrue holiday, vacation, sick, or personal leave. Temporary employees can, however, apply for regular status positions open to internal candidates only. If appointed to the same position in the same department in which the temporary position was situated, the employee may receive credit toward their probationary period.

A "Request for Temporary Appointment" form must be completed for all temporary positions, signed by the department head, and forwarded to Human Resources for review prior to appointment in order to meet reporting requirements with the collective bargaining units. A formal recruitment process is not required for temporary assignments of 60 days or less.

All Benton County temporary employees will be required to complete a "Conditions of Temporary Employment" form as part of the new-hire paper work.

Recruiting sources for temporary appointments are as follows:

- Direct Appointment (A formal recruitment process is not required for (1) temporary assignments of 60

days or less, or (2) former, regular status Benton County employees to temporarily work in the same department and job family in which they held the regular status position.)

- Temporary Agencies
- Human Resources Recruitment

**6.8 Disqualification of Applicants.** The Human Resources Manager or Department Head may reject the applicant who:

1. Is found to lack the ability to perform, with or without accommodation, the essential functions of a position as published in the recruitment announcement. Is physically unable with reasonable accommodation to effectively perform the essential functions of the position as published.
2. Is found to be unfit for County employment by reason of prior criminal convictions or an unacceptable prior employment history.
3. Has used or attempted to use political pressure or bribery to secure an advantage in appointment.
4. Has made false statements; has practiced or attempted to practice deception or fraud; or has omitted information on his application form in order to secure employment.
5. Has otherwise violated these Rules and Regulations.

**6.9 Applicant Rights Under the Americans with Disabilities Act (ADA).**

In compliance with the ADA, Benton County:

- Provides reasonable accommodation for applicants with disabilities to access employment opportunities.
- Provides for accessibility to enable a qualified applicant to participate in the application and selection process.
- Schedules interviews in a handicapped-accessible

location.

In compliance with the ADA, the Human Resources Manager is appointed to coordinate ADA compliance in all aspects except facilities. The Facilities Manager will work in conjunction with the Human Resources Manager to coordinate ADA compliance with respect to County facilities.

The name, address, and telephone number of the Human Resources Manager and the Facilities Manager shall be available to all applicants, employees, or interested parties, upon request to the Human Resources office.

**6.10 ADA Applicant Complaint Process.** In the event that any Benton County applicant believes that he/she has been discriminated against on the basis of his/her disability status, he/she may file a written complaint within one year of the alleged discriminatory incident with the Human Resources Division. The Human Resources Manager shall provide a procedure, which ensures that the concerns contained in the complaint will be thoroughly investigated.

The Claimant is further entitled to seek equitable resolution of his/her Title II complaint pursuant to the grievance procedure set out in Personnel Rule 20(C)(2).

**6.11 Employee Registration/Orientation.** All newly hired employees must report to the Human Resources Division for new employee registration on or before the first day of work. Regular, Seasonal, and Limited Duration employees shall schedule a benefits orientation with the Human Resources Division. Department heads are responsible for sending all new employees to the next County-wide New Employee Orientation offered quarterly.

**6.12 Reinstatement.** Direct appointment may be made to reinstate an employee, within one year from termination

in good standing, into the same position within the same department. Employees who are reinstated as described above shall be restored their unused sick leave credits accrued during their previous employment. Vacation accrual rate shall be reinstated at the rate in effect at the time of separation. (Refer to collective bargaining agreements). Also, see article 22.12.

**6.13 Employment of Retirees.** PERS retirees are limited to working a maximum of 1039 hours in a calendar year without affecting their retirement benefits.

Retired department heads may be rehired by annually renewable Employment Agreements. Other County retirees can be rehired as temporary, limited part-time or intermittent (on-call) employees pursuant to the employment category definitions in Rule 2. Supervisors should consult with Human Resources on the appropriate employment category to use when rehiring retirees. Department heads can approve rehires for retirees for up to 1039 hours per calendar year.

## **RULE 7. PROBATIONARY PERIOD**

**7.1 Purpose.** The probationary period provides the department head and supervisor with the opportunity to orient and observe the employee's work. Either the employee or the department head may terminate the employment relationship at anytime during the probationary period. Such termination is at the sole discretion of the department head and shall not be grounds for redress pursuant to the provisions of Rule 20 (Grievance Procedures) or Rule 18 (Discipline), or any other recourse that might be available in these policies.

**7.2 Duration.** Each person appointed or promoted to a regular position in the Classified Service shall serve a

probationary period of not less than 1040 hours worked and not more than 2080 hours worked for full time employees (refer to collective bargaining agreements). Part time employees shall have their probationary period pro-rated on an hourly basis in accordance to their position's established FTE. If the probationary period is extended, the step raise ordinarily due at the end of 1040 hours of service shall be granted at the end of the extended probationary period.

End-of-probation dates are calculated as the first day of the month following completion of probationary service.

**7.3 Completion of Probationary Period.** Prior to the successful completion of the probationary period, the employee will receive a written evaluation by his/her supervisor. The employee shall be granted a step increase should he/she successfully complete the initial probationary period. Vacation hours shall be credited to the employee upon completion of the probationary period based on the date of hire and FTE.

**7.4 Extension of Probationary Period.** In unusual circumstances, the Department Head may extend the probationary period one time only for a maximum period of 520 hours. A written performance evaluation will be provided to the employee at the time of the extension and again upon the successful completion of the extended probationary period. The employee shall be granted a step increase at the end of the extended probationary period. Vacation accrual shall be retroactive to the date of hire when the extended probationary period is completed.

**7.5 Transfers\Demotions.** An employee who is transferred or demoted may begin a new probationary period in the new position at department head discretion.

**7.6 Dismissal.** At any time during an initial-hire

probationary period, a department head may remove an employee from County service without cause.

**7.7 Promotional Probation.** (Represented employees should refer to appropriate collective bargaining agreement). A promotional probationary period will be served. The non-represented employee may receive a step increase at the successful completion of the promotional probationary period at the discretion of the department head. During a promotional probationary period, any promoted employee may be dismissed if performance has not met the required work standards of the position to which he/she was promoted. If said position is available, the approval of a demotion back to the employee's previously held position would be at the discretion of the department head for that department. The department head shall place a written report of such dismissal or demotion of promotional probationary employees and the reasons therefore into the employee's official personnel file.

**7.8 Department Heads.** Department heads shall serve no specific probationary period. They are appointed by and serve at the pleasure of the Board of Commissioners.

## **RULE 8. HOURS OF WORK, OVERTIME, AND PAY DAY**

**8.1 Hours of Work.** The normal hours of work for County employees shall be from 8:00 A.M. to 5:00 P.M. on every business day. The department head may also establish the work hours of employees to fit their particular operating requirements consistent with County policy.

Nothing in these Rules shall be construed as a guarantee of hours of work per day or per week.

Flexible work schedules may be established by the

department head in accordance with adopted policy, procedures, and/or collective bargaining agreements, to fit particular operating requirements. A copy of approved flex schedules not addressed in collective bargaining agreements must be forwarded to the Human Resources Division. Flexible work schedules may not be established in violation of wage and hour laws, and must be in compliance with the Fair Labor Standards Act.

**8.2 Attendance.** Employees shall be in attendance at their workstation in accordance with the Rules regarding hours of work, holidays, and leaves of absence.

Employees shall not be absent from work for any reason other than those specified in these Rules without making prior arrangements with their supervisor. Unless such prior arrangements are made, the employee, who for any reason fails to report to work, is required to immediately notify his/her supervisor of the reason for being absent. If the absence continues beyond one 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 discharge.

**8.3 Lunch and Rest Periods.** Lunch and rest periods are designated as follows:

- Non-paid meal periods (30 minutes minimum up to 60 minutes) must be provided if the workday is six (6) hours or longer. Whenever possible, such meal periods shall be scheduled in the middle of a shift.
- All work schedules shall provide each employee a fifteen (15) minute rest period during each segment of four hours worked in one work period. Rest

periods shall be scheduled at the middle of each shift whenever possible. Rest periods shall be scheduled so that departments are staffed at all times.

- Lunch and rest period time may not be accumulated or used to shorten the workday. Rest periods that are not utilized during any shift shall not be considered for the purpose of determining overtime payments.

**8.4 Unused Rest and Meal Time.** Rest and mealtime not used may not accumulate for later use.

**8.5 Overtime.** Department heads and supervisors shall assign to each employee regular work duties and responsibilities, which can normally be accomplished within the established workday and workweek. The County shall discourage overtime work.

Supervisors may require overtime. All overtime work must be authorized by the department head or the supervisor before being performed. All additional hours beyond those regularly scheduled for part-time employees must be authorized by the supervisor.

Compensatory time off for non-exempt employees shall be one and one half hours off for every hour of overtime worked. The rate of cash compensation shall be one and one half times the employee's regular rate of pay. Overtime for non-represented employees shall be compensated at the County's discretion in compensatory time off or pay for all hours worked in excess of the 40-hour workweek.

Positions receiving personal leave benefits shall not receive any form of overtime compensation except personal leave.

Non-represented employees eligible for overtime may

accumulate a maximum of 80 total hours of compensatory time. Actual hours worked over the maximum will be paid in overtime dollars. Represented employees shall be governed by the conditions noted in their respective labor agreements. The above maximum accrual is the total allowed after computation at the applicable overtime rate.

When an employee is transferred to or appointed to another department, accumulated overtime and compensatory time may not be assumed by the new department. The transferring department may be required to pay off the accumulated overtime and compensatory time prior to the transfer or appointment.

**8.6 Standby Duty.** Non-represented employees on standby duty are those who must be available to a telephone or other calling device at all times during a designated period. Employees on standby duty shall be responsible to perform assignments and respond to calls as may be required. The employee shall receive compensation of twelve (12) hours straight time for each seven (7) day period spent on standby or pro-rated on a daily basis if less than seven (7) days. At the County's discretion, standby compensation may be in the form of a direct payment or added to the employee's compensatory accrual. Employees assigned to standby time shall not be eligible for call-in pay, but shall be paid for all hours worked. Standby pay is not available to employees who are eligible for personal leave.

**8.7 Pay Periods.** Paydays for all employees shall be twice a month. One payday shall be on the last day of the month (except for weekends) and the second payday shall be on or about the fifteenth (15<sup>th</sup>) of each month. All payroll deductions shall be spread equitably between the two checks.

**8.8 Timekeeping.** Employees must complete and

submit an Employee Time Sheet for all hours worked or paid leave taken during every pay period. This time sheet must be signed by the employee and shall serve as the official record for payment and accrual of hours. The supervisor or designee must sign and certify as to the total hours of payment due, accrued, or taken.

Written certification of the department head accompanying any time sheet will constitute official notice that services for which payment is to be made have been performed and that funds are available and allocated for such purpose.

### **RULE 9. HOLIDAYS**

**9.1 Paid Holidays.** All regular status employees shall receive one day's pay for each of the holidays granted by the County. Full time employees shall receive regular compensation; part time employees shall be compensated on a pro-rated basis based in direct relation to their position's established FTE. Regular full time employees on ten (10) hour shifts will be paid for a ten (10) hour holiday.

All other full time employees will be paid an eight (8) hour holiday. Part time employees may either flex their schedules or use accrued vacation or compensatory time in order to maintain the number of regularly scheduled work hours in a holiday week.

**Holidays granted:**

|                           |                                      |
|---------------------------|--------------------------------------|
| New Year's Day            | January 1                            |
| Martin L. King's Birthday | 3 <sup>rd</sup> Monday in January    |
| President's Day           | 3 <sup>rd</sup> Monday in February   |
| Memorial Day              | Last Monday in May                   |
| Independence Day          | July 4 <sup>th</sup>                 |
| Labor Day                 | 1 <sup>st</sup> Monday in September  |
| Veterans' Day             | November 11 <sup>th</sup>            |
| Thanksgiving Day          | 4 <sup>th</sup> Thursday in November |
| Christmas Day             | December 25 <sup>th</sup>            |

**Floating Holidays.** Two floating holidays are credited to each regular non-probationary employee at the beginning of the fiscal year. Employees may utilize these holidays as whole days at a time of their choosing, with supervisor approval, within the fiscal year. Floating holidays not used prior to the end of the fiscal year are forfeited. Floating holidays are credited to new regular employees following successful completion of the probationary period.

For the purpose of using floating holidays, the fiscal year shall end on June 30<sup>th</sup> of each year. Rule 9.4 applies.

Any other day declared by the Board of Commissioners.

**9.2 Holiday Work.** If an employee is eligible for overtime, and is required to work on any of the holidays listed above, the employee shall be paid or granted compensatory time off at the County's discretion as follows:

In addition to his/her regular salary, time and one half for all hours worked for the first 8 or 10 hours of holiday work, which ever is applicable to his/her regular work schedule.

For all hours worked in excess of the first 8 or 10 hours of holiday work, in addition to his/her regular salary, double time for all hours worked. It is the intent to pay a total compensation for holiday work of two and one half times the regular rate of pay for the first 8 or 10 hours of holiday work, and a total of three times the regular rate of pay for all overtime holiday work. Compensatory time earned may be used on a date mutually agreed upon by the employee and his/her supervisor. This section shall apply when the employee is required to work on a day defined as the holiday in Rule 9.1.

All County departments are to remain open until the normal closing hour when the eve of a holiday falls on a workday. Department directors may choose to allow employees to take time off charged to their leave accruals.

**9.3 Holiday During Leave.** Holidays that occur during vacation or sick leave shall not be charged as vacation or sick leave.

Whenever a holiday falls on an employee's scheduled day off during the workweek, the employee shall observe the day as a holiday and re-schedule his day off with supervisor approval within the same workweek the holiday occurs.

**9.4 Eligibility for Holiday Pay.** To be eligible for holiday pay, the employee must work the last scheduled working day before and the first scheduled working day after a holiday, or be on authorized leave with pay.

**9.5 Weekend Holiday.** When a holiday falls on a Saturday or a Sunday it will be observed on the scheduled work day nearest the holiday within that work week.

## **RULE 10. VACATION LEAVE**

**10.1 Vacation Accrual.** All regular full time employees shall accrue vacation leave in the following manner:

|  |      |                 |
|--|------|-----------------|
| 1 <sup>st</sup> through 4 <sup>th</sup> year   | 8.0  | hours per month |
| 5 <sup>th</sup> through 9 <sup>th</sup> year   | 10.0 | hours per month |
| 10 <sup>th</sup> through 14 <sup>th</sup> year | 12.0 | hours per month |
| 15 <sup>th</sup> through 19 <sup>th</sup> year | 14.0 | hours per month |
| 20 <sup>th</sup> through 24 <sup>th</sup> year | 16.0 | hours per month |
| 25 years and over                              | 18.0 | hours per month |

All regular part time employees shall accrue vacation time on a pro-rated basis based on the position's established FTE.

Probationary employees shall not accrue vacation time. Full time employees shall be credited 48 to 52 hours of vacation leave after successful completion of the probationary period (1040 scheduled work hours based on FTE at the time of hire). Part time employees shall be credited vacation time on a pro-rated basis based on the position's established FTE after successful completion of the probationary period.

Employees may not use more paid vacation leave than they have accrued.

**10.2 Scheduling Vacations.** Vacation leave must be requested by the employee in writing to the department head. Approval of the leave shall be obtained prior to the beginning of the leave. Such schedules may be amended by the department head to meet work emergencies or to grant requests of individual employees. In establishing regular schedules, the department head shall give due consideration to the desires of individual employees subject to the operating requirements of the department.

**10.3 Accumulation.** Employees shall not accumulate vacation leave in excess of twice their annual vacation accrual.

**10.4 Payment for Vacation Accruals.** Vacation accruals are payable at a straight time rate of pay. The use of vacation accruals shall not be approved if it would result in payments greater than a straight time rate.

**10.5 Vacation Cash-Out.** Non-represented employees shall have the option of cashing out a maximum of forty (40) hours of accrued vacation leave when a minimum of

eighty (80) hours of accrued vacation leave is taken off in the same fiscal year. Qualifying time off shall consist of either eighty (80) consecutive hours or two separate periods of vacation leave that total eighty (80) hours. If a scheduled vacation period includes a paid holiday, that holiday shall qualify as part of the required consecutive hours for the vacation cash-out. Leave time charged to personal leave, sick leave or comp time does not qualify as part of the required consecutive hours for vacation cash-out.

Employees who have reached their maximum accrual rate and are in jeopardy of losing additional vacation accruals can request a three-month extension of the maximum rate in order to take the leave rather than lose it. Exceptions to vacation accrual maximums can be approved by the Human Resources Manager when requested in writing by the employee's Department Head. Exceptions can be approved a maximum of once each fiscal year.

Cash-Out may be requested once during a fiscal year. Cash-Out requests must be submitted to and approved by the department head and forwarded to Human Resources. Cash out requests may be made to coincide with a scheduled vacation leave, which meets the requirements of this policy.

**10.6 Termination or Death.** Upon termination, or death of an employee, all accumulated vacation leave shall be paid either to the employee, the employee's designated beneficiary (as designated on the employee's life insurance policy), or the employee's estate, whichever is appropriate.

**10.7 Continued Vacation Credit.** In the case of an absence due to illness or injury, a regular employee shall continue to earn vacation credit for a period not to exceed six (6) months, pro-rated according to his/her established

FTE. In leave without pay situations, accruals do not continue with the exception of worker's compensation leaves.

All regular part time employees shall accrue vacation time on a pro-rated basis based on the position's established FTE.

Probationary employees shall not accrue vacation time. Full time employees shall be credited 48 to 52 hours of vacation leave after successful completion of the probationary period (1040 scheduled work hours based on FTE at the time of hire). Part time employees shall be credited vacation time on a pro-rated basis based on the position's established FTE after successful completion of the probationary period.

Employees may not use more paid vacation leave than they have accrued.

## **RULE 11. PAID SICK LEAVE**

**11.1 Accrual.** All full time regular, seasonal, and limited duration employees shall accrue sick leave at the rate of eight (8) hours per month, up to a maximum accrual of 1040 hours. Those employees with accruals over 1040 on July 1, 2000, will retain that higher amount as their maximum accrual. No employee may utilize sick leave before actually accruing such leave resulting in a negative sick leave balance.

**11.2 Part Time Employees.** Regular, seasonal, and limited duration part time employees whose FTE is .5 or greater shall accrue sick leave on a pro-rated basis based on their positions established FTE.

**11.3 Sick Leave Eligibility.** Temporary, limited part

time, intermittent, and intern employees shall not accrue nor be eligible for paid sick leave.

**11.4 Utilization.** Employees may use their allowance of sick leave when unable to perform their work duties by reason of illness or injury; necessity for medical or dental care; exposure to contagious disease under circumstances by which the health of the other employees or the public would be endangered by the employee's attendance; or by serious illness of an immediate family member. Immediate family is defined as spouse, domestic partner, parent, child, or other person living in the household. In relationships other than those set forth above, and under exceptional circumstances, such leave may be granted by Human Resources at the recommendation of the department head.

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 department head for absences over two days. Employees may not use paid sick leave before it is accrued.

**11.5 Benton County Deputy Sheriff Association (BCDSA) Employees Sick Leave Donations.** This section provides a method for BCDSA employees to transfer or donate some of their accrued sick leave to a fellow represented employee who is out of sick leave and is temporarily off work due to a catastrophic or chronic illness, hospitalization, operation or accident. Leave may also be donated for an employee off work and out of sick leave in order to care for an immediate family member, defined as spouse, domestic partner, parent, child or other person living in the household, who meets the medical conditions defined above.

In order for one employee (donor) to transfer sick leave to another employee (donee), the following conditions must be met:

1. The donated sick leave may only be used for a catastrophic or chronic illness, hospitalization, operation(s) or accident.
2. The donee must have exhausted all sick, compensatory and all but 40 hours of vacation leave prior to requesting donations.
3. Once the donee becomes eligible for Long Term Disability, requests for sick leave donations will not be granted.
4. Donor must maintain a minimum bank of 80 hours sick leave (pro-rated by FTE) that is not eligible for transfer.
5. Sick leave hours cannot be transferred upon donor's termination of employment.
6. Donee requests for sick leave donations must be approved by the Human Resources Manager. Only donee or department head is eligible to request sick leave donations. Requests must be accompanied by acceptable medical documentation. Upon approval, donation requests will be made by the Human Resources Manager to County employees. All information regarding specific details of the medical emergency and/or donee's name shall be confidential unless release of information is authorized by the donee.

Donated sick leave will be used on a first-in, first-used basis. Any donated sick leave that is not utilized by donee to meet their leave needs related to the specific donated leave request, will be returned to the donor.

7. The County will continue to pay the employer's share of the medical and dental premiums while an employee is receiving long-term disability and is employed by the County.
8. Upon presentation of proper medical authorization of ability to return to work, any employee who is terminated from employment while on long-term disability will be given recall rights for eighteen (18) months following termination.

**11.6 Sick Leave Donations.** This section provides a method for employees to transfer or donate some of their accrued sick leave and/or vacation leave to a fellow employee who is out of sick leave and is temporarily off work due to a catastrophic or chronic illness, hospitalization, operation or accident. Leave may also be donated for an employee off work and out of sick leave in order to care for an immediate family member, defined as spouse, domestic partner, parent, child or other person living in the household, who meets the medical conditions defined above. In order for one employee (donor) to transfer leave to another employee (donee), the following conditions must be met:

1. The donated leave may only be used for a catastrophic or chronic illness, hospitalization, operation or accident.
2. The donee must have exhausted all sick, compensatory, personal and all but 40 hours of vacation leave prior to requesting donations.
3. Once the donee becomes eligible for Long Term Disability, requests for Sick Leave Pool hours will not be granted. The County will continue to pay the employer's share of the medical and dental premiums while an employee is receiving long-term disability and is employed by the County.
4. Donor must maintain a minimum bank of 160 hours sick leave to donate sick leave hours and 80 hours vacation leave to donate vacation leave (prorated by FTE).
5. Sick leave balances cannot be transferred from one employee to another upon donor's termination of employment.
6. Hours donated are not used to calculate PERS upon retirement.
7. Donee requests for leave donations must be approved by the Human Resources Manager. Only

donee or department head is eligible to request leave donations. Requests must be accompanied by acceptable medical documentation. Upon approval, donation requests will be made by the Human Resources Manager to County employees. All information regarding specific details of the medical emergency and/or donee's name shall be confidential unless release of information is authorized by the donee.

Donated leave will be used on a first-in, first-used basis. Any donated sick leave that is not utilized by donee to meet their leave needs related to the specific donated leave request, will be returned to the donor.

**11.7 Transfer, Elected, Retirement, Disability, or Death.** When an employee is transferred or appointed to another department, sick leave accruals shall remain in effect.

Employees hired before March 1, 2000, who at the time of retirement are fully eligible and qualified to receive Oregon Public Employees Retirement System (PERS) benefits shall be grandfathered in the ability to receive payment of up to three fourths (3/4) of their accumulated sick leave in cash, and their remaining accumulated sick leave shall be used to calculate their final average salary for retirement benefits pursuant to PERS rules.

Accumulated sick leave for employees hired after March 1, 2000 shall only be used to calculate their final average salary for retirement benefits with PERS.

Regular status employees who become elected officials are not eligible to bank sick leave balances to cash out at retirement.

In case of death or permanent disability of an employee regardless of hire date, the employee or the employee's

designated beneficiary shall receive full payment for all accrued sick leave, vacation leave, and compensatory accruals.

**11.8 Sick Leave Without Pay.** Sick leave without pay may be granted by the department head for the remaining period of disability after earned sick leave is exhausted. The department head may periodically require a certificate from an attending physician or other licensed practitioner during the period of disability of an employee on sick leave without pay. No leave may extend beyond six months, inclusive of paid and unpaid periods.

**11.9 Re-employment.** An employee who is re-employed following a lay off or an expiration of leave without pay, or an employee in good standing who is re-employed within one year of termination shall have unused sick leave credits accrued during his/her previous employment restored.

**11.10 Continued Sick Leave Credit.** In the case of an absence due to illness or injury, a regular employee shall continue to earn sick leave credit for a period not to exceed six (6) months, pro-rated according to his/her established FTE. In leave without pay situations, with the exception of worker's compensation accruals do not continue.

## **RULE 12. EDUCATIONAL PROCEDURES & MANAGEMENT TRAINING**

**12.1 Professional Development.** To encourage professional development, any regular full time, seasonal, or part time employee who wishes to pursue educational courses or certification training directly related to the employee's career in County service, may apply for financial assistance as follows:

1. Employees must secure their department head's approval before the training class or course begins. A Memorandum of Agreement must be completed and signed by the employee and department head. The original Agreement must be forwarded to Human Resources; and a copy forwarded to Payroll.
2. The department head may choose to reimburse 50 to 100 percent of the course/class, upon successful completion of the course/class. The employee may be reimbursed for a maximum of three courses per school year provided that a grade of "C" or above is earned. The employee must provide a statement of course credit, training certification, and a tuition receipt to the department head.
3. If the County provides funds for tuition assistance, the employee agrees to remain in the employ of the County for a minimum period of one full year dating from the completion of the course/s or repay the County for the full amount of the tuition/training reimbursement. Educational assistance will not be provided to an employee whose employment terminates prior to completion of the course/s, unless terminated as a result of a layoff.
4. The employee agrees that if he/she fails to continue in County employment for the minimum period as outlined in No. 3 above, he/she will repay the County the cost of the educational/training course/s.
5. The employee agrees that any repayment required by No. 4 above, shall be deducted from the employee's final payroll check.
6. The department head may, in special circumstances, choose to pay 50% to 100% of the costs prior to the

class/course start date. In such circumstances, employees must abide by all conditions set forward in this policy and agree to reimburse the County as outlined above.

**12.2 Management Employee Training.** All supervisory and management employees are required to attend the County Supervisor Training Program. The Supervisor Training Program is offered annually through Human Resources. Upon hire or promotion into a supervisory position, employees should check with Human Resources for the next scheduled training. If the training is more than six (6) months away, arrangements can be made for an interim orientation to management and supervision in Benton County Government.

## **RULE 13. OTHER LEAVES**

**13.1 Leave Procedure.** Employees may request leaves of absence for the purposes specified in this Rule. Each request shall be judged by the department head on its merits and on the basis of the guidelines provided herein.

No leave of absence, with or without pay, shall be granted unless a request is submitted by the employee in writing to the department head. Approval of the leave shall be obtained prior to beginning the leave.

**13.2 Maximum Leave Duration; Termination/Discharge.** Any employee who is on leave of any sort: paid, unpaid, sick, vacation, compensable, etc., shall be terminated/discharged for cause unless he/she returns to work at the end of his/her approved leave period. In all cases the employee must comply with Rule 13.4. No leave may extend for a period longer than six (6) months within a 12-month period. Returning to work for a short

period(s) during this leave shall not extend or restart the maximum allowable leave period. All employees will be offered a due process hearing prior to termination/discharge. Workers on approved Workers' Compensation or Family Medical Leave Act (FMLA) leave may have statutory reinstatement rights.

**13.3. Long Term Disability Leave.** Benton County provides long-term disability coverage to its regular-status employees. Eligibility shall commence 90 days after the disabling event. Employees should contact Finance to get further information and request the required claim forms.

Upon presentation of proper medical authorization of ability to return to work, any employee who is terminated from employment, for non-disciplinary reasons, while on long-term disability will be given recall rights for eighteen (18) months following termination. Any employee terminated for disciplinary reasons while on long-term disability shall not be entitled to recall rights.

Once the donee becomes eligible for Long Term Disability, requests for Sick Leave donations will not be granted. The County will continue to pay the employer's share of the medical and dental premiums while an employee is receiving long-term disability and is employed by the County.

**13.4. Leave Without Pay.** The department head may grant a leave of absence without pay for a period not to exceed 180 calendar days, provided that granting such leave does not violate the provisions set out in Rule 13.2. The employee must exhaust all vacation and compensatory leave prior to being placed on leave without pay status unless an exception is requested and approved by the Human Resources Manager. Two standing exceptions to this policy are employees on Workers Compensation Time Loss and employees on Military Leave.

**13.5. Probation Dates While on Leave Without Pay.** A probationary employee on a leave of absence without pay will have his/her off probation date adjusted forward pursuant to the amount of leave without pay taken.

**13.6. Benefits While on Leave Without Pay.** Pursuant to Employee Benefit Policy agreements, benefits may be extended for a period approved by the Human Resources Division for regular employees who are on approved unpaid leaves of absence. In order to meet the intent of this requirement the following procedures shall apply:

1. Benefits shall continue to be paid, by the County, for any employee on an approved unpaid leave of absence for the month in which the leave began, provided that the employee was considered to be in a regular employment status on the first calendar day of the month in which the leave began.
2. Benefits will continue to be paid during the following month provided the employee returns to work on a regular basis by the 10th working day of the month following the month the leave began and continues to work for the balance of that month.
3. In certain leave without pay situations (FMLA, OFLA, Workers' Compensation, etc.) in which employees will not return to work as detailed in 1 and 2 above, employees are responsible for making arrangements with Finance to make payments for the employee's portion of his/her insurance.
4. Upon cessation of payment of benefits by the County, an employee shall be allowed to pick up and pay the full premiums for medical, dental and life insurance at the current premium rate provided that the employee complies with the procedures established by the Human Resources Division. If the employee fails to comply with the procedures established by the Human Resources Division, 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 re-enrolled with coverage commencing on the first calendar day of the following month.

5. The County will immediately pick up and pay the employer portion of the benefit premiums on the first working day of the month following the month the employee returns to work for the County, provided there has been no lapse in premium or other occurrence which causes the insurance company(s) to establish a mandatory waiting period.
6. Under no circumstances may an employee be authorized to continue benefits under these provisions beyond the period authorized by the respective benefit policy agreements. Computation of the time period shall commence on the first calendar day of the month following the month in which Benton County last paid benefits on behalf of the employee.
7. It shall be understood by all parties, that 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 he/she were a new employee.
8. Seasonal employees may arrange with Finance to initiate payroll deductions in order to put aside funds to pay insurance premiums during "off season" periods.

**13.7 Witness or Jury Duty.** When an employee is called for jury duty or is subpoenaed as a witness as a result of official business for the county on a scheduled work day, the employee shall continue to receive his/her regular pay, however the employee must transfer all compensation received for the performance of such duty to the County. Compensation monies are to be submitted to the Finance Division. Overnight or weekend expenses compensated because of this leave as well as mileage expenses shall be

retained by the employee.

**13.8 Military.** An employee of the County who is a member of the National Guard, Coast Guard, or a reserve component of the Armed Forces for the United States shall be entitled to a leave of absence with pay and without impairment of other rights or benefits for a period not to exceed fifteen (15) calendar days (11 working days) per federal year (October 1 to September 30<sup>th</sup>). Military leaves of absence and reinstatement of employment shall conform to the Uniformed Services Employment and Reemployment Rights Act [38 U.S.C. §§ 4301-4333] and Oregon Revised Statute 408.290.

**13.9 Failure to Return from 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 said leave of absence, shall be considered as having resigned, and his/her position shall be declared vacant.

**13.10 Personal Leave.** Non-elected department heads, division heads, and other identified positions that are exempted from overtime pursuant to ORS 279.340, 279.342, and FLSA, and regularly require work in excess of 40 hours a week may be approved to receive personal leave in lieu of overtime. The guidelines for personal leave are as follows:

1. Eligible positions include County legal counsel, department heads, division heads, and other identified positions as noted in the County Charter and Administrative Orders. Department heads will identify eligible positions and submit a request for personal leave status to the Human Resources Manager for evaluation and conformance with these criteria. The Human Resources Manager shall approve or deny personal leave strictly according to established criteria.

2. The Human Resources Manager shall review the list of personal leave eligible employees annually and revise the list when necessary to conform to existing eligibility criteria.
3. Exempt positions as approved above will be granted sixty four (64) hours per fiscal year of personal leave. New employees receive personal leave hours in full hour increments for the remainder of the fiscal year on a pro-rated basis based on their adjusted service date (1<sup>st</sup> or 17<sup>th</sup> of the month of hire).
4. No carry-over of unused hours to the next fiscal year shall be allowed.
5. Exempt positions receiving the personal leave benefit will not be compensated for overtime work either in cash payment or compensatory time off.
6. Personal leave may be used in hourly increments.
7. 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.
8. No employee will be allowed to use more than the maximum hours provided in this policy statement. Should an exempt employee eligible for personal leave run out of accrued leave to charge for absences, the Human Resources Manager may approve the advancement of other leave accruals upon the recommendation of the employee's department head. Any advanced leave will be reimbursed by the employee should termination occur before the employee has accrued enough leave to cover the advancement.

9. Personal leave balances are not paid out at termination.
10. Employees who work less than full time shall not be eligible for personal leave.
11. When an employee is promoted or transferred into a position eligible for personal leave, all previously earned compensatory time must be cashed-out before the employee receives personal leave benefits.
12. As applied to this Rule, the fiscal year will end on June 30th.

**13.11 Family Medical (FMLA) and Oregon Family Leave Acts (OFLA).** Both the federal FMLA and state OFLA were enacted to require employers to provide employees up to twelve weeks of unpaid, protected leave during a leave year in certain qualifying situations. Eligible employees have reinstatement and/or reemployment rights after a family leave.

The rules and qualifying situations relating to both these leave laws often interact with one another, and can affect other laws governing Americans with Disabilities Act (ADA) and Workers' Compensation regulations. Please contact Human Resources if you have questions and wish more information regarding these leave laws.

Employees who have completed their initial probationary period may request up to twelve (12) weeks (480 intermittent hours) of OFLA leave, or FMLA leave during any rolling 12-month period for the purpose of:

- Caring for a child following birth, or placement for adoption, or foster care;
- Caring for a spouse, domestic partner, son, daughter, or parent-in-law (OFLA only) who has a serious health condition; or
- For a serious condition that renders the employee

unable to perform his/her job. For a serious health condition, a physician's documentation is required to place the employee on FMLA/OFLA, and a physician's release to work is required for the employee to return to work. The County may require an additional fitness for duty or second opinion prior to allowing an employee to return to the workplace.

- OFLA allows 12 weeks of sick child leave to be taken to care for an employee's child with an illness or injury that requires home care but is not a serious health condition.

The employee may request to utilize this leave on an incremental (hourly) or full time basis. Leave runs concurrently with sick leave, vacation leave, comp time, holiday leave and an approved workers' compensation claim.

- The twelve (12) week period is counted on a rolling twelve (12) month period starting on the first day of leave.
- Requests for this leave shall be made in writing to the department head accompanied by medical documentation and forwarded to the Human Resources Manager, and documented with a Personnel Action Form. The Human Resources Division shall evoke FMLA/OFLA leave for employees who qualify.
- Human Resources Division may also, upon receiving information of a qualifying condition, evoke FMLA/OFLA leave without a formal request.

The employee shall be required to utilize accrued leave balances, including vacation leave, sick leave, compensatory leave, and personal leave before utilizing

unpaid leave. For the duration of leave under these Acts, the employee's health, dental, life, and disability insurance coverage shall continue provided that the employee continues to pay any copayment of premiums that existed prior to the commencement of this leave.

Under some circumstances, the County may require the employee obtain a second opinion evaluation from the County's physician prior to returning to work.

If the employee does not return from FMLA/OFLA, Benton County may require that all benefits payments made during the leave be reimbursed to the County.

**13.12 Compassionate Leave.** In addition to regular sick leave a regular or probationary employee shall be granted not more than three (3) days leave of absence with pay in the event of a death in the employee's immediate family to make household adjustments or to attend funeral services. In the event a family death requires travel of more than 200 miles from the employee's home, the employee will be granted an additional two (2) days paid leave of absence. This leave shall not be charged to any other form of leave.

An employee's immediate family shall be defined as spouse, domestic partner, parents, children, brother, sister, grandparents, father-in-law, mother-in-law, sister-in-law, brother-in-law, stepmother, stepfather, son-in-law, daughter-in-law, or other member of the household. In relationships other than those set forth above, and under exceptional circumstances, such leave of absence may be granted with department head approval, with notice of such approval forwarded to the Human Resources Manager. In the event of more than one compassionate incident occurring in the same fiscal year, the department head may grant additional paid compassionate leave.

**13.13 Leave Due To Adverse Weather Conditions.** In

the event of adverse weather conditions that may jeopardize an employee's ability to travel to or from work, the employee may request leave. The employee may use any of his/her leave accruals, including sick leave, to cover this leave. If the employee has no leave accruals, this leave shall be without pay. (This provision does not apply to emergency personnel).

**13.14 Leave Due To Emergency Situation.** In the event of a situation, which destroys or renders a County occupied building unsafe, the employees who work in that building may be released and their regular pay shall continue until the end of that working day. Thereafter, the employee may use authorized leave accruals, including sick leave, until accruals are exhausted, or until the employee is called back to work. If the employee has no leave accruals, all time off, excluding the day of the incident, shall be without pay.

**13.15 Declared Emergency.** If calamitous circumstances warrant, the Board of Commissioners may declare an emergency and close all or part of County operations. The Board's declaration shall be released to local media for dissemination and all County employees may call a specified telephone number (**766-6058**) for further information concerning whether or not to report to work, and such other information as may be appropriate. Information will be upgraded on a daily basis. In the event that all or part of County operations are closed during a work shift, regular salaries shall continue until the end of that shift. Thereafter, those employees who are not required to report to work shall use their earned leave accruals, including sick leave, to cover all periods not worked until the Board rescinds the emergency declaration and County operations re-open. In the event that an employee has no earned accruals, then all such periods shall be reported as leave without pay.

**13.16 Emergency Personnel Defined.** Following a

declared emergency, department heads shall designate which employees are to continue to work as designated emergency personnel, using the following criteria:

1. The department head shall designate as emergency personnel only those employees whose job assignment are reasonably related to preserving public order and public safety.
2. All such designations shall be in writing and forwarded to the payroll office as soon as possible following the designation of emergency status.

**13.17 Special Leave Allowance.** Employees may be granted special leave for the purpose of donating blood or other similar activities that are of value to the local community. Employees shall request this leave in writing and department heads shall approve or deny each request. This leave shall not be charged to other leave accruals.

**13.18 Administrative Leave.** Administrative leave is not disciplinary in nature. At the discretion of the department head, an employee may be placed on administrative leave with pay. This form of leave may be used during the period of an investigation of employee conduct or hostile workplace complaint, pending medical release (fitness for duty or return to work second opinion), or other purposes as approved by the Human Resources Manager. While on administrative leave, compensation and all benefits are continued. The employee is duty-stationed at home and must be accessible by phone for work-related needs.

## **RULE 14. HEALTH AND WELFARE BENEFITS**

**14.1 Eligibility.** New employees hired into regular status positions and their dependents are eligible for benefit

coverage commencing on the first calendar day of the month following hire (unless the employee is actually hired on the first calendar day of the month, in which case he/she is eligible for immediate coverage).

Part time employees whose FTE is .5 or greater shall have the County's share of Health and Welfare costs prorated in direct proportion to their position's established FTE. Employees with less than .5 FTE are not eligible for benefit coverage.

Domestic partners and their dependents may be eligible for health and dental insurance. To apply for these benefits, new employees or an existing employee who enters into a domestic partnership must file an Affidavit of Domestic Partnership available from Human Resources with supporting documentation. Supporting documentation includes utility bills, bank records, rental or mortgage agreements, or any other documentation that supports the joint responsibility for the necessities of life. Federal and state tax law mandates that employees pay taxes on all domestic partner benefits. These taxes will be automatically deducted from the employee's paycheck if the employee elects domestic partner coverage.

#### **14.2 Adding/Deleting Dependent Coverage.**

Employees may add eligible dependents to their insurance coverage during Open Enrollment (each July), and/or by submitting an enrollment form within 31 days of one of the following events:

- When they marry or when a domestic partnership is formed
- When they have a newborn or newly adopted child
- When a dependent loses coverage

Employees must delete coverage of a spouse or domestic partnership when they no longer qualify for coverage (i.e., divorce decree or dissolution of domestic partnership).

Children 23 years of age must be dropped from insurance coverage effective the end of the month of the 23<sup>rd</sup> birthday. Dependent children must also be dropped from insurance when the child marries or is no longer receiving the majority of support from the employee.

If you claim your domestic partner as a dependent for insurance purposes, you must notify Payroll should you marry. Marriage decreases the amount you pay in insurance premiums.

**14.3 Medical-Hospital.** The County shall provide and maintain medical-hospital insurance coverage that is substantially equivalent to the policy currently in effect for each regular status employee and his/her family.

**14.4 Vision.** The County shall provide and maintain vision insurance coverage that is substantially equivalent to the plan currently in effect for each regular status employee and his/ her family.

**14.5 Dental.** The County shall provide and maintain dental insurance coverage that is substantially equivalent to the policy currently in effect for each regular status employee and his/her family.

**14.6 Retirement Health, Vision and Dental Insurance for Employees Hired Prior to March 1, 2000.** The County shall provide funds for the purchase of medical insurance and access to dental insurance to qualified retirees as follows:

1. Only full time regular and seasonal employees shall be eligible for benefits in accordance with this Section. Regular part time and seasonal part time employees who work at least .5 FTE (20 hours or more per week) shall be eligible for pro-rated benefits according to their position's established FTE.

2. On the day of retirement, the retiree must have completed a minimum of fifteen (15) continuous years of employment with Benton County.
3. On the day of retirement, the retiree must be fully eligible for and either receiving or have applied for retirement benefits from the Public Employee Retirement System (PERS).
4. Coverage shall be limited to the retiring employee beginning on the date of retirement and continuing for seven (7) continuous years, or Medicare Eligibility, whichever comes first. The coverage period may begin at any time after retirement, up to Medicare eligibility, or for seven continuous years, whichever comes first.
5. The County's share of insurance premiums shall be fixed according to premium rates that are current on the day of retirement. For eligible employees who are not enrolled in one of the medical plans at the time of retirement, the County will pay the benefit at no more than the lower cost plan rate. In order to qualify for this benefit, the retiree must secure medical insurance from outside the County's existing medical plan (i.e. Portability, PERS, etc.). The County will reimburse retirees for their payment of outside insurance, up to limits as set forth in Number 7 below, upon submissions of proof of payment for medical insurance. Premium increases occurring during retirement shall be the responsibility of the retiree.
6. The County's share of the dental insurance premium shall be fixed according to dental premium rates, which are current on the day of retirement. This payment shall be used for coverage under the current County dental plan or for reimbursement for payment of outside insurance, up to limits as set forth in Number 7 below,

upon submissions of proof of payment for dental insurance. Dental premium increases occurring during retirement shall be the responsibility of the retiree.

7. The County shall pay insurance premiums according to years of service as follows: (Years of service as an elected official continuing uninterrupted without a break from regular employment apply to this policy).

|  |                      |
|--|----------------------|
| 15 through 19 <b>continuous</b> years of service | 25% of premium cost  |
| 20 through 24 <b>continuous</b> years of service | 50% of premium cost  |
| 25 through 29 <b>continuous</b> years of service | 75% of premium cost  |
| 30 or more <b>continuous</b> years of service    | 100% of premium cost |

8. The Finance Division shall administer this program and shall establish dates when premiums shall be paid. Failure to pay required premiums timely shall result in canceling insurance coverage. Reinstatement, if possible, shall follow established Finance Division and vendor rules.

9. Benefits described in this section are not available to employees hired on or after March 1, 2000.

**14.7 Life Insurance.** The County shall provide term life insurance coverage in the amount of \$10,000 per employee, with an Accidental Death and Dismemberment rider (AD&D) in the amount of \$100,000. This AD&D rider shall provide coverage before, during, and after working hours.

**14.8 Long Term Disability Insurance.** The County will provide long-term disability insurance for all employees. Terms of this coverage will be as noted in approved labor agreements, or in the case of non-represented employees, pursuant to terms approved by the Board of Commissioners.

**14.9 FTE Modification.** All benefits shall be calculated based on the employee's established FTE as of the first day of the month.

**14.10 Medical Continuation Plan.** An employee and/or dependents whose medical coverage would normally end when the employee leaves County employment may be eligible to continue coverage and self-pay the County group plan rate in accordance to the provisions of applicable laws at the time of termination. Applications are available in the Finance Division. Qualifying events include:

- Employee's termination of employment,
- Employee's reduction in work hours to less than .5 FTE
- Employee's divorce or legal separation; dissolution of domestic partnership
- Employee's death
- Employee's child no longer qualifies as a dependent under the eligibility terms of the plan

Dependent(s) of a regular Benton County employee who dies during the term of his/her employment may continue under the County's medical and dental plans for the term authorized under the Federal Consolidated Omnibus Budget Reconciliation Act of 1989 (COBRA). If the dependent(s) choose to continue under the County's medical/dental plans under COBRA regulations, the County will pay the first six months premium costs for the plans. Thereafter, the dependents shall be required to pay the premium as required by COBRA.

## **RULE 15. AMERICANS WITH DISABILITIES ACT**

**15.1 ADA Procedures Generally.** The ADA requires reasonable accommodation to applicants and/or employees

with disabilities. The applicants and/or employees or someone acting on his/her behalf must request accommodation either verbally or in writing as soon as the need arises. Benton County may ask for documentation of such disability from an appropriate professional such as a doctor or rehabilitation counselor. Disabilities that are transitory do not qualify for accommodation under this Act. Requested accommodations cannot change or alter the essential functions of any position.

Requests for accommodation can be made to the supervisor, department head or Human Resource Manager. Requests shall be forwarded to the Human Resources Manager for evaluation. Once alerted of a disability, the Human Resource Manager or designee will begin an interactive process with the applicant or employee to learn what accommodation, if any, is required.

The Human Resources Manager may consult, investigate, and/or require a second medical opinion at Benton County's expense in order to gain the necessary information to make a reasoned and factual finding on requests for accommodation.

**15.2 ADA Complaint Process.** In the event that any Benton County employee believes that he/she has been discriminated against on the basis of his/her disability status, he/she may file a written complaint within one year of the alleged discriminatory incident with the Human Resources Division. To file a complaint, see procedures in Section 17.5.

The Claimant is further entitled to seek equitable resolution of his/her Title II complaint pursuant to the grievance procedure set out in Personnel Rule 20 (C)(2).

**15.3 ADA Coordination.** In compliance with the ADA, the Human Resources Manager is appointed to coordinate

ADA compliance in all aspects except facilities. The Facilities Manager will work in conjunction with the HR Manager to coordinate ADA compliance with respect to County facilities.

## **RULE 16. RETIREMENT PROGRAM**

The County shall continue to participate in the Public Employees' Retirement System (PERS).

Effective January 1, 2000, the County began paying the employee's required 6% PERS contribution for non-represented employees and employees represented by AFSCME and ONA.

## **RULE 17. EMPLOYEE CONDUCT**

**17.1 Employee Conduct.** The County realizes its moral and legal obligations to ensure that all employees are provided a safe and discrimination-free workplace. The standard of conduct for all employees in the County service shall be in the public interest as opposed to individual interests. In order to render the best possible service to the general public and to reflect credit on County service, high standards of conduct are deemed essential. Employment shall be conditional on good behavior and satisfactory performance of assigned duties.

Benton County is committed to a workplace free of discrimination and harassment in all forms. Offensive or harassing behavior will not be tolerated. Harassment of any employee, job applicant, volunteer, or visitor, in any form, shall expose the offending employee to disciplinary action, up to and including termination. Any supervisor or manager who has knowledge of such behavior yet takes no action to end it is also subject to disciplinary action.

## **17.2 Hostile Workplace/Workplace Violence.**

Statement of zero tolerance: Workplace violence is a significant occupational hazard. No act of violence should be overlooked and left unreported.

Violence is defined as any behavior that is severe or pervasive enough to create a hostile work environment and negatively affects the employee physically or psychologically. These acts include, but are not limited to, all types of physical or verbal assaults, threats, coercion, intimidation and all forms of harassment. Threats, threatening behavior, or acts of violence by employees against other employees, managers/supervisors against employees, employees against managers/supervisors, from the public, or others at County work sites will not be tolerated.

**Reporting:** Employees are required to promptly report potentially dangerous situations, threats, hostility, harassment, intimidation or violent/aggressive acts by coworkers or members of the public to a supervisor or the Human Resources Division. Even without an actual threat, personnel should also immediately report any behavior they have witnessed which they regard as threatening or violent when that behavior is connected to County employment or carried out on a County controlled site. Employees are responsible for making this report, regardless of the relationship between the individual who initiated the behavior and the person or persons who were threatened or were the focus of the threatening behavior. The privacy and confidentiality rights of the employees and members of the public will be respected to the extent the law allows. All reported acts of violence will be investigated. Violation of this policy will lead to disciplinary action that may include dismissal, arrest, and prosecution.

Upon investigation, an employee may be referred to counseling and/or receive disciplinary action up to and

including discharge from County service. See section 17.5 “Complaint Procedure/Investigation.”

An employee who has a restraining order against another person which includes the workplace, must inform his/her supervisor of the order. The supervisor must notify Human Resources of the restraining order.

**17.3 Protected Class Discrimination/Harassment.**

Benton County policy prohibits behavior based on another’s protected status that has the purpose of:

- Creating an intimidating, hostile or offensive working environment;
- Unreasonably interfering with an individual’s work performance; or
- Otherwise adversely affects an individual’s employment opportunities.

Protected status refers race, color, national origin, religion, sex, sexual orientation, age, disability, or veteran status. Discrimination/harassment, as described above, of any employee, job applicant, volunteer, or visitor shall expose the offending employee to disciplinary action, up to and including termination. Any supervisor or manager who has knowledge of such behavior yet takes no action to end it is also subject to disciplinary action. See section 17.5 “Complaint Procedure/Investigation.”

**17.4 Sexual Harassment.**

Sexual harassment is unlawful discrimination on the basis of gender. It is defined as unwelcome sexual advances, requests for sexual favors, or other verbal, physical, or visual conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment;
- submission to or rejection of such conduct by an

individual is used as the basis for employment decisions affecting such individual; or

- 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.

**17.5 Complaint Procedure/Investigation.** Any person who believes s/he has been discriminated against may file either a formal or informal complaint in the Human Resources Division.

Informal Complaint: Process of gathering information with the intent of resolving the situation.

Formal Complaint: Implement full investigation wherein the respondent (the person accused of alleged harmful act) is notified of the complaint in writing.

If any employee feels he/she has been discriminated against or harassed he/she is encouraged to report the incident immediately to his/her supervisor, department head, or the Human Resources Division. Following receipt of a complaint the supervisor or department head shall immediately contact the Human Resources Manager to begin an investigation. The complainant may file an informal complaint or a formal Complaint of Discrimination/ Harassment (forms are available from supervisors, on the common drive under Library/HR/forms and from the Human Resources Division).

Information given to the County in the course of an internal investigation is not confidential. However, except as required by Oregon Public Records Laws, information gathered in the course of an internal investigation will be shared on a "need to know" basis. If you have questions about personal safety or personal privacy, you should

discuss these questions with the Human Resources Manager.

A written record of the investigation will be made by the Human Resources Manager. The written complaint and related investigative materials will be maintained in Human Resources. If the investigation substantiates the discrimination/harassment complaint, disciplinary action, up to and including termination, will be taken. The harassed employee shall be informed of the results of the investigation and the sanctions imposed, if any.

**17.6 Retaliation.** Definition of retaliation is to cause deliberate harm to someone in response to a perceived wrong. Retaliation against a person who brings forward a complaint or a witness to a complaint is strictly prohibited, whether or not the complaint is valid. If retaliation is substantiated, disciplinary action, up to and including termination, will be taken.

**17.7 “Drug-And-Alcohol-Free Workplace”** Benton County has a strong commitment to provide a drug-free workplace; a safe, healthful work environment free of drug and alcohol abuse, and a workplace that complies with all federal and state requirements relating to a Drug-and-Alcohol-Free Workplace. Consistent with that commitment, the County, AFSCME, ONA and BCDSA have agreed to this Drug-and- Alcohol-Free Workplace Policy as a shared responsibility of all Benton County employees to establish and maintain a safe and a productive work environment.

No employee may consume, be in the possession of, or under the influence of any alcoholic beverage or illicit drug during working hours, or during any special working hours.

If reasonable suspicion (as defined in this policy) exists, the employee will be required to submit to testing. If the employee refuses the examination, or if the examination

results are positive, the employee shall be subject to discipline, up to and including the possibility of discharge.

1. **Illicit Drug Definition:** Term utilized by drug and alcohol treatment professionals to indicate any illegal use or possession of drugs, including, but not limited to: drugs not prescribed, abuse of prescribed drugs, or any street drug.
2. **Reasonable Suspicion Definition:** Term utilized by drug and alcohol treatment professionals, the Oregon Department of Transportation and the Federal Highway Administration to describe suspicion based on the observation of appearance, behavior, speech, odor or other indicators established by substance abuse professionals as reliable indications that an employee may have consumed illicit drugs and/or alcohol. In Benton County Government, two completed County Observation Checklists must substantiate reasonable suspicion.
3. **Medication:** Normal use of prescription medication is not grounds for disciplinary action. However, if the employee is taking prescription medication that may impede or otherwise affect the employee's ability to safely perform his/her duties, the employee must report the medication to the supervisor or department head. If the employee fails to report the use of medication and is determined to be impaired, the employee will be subject to the same discipline as any other employee who comes to work impaired. Taking medication that has been prescribed for someone else is a violation of this policy and may result in disciplinary action.

4. Searches: The County reserves the right to conduct searches of its vehicles, property or equipment at any time (Personnel Policy 24.3).
  
5. Voluntary Disclosure: The County encourages employees who have drug and/or alcohol dependencies or think they may have such dependencies to seek assistance voluntarily. The County provides employees with an employee assistance program (EAP), an assessment/brief counseling/referral service, where employees can seek help voluntarily in a confidential manner. When an employee voluntarily reports a drug or alcohol dependency to the County, and seeks assistance, that employee may be placed on a leave of absence or adjusted working hours to allow for inpatient or outpatient rehabilitation treatment as recommended by the rehabilitation counselors. Voluntary disclosure information will be handled with the same confidentiality provided for all employee medical information.
  
6. Employees may utilize unused, accumulated sick leave and/or vacation pay for time off work undergoing rehabilitation; the time is otherwise unpaid. County contributions toward health insurance premiums will continue for employees on leave for rehabilitation as required by the Family Medical Leave Act.
  
7. Prohibited Conduct: No employee shall report for duty or remain on duty while under the influence of any detectable level of alcohol or illicit drug in the employee's system.

“Under the influence” means any detectable level of alcohol or illicit drug in an employee's system or

any perceptible impairment of the employee's mental or physical faculties.

Except as authorized by office policy for job-related reasons, the following conduct is strictly prohibited for Benton County employees:

- a) Buying, selling, transporting, distributing, or possessing illicit drugs or ingesting alcohol while on County property, *or* while off County property performing work duties, during routine working hours, generally considered to be between 8:00 am and 5:00 pm (including lunch). "County property" includes all property owned, rented, leased or controlled by the County, including parking lots. It also extends to County equipment and vehicles on or off County property.
- b) Reporting for work or returning to duty under the influence of alcohol or illicit drugs. An employee is considered to be "under the influence" if a prohibited substance is present in his/her body.
  - i. It is the employee's responsibility to inform his/her supervisor if he/she is under the influence when called back to work after regular working hours.
  - ii. Employees whose positions require a valid Oregon drivers license must promptly report to their supervisor or to the Human Resources Manager convictions, diversion agreements and/or plea-bargains for an alcohol or drug related criminal offense that result in their drivers license being revoked or suspended. Human Resources and the supervisor will treat this information as confidential.
- c) Failing to comply with County directives regarding

enforcement of this policy, including but not limited to refusing to promptly submit to required testing.

- d) Giving false, diluted or altered urine samples.
- e) Failing to sign and comply with the Return to Work/Last Chance Agreement rehabilitation conditions imposed by the County.
- f) Failing to comply with applicable laws or regulations for those employees covered by such laws and regulations.

Employees who engage in any prohibited conduct will be subject to discipline, up to and including discharge.

**17.8 Federal Highway Administration Regulations.** The Federal Highway Administration Regulations, 49 CFR 382, (FHAR) are hereby incorporated by reference as part of Benton County's Personnel Policies. Employees whose positions require a Commercial Drivers License (CDL) are also regulated by the Federal Highway Regulations. Instances in which there is a conflict between the Benton County Personnel Policies and the Federal Highway Administration Regulations, the most stringent rule shall prevail.

## **RULE 18. DISCIPLINE**

**18.1 Discipline.** Disciplinary action shall be instituted by supervisors or department heads when deemed appropriate following an investigation. Disciplinary action shall be for, but not limited to, any of the causes set forth in this section.

**18.2 Cause for Disciplinary Action.** Any action that

reflects discredit upon County service, or is a direct hindrance to the effective performance of County functions, shall be considered good cause for disciplinary action. Improper conduct by an employee in an official capacity tending to bring the County into discredit, or which affects the employee's work performance, or any improper use of the employee's position for personal advantage, shall also be considered good cause. Good cause includes, but is not limited to the following:

1. Conviction of a felony.
2. Conviction of a misdemeanor which is related to the position held by employee.
3. Theft, unauthorized possession, or removal of County property.
4. Workplace violence, discrimination and /or harassment.
5. The use of non-prescription narcotics on the job.
6. Partaking of intoxicating beverages, or being intoxicated while on duty.
7. Insubordination or disloyalty.
8. Inefficiency or incompetence.
  - Inattention to duty, tardiness, indolence, carelessness.
  - Damage to or negligence in the care and handling of County property.
  - Improper or unauthorized use of County vehicles or equipment.
9. Claim of sick leave under false pretenses or misuse of sick leave.
10. Misconduct in the performance of employment duties or failure to perform duties or legal requirements.
11. Violation of County safety policy or departmental safety rules.
12. Willfully giving false information or withholding information with intent to deceive.
13. Willful violation of any provision of law or rules adopted by the Board; or any provision of

departmental rules.

### **18.3 Kinds of Disciplinary Action.**

**Investigation.** Disciplinary action shall be instituted by supervisors or department heads when deemed appropriate following an investigation. Disciplinary investigations generally include an investigatory interview with the employee whose conduct is being investigated.

Discipline is designed to be progressive and corrective and will usually begin with an oral reprimand. An oral reprimand is a documented discussion of a disciplinary issue; a signed copy of the document is placed in the employee's official personnel file (see Rule 5.1). If the improper conduct continues, subsequent discipline may proceed to more serious levels, which can end in discharge from County employment. Discipline should be viewed as correcting a deficiency, and should be applied only to the effect that "correction" is relevant.

In the event that the employee's behavior is so severe, or the act or problem is of an extreme nature, then discipline may start at a more severe level, up to and including discharge from County service. In all cases, however, only that level of discipline necessary to correct the behavior or problem shall be applied. Supervisors shall adhere to the procedures and tenets of progressive and corrective discipline.

All disciplinary actions must be documented and signed by both the supervisor and employee. The employee's signature only confirms having received a copy of the material and does not indicate agreement or disagreement. In the event the employee refuses to sign the document, the County may place the document in the file, provided it is signed by two (2) management or supervisory employees and mailed to the employee's address of record.

Progressive discipline has the following levels of severity, however discipline may commence at any level:

- **Oral Reprimand:** An oral reprimand is typically the first step in the disciplinary process. The oral reprimand serves to caution the employee that corrective conduct is necessary to avoid a more severe form of discipline. An oral reprimand is a documented conversation in which an employee is cautioned that corrective action is necessary. The documentation is signed by the supervisor and employee and is placed in the official personnel file in Human Resources.
- **Written Reprimand:** A written reprimand is a more formal discipline used for continuing or serious offenses. A written reprimand should, concisely and completely, contain the following: statement of the incident that caused the disciplinary action; rule violated; reference work record if applicable; state progressive disciplinary action taken; corrective action being taken; warn of consequence of repeated failing; and notify the employee of his/her right to grieve under the labor agreements or personnel policies.
- **Suspension, Demotion and Discharge** are discussed below under “Major Disciplinary Action Affecting Property Right.”

**Major Disciplinary Action Affecting Property Right.**

There are three types of disciplinary actions that adversely impact an employee’s economic interest in his/her job. These are: suspension without pay, demotion, and discharge. Pursuant to federal and state court decisions, any time a disciplinary action is imposed that adversely impacts an employee’s “property right” (economic interest) in his/her job, the employer must provide a due process hearing to the employee before imposing discipline. When

implementing a suspension, demotion, or discharge, Human Resources shall be notified prior to the administration of the discipline, where possible, or as soon as possible thereafter. As in all disciplinary actions, documentation of the action must be signed by the supervisor and the employee and placed in the employee's official personnel file.

Due process in Oregon requires the following three-step process:

1. Written notice to the employee which includes the following elements:
  - Factual allegations and rule violations as in a written reprimand
  - Discipline being considered.
  - A statement that the employee may file a response refuting or mitigating the allegations by a specific time
  - A statement giving the employee an opportunity for a formal due process hearing to refute charges specifying a definite time
  - A date and time by which a final decision will be made.
2. Due Process Interview:
  - The purpose of this meeting is to give the employee an opportunity to respond to the allegations.
  - The employee has a right to bring either a union Representative or an Attorney to a due process hearing.
3. Letter notifying an employee of a final decision. This letter must include:
  - A restatement of the allegations and the Rule(s) violated.
  - A confirmation that the information tendered during the interview has been considered.

- A statement of the disciplinary decision.
- In the case of suspension, note consequences of repeated violations (i.e. discharge).
- Also in the case of suspension, set out appropriate corrective actions to be taken, such as formal work plans, training, etc.
- An instruction to the employee of his/her right to grieve the decision through utilizing appropriate methods.
- Document delivery of decision letter.

- **Suspensions:** Based on the nature of the offense, a suspension may be an appropriate level following an oral or written reprimand. In the case of severe misconduct, an immediate suspension might be imposed. No sick or vacation credits may be accrued by an employee during the period of suspension. Written notice of due process to the employee shall include the elements provided above.

- **Demotion:** Demotion, both in pay and in position, may be used as a form of discipline when discharge is not warranted or when the department head believes that the employee has the potential for correcting conduct. Prior to administering a demotion, the employee's due process rights must be met (see details above).

- **Discharge:** Discharge is a termination of employment with Benton County Government. Prior to administering a discharge, the employees' due process rights must be met (see details above).

**18.4 Written Disciplinary Action.** Written notices of disciplinary action shall be signed by the supervisor instituting the action and the employee. The employee's signature only confirms having received a copy of the material and does not indicate agreement or disagreement. A copy of the disciplinary action is given to the employee at the time that such action is taken. In the event the

employee refuses to sign the material, the County may place the document in the file, provided it is signed by two (2) management or supervisory employees and mailed to the employee's address of record. A copy of the disciplinary action, with supervisor and employee signatures, shall be placed in the employee's official personnel file in Human Resources.

**18.5 Removal of Discipline.** Written discipline, placed in an employee's personnel file, shall be removed after three years when requested by the employee, or when discovered by other authority, provided that there has been no recurrence of the type or kind of conduct that lead to the disciplinary action. No disciplinary or corrective information of any kind shall be deemed official, or usable against any employee unless it has been received in Human Resources, date stamped, bears the signature of the employee, and is included as part of the employee's official personnel file.

Letters of warning appropriately removed from the personnel file under this article shall be maintained by the County and only used by the County to defend itself in a judicial or administrative action or complaint, which includes a grievance filed by an employee or the union.

## **RULE 19. SEPARATION, LAYOFF, RESIGNATION**

**19.1 Lay off.** Department heads may layoff a non-represented employee with six weeks notice, leave with pay, or a combination of notice and pay that equals six weeks. A layoff is termination of employment because of the abolition of a position, shortage of funds or work, a material change in duties, changes in an organization unit, or for other reasons that do not reflect discredit on the service of such employee. No temporary or permanent separation of an employee from County service due to

disciplinary action shall be considered a layoff. Temporary interruption of employment caused by adverse weather conditions, shortage of supplies, or for other unexpected or unusual reasons, which does not exceed ten (10) working days, shall not be considered a layoff if, at the conclusion of such conditions, the employee(s) returns to employment. Such interruptions of employment shall be recorded and reported as leave without pay.

Duties formerly performed by laid off employees may be reassigned to other employees.

**19.2 Resignation.** A thirty- (30) day calendar notice is recommended whenever possible. An employee should provide the department head with at least fourteen calendar days notice in writing. As much notice as possible is desired to facilitate recruitment, training of replacement personnel and continuity of services to Benton County citizens.

**19.3 Official Termination Date.** An employee's termination date shall be effective on the employee's last actual day worked. For employees on Family Medical Leave Act (FMLA), the termination date is the day the employee officially resigns or when the leave expires, whichever occurs first. All accumulated vacation and/or compensatory accruals shall be paid off based on the employee's date of termination.

All departments shall process a terminating PA form as well as the final time sheet not later than the morning of the termination in order to provide sufficient time to prepare the employee's final payroll check.

**19.4 Exit Interview.** Terminating employees are encouraged to participate in an exit interview with Human Resources. Exit interviews provide an opportunity to gain candid information about employment conditions within

the organization. Exit interviews are voluntary and are conducted by Human Resources. Copies of the interview are provided to the department head.

## **RULE 20. GRIEVANCE PROCEDURES**

**20.1 Grievance Definition.** A grievance is a dispute raised by a non-represented employee against the County and shall be limited in scope to the interpretation and/or the application of specific Rules and provisions of the Benton County Personnel Policies. Represented employees should refer to the appropriate bargaining unit agreement.

Supervisors and managers should consult with the Human Resources Manager when responding to grievances prior to step 3. Represented employees should refer to the appropriate bargaining unit agreement.

**20.2 Time Periods and Notices.** Time limits established herein may be waived through the written mutual consent of the parties. However, absent a written waiver by the parties, 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 herein shall result in the employee having the absolute right to elevate the grievance within ten (10) working days to the next higher step in the grievance procedure. A grievance may be dismissed at any time, and at any step, upon receipt by the Human Resources Manager of a signed statement from the aggrieved employee that the dispute has been resolved or withdrawn.

All time periods are measured in full working days, Monday through Friday. Weekends, partial days, and

designated County holidays are excluded.

**20.3 Informal Discussion Permitted.** Nothing in this Rule is intended to prohibit informal discussions relating to a potential grievance between the employee and the immediate supervisor, provided that the time limits set forth herein are strictly adhered to.

**20.4 Confidentiality.** All proceedings and evidence of any kind whatsoever that are related to grievances shall be considered exempt from public disclosure until the conclusion of the final administrative proceeding within the County.

**20.5 Exclusive Remedy.** Grievances shall be commenced and processed according to provisions herein, which provisions the parties mutually acknowledge to be the exclusive and binding process for the resolution of disputes constituting grievances as herein defined.

**20.6 Procedure.**

A. Grievances at step 1.

1. A grievance at step 1 shall be initiated by the filing of a written grievance with the employee's immediate supervisor within ten (10) working 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(s).

2. The aggrieved employee or his/her representative shall file the grievance at step 1.

3. All written grievances shall include the following information and be copied to the Human Resources Manager. Grievance filings that are deficient in one or more of the items noted in "a" through "f" below shall be presumed abandoned:

- a. The name and position of the employee on whose behalf the grievance is brought.
- b. The date of the circumstances giving rise to the grievance, and the date the employee claims first knowledge thereof.
- c. A clear and concise statement of the grievance, including all relevant facts necessary to a full and objective understanding of the employee's claim(s).
- d. The specific Rule or provision of these Policies alleged to have been violated. Ambiguous statements such as "any Rule which may apply," shall not be acceptable.
- e. The remedy or relief sought by the employee.
- f. The signature of the person submitting the grievance, and if other than the aggrieved employee, the person's position or standing with regard to representing the aggrieved employee.

4. If the supervisor responds, he/she shall respond in writing to the person filing the grievance within ten (10) working days following receipt of the written grievance with a copy to the Human Resources Manager. This written response shall either deny the grievance or acknowledge what step(s) will be taken to remedy the grievance.

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 elevate the grievance to step 2 as follows:

**B. Grievances at step 2.**

1. Within ten (10) working days following the written supervisory response step 1, or in the case of no written response, within ten (10) working days of the last date for a

written response, the aggrieved employee or his/her representative shall file with his/ her department head and Human Resources Manager a copy of the grievance 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.

2. If the department head responds, he/she shall respond in writing to the person filing the grievance with a copy to the Human Resources Manager within ten (10) working days following receipt of the required grievance documents by the department head. The department head may meet with the aggrieved employee and/or his/her representative to clarify the issues presented in the grievance.

3. If, after the tenth (10th) working day following the department head's receipt of the grievance, he/she has not responded in writing, or if the aggrieved employee is not satisfied with the department head's response, the aggrieved employee and/or his/her representative may elevate the grievance to step 3 as follows:

#### C. Grievance at Step 3

1. If the grievance is still unresolved, and the grievant wishes to proceed, he/she shall, within ten (10) working days following the written response at Step 2, file the Step 3 grievance with the County Administrative Officer, or other Board of Commissioners designee, with a copy to the Human Resources Manager. The Parties, which shall include the County Administrative Officer or Board's designee (hearings officer), the grievant(s) and his/her representative, a Human Resources representative, and one other management representatives shall meet within twenty (20) working days to review the facts. The goal of this step is to achieve cost efficient and timely resolution through a problem-solving process, which could include a mediator

by mutual agreement. Any cost for mediation will be shared equally by both parties.

2. All available information concerning the grievance shall be provided by the Parties at the meeting and become the official record. The official record will be maintained the Human Resources Division.

**20.7 Finality of Grievance Procedure.** The County Administrative Officer's or Board's designee's written findings of fact shall be considered final within Benton County, however, this provision is not intended to prevent either party from appealing under other statutory relief that may otherwise be available.

## **RULE 21. POSITION MANAGEMENT**

**21.1 Administration.** The Human Resources Manager shall have the authority for overall administration of the position evaluation and compensation plan.

The Human Resources Manager shall be responsible for developing a uniform position evaluation plan by ascertaining the actual duties, tasks, and responsibilities of all County positions, and having position descriptions and appropriate job evaluation processes. The plan initially shall be submitted to the Board of Commissioners for formal adoption and approval.

The County's current job evaluation plan is a point factor system. The point factor position evaluation system is a formal process for determining the relative value of County jobs based on job content for the purposes of compensation. Factors include level of knowledge, responsibility, physical skills, social contacts and working conditions required by a position.

Human Resources shall administer an Employee Position

Evaluation Committee to point factor County jobs. The Committee is made up of twelve (12) members: three (3) appointed by AFSCME, one (1) appointed by ONA, one (1) appointed by BCDSA, two (2) members representing departments, and five (5) non-represented members.

Positions are point-factored by the Employee Position Evaluation Committee when there is a position establishment, reclassification and during regularly scheduled departmental position reviews. Position descriptions to be point-factored are submitted to Human Resources and scheduled for evaluation by the Committee.

**21.2 Establishing A New Position.** When a department head or a supervisor plans a new type of work or a new position, his/her request shall be submitted to Human Resources. Human Resources will be responsible for reviewing the minimum qualifications, submitting the new position to the Employee Point Factor Committee for point factoring, determining the appropriate salary grade, and for submitting the establishment request to the Board of Commissioners. Department heads and supervisors shall not submit position descriptions to Human Resources before a preliminary discussion is held with the Board of Commissioners.

A newly established position must be filled by an open recruitment [see Rule 6.3 Recruitment]. Once the position is established, however, the new duties may be temporarily assigned to an existing employee prior to recruitment utilizing the Acting In Capacity (AIC) policy.

**21.3 Reclassification of Existing Positions.** Should there be a substantial increase in the complexity of duties or level of responsibilities assigned to a position over time, the position may be reclassified. *Not to be confused with a promotion which requires an open recruitment and*

*includes a probationary period.* Requests for reclassification must be processed as outlined below.

Reclassification requests may be initiated by the department head, the union or an employee by modifying the existing position description to show that the duties, responsibilities, and/or required skills of the job have changed. An updated position description must be reviewed and signed by the employee, supervisor and the department head prior to being submitted to Human Resources both electronically and in hard copy with original signatures. *The supervisor's signature signifies that the position description accurately represents the duties and responsibilities assigned to the position.* Human Resources will take the reclassification request to the Employee Committee for point factoring. Contact Human Resources for detailed instructions on the reclassification process.

Compensation:

- a. After a position is pointed by the Committee it will be placed on the compensation plan by Human Resources.
- b. Human Resources will advise the department head of the outcome of the reclassification process.
- c. The department head has the option to (1) remove any duties that resulted in the position's movement in the compensation plan. The incumbent would be paid for the higher-level work performed between the date Human Resources received the reclassification request and the date the duties are removed. (2) If the department head approves the reclassification of the position, Human Resources will take the reclassified position to the Board of Commissioners for approval.
- d. The effective date of the reclass will be retroactive to the first pay period following receipt of all request documents in Human Resources.
- e. The results of the Board's decision for represented

positions will be forwarded to the appropriate collective bargaining unit.

Employees reclassified to a higher salary grade shall first be granted a salary increase at the first step of the new position or at the step that is at least a five percent increase, not to exceed step 6 of the grade, over the employee's prior salary at the time of reclassification. The effective date of the reclassification shall become the employees new position appointment date. Thereafter, the employee may be considered for a step increase on his/her position appointment date provided he/she is below the maximum salary for the position.

## **RULE 22. SALARY ADMINISTRATION & COMPENSATION**

**22.1 Purpose.** The Human Resources Manager shall be responsible for the development of a uniform and equitable pay plan, based upon the County job evaluation system.

During the development of the plan, the Human Resources Manager shall consider the principle of equal pay for equal work, as well as the relationship between positions, 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.

The pay plan shall include a schedule of pay rates, consisting of minimum and maximum rates of pay for all positions in the County.

The purpose of the pay plan is to:

1. Establish the framework for providing equal pay for equal work.

2. Provide an appropriate salary structure to recruit and retain excellent employees.
3. Provide a means for rewarding employees for outstanding service.
4. Establish equitable internal relationships between positions.
5. Provide a process basis for facilitating adjustments to meet changing economic and employment conditions.

The pay schedule lists the pay grades and the monthly pay within each grade. A pay grade is the level of pay that is assigned to a position and is intended to be gross compensation for full time service of a forty- (40) hour workweek.

**22.2 Periodic Review of Compensation Plan.** The Human Resources Manager shall periodically review the pay plan and, if necessary, make recommend revisions to the Board of Commissioners.

At least annually the Human Resources Manager will determine and recommend to the Board of Commissioners the percentage of change to the pay schedule necessary to maintain pay equity comparable to area economic conditions. With Board of Commissioners' approval the pay schedule may be adjusted upward or downward and employee rates may be adjusted upward or downward by the same amount, not to exceed the maximum rate of the newly assigned grade.

**22.3 Employee Evaluations Required.** All employees shall have their work performance evaluated by their immediate supervisor and/or department head before completion of the probationary period and annually thereafter.

Employees should have their work performance evaluated before any salary increase is granted, except where across

the board salary increases occur. Additionally, employees at the maximum salary rate in his/her position will receive an annual evaluation.

Employees' pay shall be paid within the pay grade set forth in the pay schedule for the employee's position, except as may be provided in these Rules. (See Acting in Capacity pay, etc.)

**22.4 Limitation on County Pay.** An employee shall not receive any additional pay for additional duties that may be assigned, undertaken, or volunteered as a County employee unless specifically authorized in these Rules. Should there be a substantial increase in the complexity of duties or level of responsibilities assigned to a position, the position may be reclassified or considered for bonus pay. See Rule 21.3 and 21.9

**22.5 Newly Hired Employees.** New employees appointed to regular positions shall be hired at the first step of the salary grade for their position; however, the department head may approve hiring at step 2. The Human Resources Manager shall approve hiring at Step 3 or 4. Hiring above Step 4 can be recommended by the Human Resources Manager and must be authorized by the Board of Commissioners.

New employees are advanced one step in salary upon successful completion of their probationary period. Once they have been placed on the next step of their salary grade, and as long as they are below maximum salary for their position, they may be considered for a salary increase on their anniversary date.

Regular status seasonal, and limited duration employees are eligible to receive a step increase at the end of the probationary period and annually on the anniversary of their employment, provided that their work assignments

have been continuous and satisfactory.

For purposes of annual step increases, the initial anniversary date of employment for each employee shall be adjusted to the first day of the month in which he/she was hired.

All new employees must report to Human Resources on the first day they are scheduled to report to work to complete statutory payroll and employee benefit forms.

**22.6 Promotions.** Employee successfully competes in a recruitment for a position in a higher salary grade. Promoted employees will begin at the first step of the new position, or at the step which is closest to a five percent increase over the employee's prior salary at the time of promotion. A promotional probationary period will be served (represented employees see relevant bargaining unit agreements). The employee may receive a step increase at the successful completion of the promotional probationary period at the discretion of the department head. A promotional probationary period will be served (represented employees see relevant bargaining unit agreements). The employee may receive a step increase at the successful completion of the promotional probationary period at the discretion of the department head. Thereafter, the employee may be considered for a step increase on his/her anniversary date provided he/she is below the maximum, salary for the position, and provided that there is no conflict with the provisions of Rule 22.11 "Exceptional Increases."

**22.7 Position Reclassification.** Employees reclassified to a higher salary grade shall be granted a salary increase at the step in the new salary grade that is closest to a five percent increase over the employee's prior salary at the time of reclassification. The effective date of the reclassification shall become the employees new position

appointment date. Thereafter, the employee may be considered for a step increase on his/her position appointment date provided he/she is below the maximum salary for the position.

**22.8 Moving from a Represented to a Non-Represented Position.** Overtime and comp time will be cashed out when moving from a represented to non-represented position.

**22.9 Lateral Transfer.** Employee voluntarily moves to another position with the same salary grade. A new probationary period may begin at the discretion of the department head. Hiring salary step will be at the discretion of the department head. If an employee is transferred to another position in the same salary grade with a different position title, the employee's appointment date will change to the first day worked in the new position.

**Administrative Transfer.** Management moves an employee from one position to another position of the same title and salary grade. The employee's pay and position appointment date will remain the same.

**22.10 Demotion/Downward Reclassification.**

**Demotion.** An employee who is voluntarily or involuntarily demoted to a position in a lower salary grade, shall be paid at a rate within the pay grade for that position. The employee shall be placed at the step level closest to the current salary, but no more than the highest step of the new grade.

**Downward Reclassification.** Management initiates a downward reclassification when duties change, whether gradually or suddenly, such that the employee is performing work in a lower paying position, but *not done for discipline or because of employee's poor performance.*

The employee's salary shall be set at the salary step closest to the current salary, but no more than the highest step of the new grade. The effective date of the reclassification will be retroactive to the first pay period following receipt of all request documents in Human Resources.

**22.11 Exceptional Increases.** If a department head finds an employee's performance warrants, he/she may authorize an exceptional salary increase within the salary grade for the employee's position. Such increases do not affect the employee's anniversary date. Eligibility for such an increase shall be established solely at the discretion of the department head, but must be approved by the Human Resources Manager as being consistent with the overall job evaluation system and compensation plan. Such increase is limited to one additional step during a twelve-month period. In all cases a new personnel evaluation or a separate section in the annual evaluation must be forwarded with the proposed increase that will support the exceptional increase.

**22.12 Reinstatement.** Direct appointment may be made to reinstate an employee, within one year from termination in good standing, into the same position within the same department. The reinstated employee may be paid at a rate greater than noted in Personnel Rule 22.5. This exception to Rule 22.5 must be recommended by the department head and approved by the Human Resources Manager. There is no guarantee that a reinstated employee will be paid at the same rate within the pay grade that he/she received at the time of his/ her termination.

Employees who are reinstated within a year as described above shall be restored their unused sick leave credits accrued during their previous employment. Vacation accrual rate shall be reinstated at the rate in effect at the time of separation.

Any employee returning from authorized military leave shall be paid at the salary rate that the employee would have been eligible for if they had not been out on military leave.

**22.13 Acting in Capacity [AIC].** An employee who is temporarily assigned to a position with a higher pay range for a period greater than ten (10) working days shall receive compensation at Step 1 of the higher position salary grade or a one step increase in his/her regular position, salary grade whichever is greater. However, the employee shall be granted Step 1 of the higher position only if the employee is assuming the full duties and responsibilities of the higher position. The additional pay will continue for the duration of the temporary assignment.

If there is no existing position to assign the employee to, the establishment of a new position must take place before assigning an employee to new, higher-level duties and pay; or the employee may be paid an out-of-class amount (see section on Out-of-Class Pay) for working at a higher level on a project for a specific period of time.

AIC assignments shall not exceed six months. Upon request, the Human Resources Manager may grant an extension of the AIC assignment for an additional period of not more than six (6) months.

The AIC assignment must be made in writing to the employee and a copy sent to Human Resources along with the Personnel Action Form.

**22.14 Out-of-Class Pay.** An employee assigned a major project with higher-level duties and responsibilities may be eligible to receive five percent (5%) out-of-class pay. The assignment must extend for more than ten (10) continuous working days, but no longer than six (6) months. The out-of-class pay assignment must be made in writing to the

employee and a copy sent to Human Resources.

Out-of-class pay assignments shall not exceed six (6) months. Upon request, the Human Resources Manager may grant an extension of the out-of-class assignment for an additional period of not more than six (6) months.

## **RULE 23. WORKER SAFETY**

**23.1. Policy.** The County believes that safe working conditions for each of its employees can be attained through use of safety equipment, proper job instruction, frequent review of safe work practices, and adequate supervision. The purpose of this section is to define County policy and establish responsibility for administration and coordination of an effective accident prevention program.

**23.2 Safety Committee.** The safety committee shall be responsible for the development and maintenance of a safety program. Each department and/or work site has an individual safety committee. A representative from each individual safety committee serves on a County-wide executive safety committee.

**23.3 Responsibility for Safety.** The responsibilities of the Board of Commissioners, supervisors, and employees include the following:

1. The Board recognizes the need for the development of safe working conditions and practices for every job. All County officers and officials are directed to continuously and effectively assist in the administration of the County's safety programs and policies, to monitor work practices and conditions, to motivate safety awareness within their

departments, and to eliminate or report to the Board hazardous conditions and practices.

2. Supervisors are responsible for assisting in the administration and enforcement of the safety program, to instruct employees in safe working practices, to eliminate or report unsafe conditions, and to report accidents.
3. Employees are required, as a condition of their employment, to comply with all established safety policies and practices that are in effect at the time of their hiring, or may thereafter come into effect and to promptly report all unsafe conditions to their supervisors. Accidents that result due to employee negligence shall subject such employee to disciplinary action.

**23.4 On-the-Job Accident.** Any employee who sustains an injury and/or is involved in an accident while on the job for the County must report the injury/accident immediately to his/her supervisor and complete an Incident Report. If the injury or illness requires the employee consult a physician, a Workers Compensation (SAIF) 801 form must be completed.

1. An Incident Report form must be completed by the supervisor and forwarded to the Finance Division within 48 hours of the incident. Each department has a supply of these forms, or they may be obtained from the Finance or Human Resources Divisions.
2. If the injury or illness requires that a physician be consulted, a workers compensation (SAIF) Accident Report Form 801 must be completed and forwarded to the Finance Division within five (5) working days. The employee must take a Benton

County Return-to-Work Form when reporting to a physician, and request that the physician complete the form on the first visit, and fax it to Human Resources.

3. Upon returning to work, the employee must provide a physicians release to work.
4. Under some circumstances, the County and/or the workers' compensation insurance provider may require the injured employee obtain a second opinion evaluation from the County's physician prior to returning to work.

Departments will have a supply of Incident Reports, Accident Report Form 801, and Benton County Return-to-Work Forms, or these forms may be requested from the Human Resources or Finance Division. If forms and related information are not processed in a timely manner, the County's workers' compensation carrier may delay or deny temporary disability payments.

A decision on the responsibility and the compensability of a claim is normally made within the first fourteen (14) days of an injury or illness and if not, the insurance carrier is required to pay time-loss during the term of the investigation or until such time as compensability is determined. The County shall allow employees who file a workers' compensation claim and are unable to work as a result of the injury, may use sick, vacation or compensatory accruals during the first fourteen (14) calendar days of a workers' compensation claim. Once the workers' compensation carrier either accepts the claim or commences payment of time-loss to the employee, the County will cease salary payments chargeable to the above-mentioned leaves until the employee returns to work. The employee will receive time-loss payments from the workers' compensation carrier for their compensation.

If the injured employee has utilized leave accruals due to a delay in receiving workers' compensation carrier's approval beyond the first 14 calendar days, the employee shall reimburse the County upon receipt of workers' compensation payments. Leave accruals will be reinstated.

During the term of the worker's compensation claim, the County shall continue the enrollment of the employee under all normal insurance coverage to which the employee was otherwise entitled prior to a worker's compensation injury. If the employee works less than or equal to fifty percent of the scheduled hours for any pay period, the County will pay the employee's "co-pay" portion of any insurance premiums. If the employee works more than fifty percent of the scheduled hours, the employee will be responsible for paying the "co-pay" amounts.

For injuries or illness that extend for partial pay periods, the County will make up for any premium copayment that is not covered by the employee's normal payroll. For injuries that extend beyond a pay period, the County will pay the full premium, including any copayment that the employee was required to pay.

**23.5 Early Return To Work Procedures.** It is Benton County policy to return injured employees to work as soon as possible following an injury. In order to assist employees who have sustained a compensable injury or illness to return to work as soon as their medical restrictions allow, all employees shall fully comply with the following Early Return To Work Program:

1. Inform your physician that Benton County has an Early Return To Work Program that will attempt to accommodate your medical restrictions and offer you a light duty work assignment. Ask your

physician to complete the Return to Work Form.

2. If the attending physician releases the worker for either regular or light duty work, the worker shall report to his/her regular work site on the next regularly scheduled shift with the completed Return to Work Status Form. The department and Human Resources will work together to attempt to accommodate any medical restrictions.
3. If you are not released for either regular or light duty work, you must report at least weekly by telephone or in person to Human Resources.
4. Light duty or modified work assignments are always temporary and will attempt to accommodate medical restrictions. These assignments may be located in any County department, and all such work assignments will be described in writing.
5. If your physician alters your medical restrictions, the County will attempt to alter your light duty or modified work assignment pursuant to your physician's written instructions.
6. The Early Return To Work Program will end when the County is unable to accommodate the medical restrictions or when the worker is released to return to his/her regular job duties, or when the physician declares the worker medically stationary.

**23.6 Reinstatement of An Injured Worker.** ORS 659.415 provides that an employee who sustains a compensable injury or illness and has been terminated or discharged shall be entitled to reinstatement to his/her former or equivalent position provided that he/she is certified by his/her attending medical physician to be capable of performing the duties of his/her former position.

The injured employee's reinstatement rights shall continue until: (1) a determination is made pursuant to ORS 659.415(3)(a)(A) that the employee cannot return to his/her former position; (2) the employee is eligible and participates in vocational assistance, (3) the employee accepts suitable employment with another employer after becoming medically stationary; (4) the employee refuses a bona fide offer from the employer for light or modified duty employment which is suitable prior to becoming medically stationary; (5) seven days from the date that the employee is notified by the insurer by certified mail that the employee's attending physician has released the employee for employment unless the employee requests reinstatement within that time period; or (6) three years from the date of the compensable injury or illness, whichever occurs first.

The department head may require additional medical evaluations by qualified medical physicians prior to reinstatement of the injured employee if the department head reasonably believes that the employee cannot perform the duties of the position to which he/she is returning, or if it is reasonably believed that the attending medical physician has not been provided with a true and correct description of the duties required of the position to which the employee is returning. Selection of such physicians and all associated expenses thereto shall be the responsibility of the employer.

If the injured employee is covered by a collective bargaining agreement, he/she is entitled to utilize his/her seniority and bumping rights pursuant to such agreement, if any.

## **RULE 24. MISCELLANEOUS**

**24.1 Mileage Pay.** Any employee required to use

his/her personal vehicle in the performance of his/her duties as an employee of the County shall be reimbursed at a rate per mile approved by the County, measured during working hours from the employee's work site to the place of County business and return to the employee's work site. All personal vehicle mileage shall be authorized in advance by an appropriate supervisor. Future rate adjustments shall be made when the rate authorized by the Federal Internal Revenue Service (IRS) is adjusted, up or down. The County rate shall be the same as the IRS authorized rate. The Finance Manager shall notify department heads of the implementation date of an adjusted rate.

**24.2 Motor Vehicle Policy.** Employees using a personal vehicle for County business are required to maintain insurance coverage on the vehicle in accordance with Oregon State Law. Employees are required to attach a copy of their current automobile insurance card to every request for reimbursement of costs incurred while using a personal vehicle on County business.

An employee's personal vehicle insurance is the primary insurance coverage when an employee's personal vehicle is used on County business. The County does not provide insurance coverage for an employee's personal vehicle.

Employees who rent vehicles for County business shall rent the vehicle in their own name and shall purchase insurance offered by the rental company if appropriate. Employees are responsible for providing insurance for rental vehicles.

**Commercial Drivers License Requirements.** Employees who are required to maintain special licensing for employment, must comply with all local, state and federal regulations pertaining to that license. Any person who holds a Commercial Drivers License (CDL) who is convicted of a traffic violation (except parking) in any type of vehicle, on or off the job, must notify their supervisor in

writing within 30 days of the conviction.

**24.3 Lockers and Desks.** Some employees are provided lockers and/or desks for use while at work. Such lockers and desks are provided for the convenience of employees, but remain the exclusive and sole property of Benton County. Moreover, Benton County reserves the right to open and inspect lockers and/or desks, as well as other County owned equipment and materials. Such inspection can occur at anytime with or without advance notice or consent, either before or after working hours, conducted by any department head or other employee designated by the Board of Commissioners.

**24.4 Employee Organization and Representation.** Employees of the County who are lawfully eligible 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.

**24.5 Outside Employment.** An employee shall not engage in compensated outside employment without prior approval from his/her department head.

The employee shall submit a written request to his/her department head as far in advance of the beginning of the outside employment as necessary for him/her to make informed choices about the employment [form available on the common G:Library/HR/Forms]. The department head shall answer the request of the employee as soon as possible but never later than ten working days from the date he/she receives the request.

Permission for an employee of the County to engage in outside employment for a period of thirty (30) calendar days or less may be granted by the department head. If the employment will exceed thirty (30) calendar days, or if it is

continuing in nature, the department head shall submit the request with his/her recommendation for approval or denial, to the Human Resources Manager. The Human Resources Manager shall approve or deny the proposal and shall notify the department head and the employee of his/her decision within ten working days. All decisions made pursuant to this Rule shall be in writing.

It shall be the responsibility of the department head and the Human Resources Manager to assure that employees engage in activities that meet the following criteria:

1. Not conflict with the employee's County responsibilities.
2. Not interfere with or adversely affect the performance or efficiency of the employee's County work performance.
3. Not be a discredit to County employment.
4. Not constitute a real or an apparent conflict of interest, nor present any liability to the County due to the nature, conditions, competition or some other aspect of the activity.
5. Not sell goods or services to the County from an employee owned, or partially owned, outside business unless prior to the County's purchase the employee has:
  - a) provided written notification to his/her department head clearly stating the name of the employee's outside business, the type of business, and the employee's ownership interest in the business, and
  - b) obtained department head and, when necessary, Human Resources Manager, approvals for outside employment, and
  - c) has not participated in the decision-making process which led to the purchase of goods or services from the employee's company, and

- d) the employee's business was determined to be the sole source (or an emergency source) of a good or service.

The department head may, at any time, revoke permission to hold outside employment when he/she determines that the outside employment is incompatible with County employment.

**24.6 Personal Appearance.** Good community relations is an integral part of each employee's responsibility. All employees must maintain their appearance and conduct themselves in a manner which is appropriate for an employee in public service. Standards governing appearance remain with the department head and are relative to the position held and duties performed.

**24.7 Selling and Peddling Among Employees.** No peddling, soliciting, or sale for charitable or other purposes shall be allowed among or by employees during working hours.

**24.8 Political Activity.** No County employee, official, or private person shall solicit any assessments, contributions, services or other item of value or otherwise aid or promote any political committee or the nomination or election of any person to public office while on the job during working hours.

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 on all political subjects and candidates, to maintain political neutrality, and/or to attend political meetings. County employees on the job and during working hours, however, may not promote or oppose any political committee, political candidate or ballot measure, nor may they gather signatures on any initiative, referendum or recall petition.

**24.9 Student Interns.** Student interns working for Benton County for specified periods of time as part of practical work experience shall receive reimbursement for work performed under the following guidelines:

3. Monetary reimbursement for interns shall be a decision at the discretion of the department head.

4. If the department has determined that payment is appropriate for the internship, all student interns shall receive at least the current minimum wage.

5. A Student Internship form shall be completed for all student internships.

6. Student interns shall be advised prior to the start of the internship the number of hours to be worked, the rate of pay, the length of placement, and other factors relevant to the performance of the internship. In the case of a paid student internship, a Personnel Action Form shall be completed and forwarded to Human Resources. The form should include the following information in the "Remarks" section:

- School the intern is attending, and what year
- Nature of the work the intern will be doing
- Whether the school is covering workers' compensation insurance
- Duration of the internship (can be approximate)

5. The conditions of reimbursement to the intern do not preclude a department from arranging internships based solely on school credit(s) in return for work experience, or an internship where no payment or school credit is warranted.

**24.10 Residence Requirements.** Residency shall not be a condition of initial appointment or continued

employment, provided that the employee resides within a reasonable distance from his work site that would allow for his/her recall in the event of an emergency. In all cases, the department head shall be the sole judge in defining what constitutes a reasonable distance.

Department heads shall either reside in the County or be able to report to their work site within 45 minutes. This requirement must be met at the time of appointment unless the Board of Commissioners grants a waiver. If granted, the waiver must be written and on record at the time of appointment or the appointee may be subject to immediate termination. Written waivers will be forwarded to the Human Resources Manager for inclusion in the employee's personnel file.

**24.11 Cost Consciousness.** Benton County employees are expected to be fiscally responsible and to practice economy in the discharge of their duties. Employees are encouraged to be innovative and creative in work procedures that will result in a cost reduction or improved service to the public.

**24.12 Telephone Courtesy and Usage.** All County employees are expected to provide courteous and informative service when using the telephone to conduct County business. General guidelines to follow include:

1. Answer phones promptly.
2. Be courteous and friendly.
3. Identify yourself and your department.
4. If the person called is not in the office, offer to take a message.
5. If the department prefers to have the caller identified, employees should inquire: "May I say who is calling?"
6. Do not allow individual callers to remain on hold for extended periods. Check periodically to

- determine if they wish to remain holding.
7. Do not place personal long distance calls on office phones.
  8. Limit personal calls.
  9. County cellular telephones are authorized for the express purpose of conducting County business. Employees are not authorized to use County cellular telephones for personal calls, either local or long distance, unless a bona fide emergency exists.

**24.13 Use of Electronic Equipment.** Electronic office equipment is a County resource that is provided to employees as a tool to enable the employees to better perform their jobs. All information generated, processed, received, stored, sent or otherwise appearing at any time in any form on electronic office equipment is the property of the County. Administrative Policy 97-04 "Use of County Electronic Office Equipment" is hereby incorporated by reference as part of Benton County's Personnel Policies.

All information which is on electronic office equipment is public record if it would be public record in any other format, and is subject to the Public Records Law. E-mail is provided for County business use only. E-mail shall not be used for personal communications, gain, outside business activity, or political activity.

County computers and Internet access shall be restricted to use for County business. No privately owned software shall be installed on County-owned equipment.

**24.14 Confidentiality.** All information concerning County business should be handled in a manner assuring complete confidentiality when appropriate. Certain matters are strictly confidential, and employees are to become familiar with these restrictions.

**24.15 Children of Employees in the Workplace.** An

accommodation may be made to allow children in the workplace upon approval of the supervisor. Such accommodation should not cause distraction for the employee or coworkers and will not be approved on a long-term, on-going or regular basis. Babies and toddler that require attention would not qualify. Accommodations shall not result in disruption to the workplace, loss of productivity, inconvenience to other employees, or in any way interfere with service to the public.

There are times when it would be appropriate for children to be in the workplace and children are welcome. Times such as children visiting a parent for a brief period, during a break or at lunch times is appropriate. Participation in “Bring your Daughter/Son to Work Day” is also encouraged by the County with the prior approval of the employee’s supervisor and depending upon the nature of the employee’s assignments.

Exceptions are made for breast-feeding in the work place. The breastfeeding woman shall be allowed a flexible schedule for nursing or pumping to provide breast milk to her child. The time allowed would not exceed the normal time allowed for lunch and breaks. For time above and beyond normal lunch and breaks, sick/annual or unpaid leave may be used, or (with prior authorization by their supervisor) the employee can come in a little earlier or leave a little later to make up the time.

#### **RULE 25. ADOPTION**

Adopted by Resolution this 16th day of December 2003.  
Signed this 16<sup>th</sup> day of December 2003.

**BENTON COUNTY BOARD OF COMMISSIONERS**

Commissioner Jay Dixon

Commissioner Annabelle Jaramillo

Commissioner Linda Modrell

This policy manual is effective on December 16, 2003. This manual supersedes all previous statements, memos, policies, and practices that are in conflict with its provisions.

**RECEIPT OF EMPLOYEE HANDBOOK**

I HAVE RECEIVED A COPY OF THE BENTON COUNTY PERSONNEL POLICY MANUAL AND UNDERSTAND THAT IT IS MY RESPONSIBILITY TO READ THE CONTENTS. I ALSO UNDERSTAND THAT THIS MANUAL IS NOT A CONTRACT AND THAT BENTON COUNTY CAN CHANGE THE MANUAL AT ANY TIME. I WILL CONTACT MY SUPERVISOR OR HUMAN RESOURCES IF I HAVE A QUESTION ABOUT THE INFORMATION IN THE MANUAL.

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

DATE \_\_\_\_\_

EMPLOYEE NAME PRINTED

\_\_\_\_\_

**PLEASE SIGN AND RETURN TO HUMAN RESOURCES FOR YOUR FILE.**