



EMPLOYEE HANDBOOK

July 1, 2024



Organization Chart

City of Klamath Falls Community Members

Mayor & City Council

City Attorney

City Manager

Municipal Court Judge

City Recorder

Human Resources

Assistant to the City Manager

Municipal Court

Development Services

Urban Renewal
Airport
Engineering
Planning
Business Licenses

Finance & Business Services

Finance
Utility Billing
Information Technology

Police Department

Police Patrol
Investigations
Records
Property/Evidence
Code Enforcement
Parking Enforcement
Reserve Program
Volunteers in Policing

Public Works

Facility Maintenance
Fleet Maintenance
Parks & Pool
Street Lighting
Streets
Wastewater
Water & Geothermal

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I. OVERVIEW

A. Introduction

Dear Valued Employee,

Welcome to the City of Klamath Falls team! As the City Manager, it is my pleasure to introduce you to our updated Employee Handbook. This handbook is designed to provide you with essential information about our policies, procedures, and the values that guide our work every day.

At the heart of our organization are the core values of integrity, service, and community. These values are not just words on a page; they are the principles that drive our actions and decisions. We believe that by upholding these values, we can create a positive and productive work environment that benefits both our employees and the residents of Klamath Falls.

Our mission is to enhance the quality of life for all who live, work, and visit our city. To achieve this, we are committed to providing exceptional customer service, fostering a culture of innovation, and ensuring that our operations are efficient and effective. Each of you plays a crucial role in supporting this mission, and your dedication and hard work are what makes our city thrive.

As you review the Employee Handbook, please take the time to familiarize yourself with our policies and procedures. These guidelines are in place to ensure that we operate in a fair, consistent, and transparent manner. If you have any questions or need further clarification, do not hesitate to reach out to your supervisor or the Human Resources Department.

Thank you for your commitment to the City of Klamath Falls. Together, we can achieve great things and continue to make our city a wonderful place to live, work, and play.

Sincerely,



City Manager
City of Klamath Falls

B. Overview

The City of Klamath Falls is a full-service City and provides some services just within its boundaries and others both in and out of the City limits. Included are police protection, code enforcement, drinking water, wastewater treatment, geothermal and street lighting utilities, engineering, planning, parks, cemetery, street construction and maintenance, and development services.

1. History

The City of Klamath Falls was incorporated on May 18, 1905. It is run by a Council/Manager system. The City Council is comprised of five elected officials, one from each ward. The Mayor, elected at large, serves as the chair of the Council. The Council selects the City Manager, who is responsible for the daily activities of City business and the supervision of the City's employees.

2. Vision

The City of Klamath Falls is a united community with healthy, welcoming neighborhoods where community members aspire to live, thrive, and enjoy the quality of life afforded by our surroundings, opportunities, and values.

3. Mission

The City of Klamath Falls drives community engagement, local beautification, and economic opportunities.

4. Open Door Policy

The City's Open Door Policy is based on the belief that open, honest communication between managers and employees should be a common business practice. The City Manager and supervisors are responsible for creating a work environment where employee input is welcomed and where issues are identified early and shared without the fear of retaliation (when the employee provides the input in good faith). Employees who have a complaint, suggestion, or question about their job, working conditions, or the treatment they are receiving from anyone in the City, should raise them first with their immediate supervisor. If the employee is not satisfied with the supervisor's response or if the issue involves the supervisor, the employee shall contact Human Resources.

C. About this Handbook

This Employee Handbook is a guide to the City's employment provisions and expectations. It outlines many of the programs and benefits that affect an employee of the City of Klamath Falls. Nothing in this handbook is meant to limit the discretion of the City in managing and supervising employees. The City reserves the sole discretion and right to amend, delete, or otherwise revise the Employee Handbook at any time.

The City may add to the policies in this handbook or revoke or modify them from time to time. The City will try to keep the manual current, but there may be times when policy will change before this handbook can be revised. Significant changes to the handbook will be communicated to employees as soon as possible. Human Resources will maintain the most current version of this handbook on the City's website.

Oral statements or representations cannot change or alter the provisions of the Employee Handbook. Except for the contracts with the employees supervised by City Council and collective bargaining agreements (CBAs), all previously issued handbooks, policies, memos, and verbal or written agreements that are in conflict with the current handbook's provisions will be superseded as of the effective date of this handbook.

This handbook summarizes the personnel policies and procedures that govern the employment relationship between the City and its employees other than those found in applicable CBAs. It is not intended to be comprehensive or to address all the possible applications or exceptions to the general policies and procedures of the City. The information provided in this handbook is based on the belief that common sense, good judgment, respect, and consideration for the rights of others are paramount to the City's ability to serve its community members. Any questions concerning eligibility for a particular benefit or the applicability of a policy or practice should be addressed to the manager or Human Resources. For the purposes of this handbook, "manager" means either a manager or supervisor to whom the employee reports. Managers are encouraged to consult with Human Resources to maintain consistency of interpretation.

Some subjects described in this handbook, such as benefit plan information, are covered in detail in official policy documents. Those documents contain the specific information which this handbook only summarizes.

In addition to the policies outlined in this handbook, the City of Klamath Falls has administrative policies and procedures not related to personnel that are posted on SharePoint. Employees are encouraged to request SharePoint access to these administrative policies and procedures through City Administration. Employees should familiarize themselves with those policies.

The City welcomes employee suggestions for improvement to this handbook, procedures, employment practices, or working conditions. The City encourages employees to share the handbook with their family members so that they will also understand the work environment.

D. Employment Relationship

Employees of the City of Klamath Falls are engaged in an "at will" employment relationship. This means that either party may terminate the employment relationship at

any time with or without reason. The at-will provision extends to all employees unless otherwise exempted by a CBA. The Corrective Action guidelines are subordinate to the employment at-will policy.

Except for those employees supervised by City Council and CBAs, no one other than the City Manager has the authority to enter into any employment agreement contrary to the provisions outlined in this handbook and the handbook cannot be altered except in writing and signed by the City Manager. The City is also not bound by any oral promises concerning the length or conditions of employment.

E. Hiring of Relatives

Relatives of current employees or individuals involved in an intimate personal or financial relationship with a current employee are eligible for hire at the City subject to the same selection and evaluation process and job requirements as any other applicant. Persons will not be hired or promoted into positions in which one family member (as defined by Oregon law) or person involved in an intimate personal or financial relationship would fall under the direct line of supervision of the other family member or partner.

All employees shall avoid being in a position where they are subject to supervisory or oversight authority by a family member, member of their household, or a person with whom they have an intimate personal or financial relationship. If the relative relationship is established after employment as a result of organizational restructuring, marriage, or a development of an intimate personal or financial relationship, the employees involved have an obligation to immediately inform the Ethics Officer (City Attorney). The employees and the City will jointly make a good faith effort to find an alternative assignment for one of the two employees. Depending on business need, this may include, but is not limited to, restructuring duties, assignment to another position, and assignment to another shift or change in supervision. If no alternative assignment is available, the two employees will have 30 days to decide who will resign. If a decision is not made within 30 days, the City will make the final decision based on the City's operational and financial needs.

Policy violations including, but not limited to, failure to disclose a family relation or an intimate personal or financial relationship, will be investigated by the City. Policy violations may result in discipline up to and including discharge.

F. New Employees, Promotions and Transfers

1. New Employee Orientation

In order to help new employees prepare for their position within the City's operations and to ensure they develop a productive and satisfying employment relationship, managers are responsible for ensuring that all new employees are scheduled for a general orientation organized by the Human Resources staff within the first week of employment. Managers may provide a more detailed job-specific orientation.

2. Probationary Period

New employees are hired into a probationary period which generally lasts six months. This period is an extension of the employee selection process. During this time, new employees are considered to be in training and under observation and evaluation by their managers. Managers will be evaluating the employee's adjustment to work tasks, conduct and other work rules, and job responsibilities. This period gives new employees an opportunity to demonstrate satisfactory performance for the position. It also allows the new employee an opportunity to decide if the City meets the employee's expectations. Employees will accrue but not be eligible to use vacation leave benefits during this period, unless specifically agreed upon in advance by the City Manager.

At or before the end of the probationary period, the City will decide the employee's status. If the employee successfully completes probation, they may be moved to regular status. If the employee's knowledge, skills, and abilities (KSAs) border on satisfactory but fall short of expectations, the introductory period may be extended if there is reason to believe that KSAs will improve within a reasonable amount of time. If expectations are not met or demonstrated, and/or KSAs are not satisfactory, it is unlikely that employment will be continued.

3. Promotions and Transfer Training Period

The City encourages upward mobility and will consider employees for promotions as opportunities develop or vacancies occur. Annual performance evaluations are an excellent time for employees to discuss career interests with their manager.

Employees who are promoted or transferred to a new position must also complete a reasonable period of training to determine the suitability of the placement and their ability to satisfactorily perform the required work. If it is determined that the job change is unsatisfactory during this period, an employee may be returned to their original job, assigned to another vacant position, or terminated. If an employee is placed in a job other than their original job, the pay and benefits may also be adjusted. Usually employees must have completed their initial introductory period before transferring to a new position and not be under any disciplinary action.

4. Employment Classifications

The status of each employee's position is placed into distinct classifications for benefits, other employment conditions, and to aid in a better understanding of employment relationships within the City. Positions are further classified according to federal and state wage and hour laws into the two additional categories of exempt and non-exempt as is defined by federal and/or Oregon law. Management will make the appropriate designation regarding the status for each new position or when a position substantially changes.

Classifications include:

- a. Regular Full-time: An employee who is regularly scheduled to work 40 hours or more per week. **Benefits eligible.**
- b. Probationary Full-time: An employee who is on probationary status and is regularly scheduled to work 40 hours or more per week. **Benefits eligible.**
- c. Regular Part-time: An employee who has completed the probationary period and is regularly scheduled to work less than 30 hours or less per week. **Benefits ineligible (unless otherwise required by law).**
- d. Interns: A temporary employee who is scheduled to work less than 30 hours or less per week. **Benefits ineligible.**
- e. Temporary: An employee who is hired for a specified period of time. Generally, temporary employees will not work more than 599 hours during a calendar year. **Benefits ineligible.**
- f. On-Call: An employee who does not have a set schedule and works only when called upon. Generally, On-Call employees will not work more than 599 hours during a calendar year. **Benefits ineligible.**

II. CODE OF CONDUCT

A. Workplace Rules and Expectations

The City believes policies and procedures are essential for the orderly operation of City business and for the protection and fair treatment of all employees. As a result, there are clearly identified performance expectations so that everyone can act in accordance with these standards. The following work rules are not all inclusive but serve as guidelines to demonstrate work behaviors considered important to the City:

1. The City expects all employees to be at work on time, remain until the workday ends, and perform the work assigned. If an employee is unable to be at work on time, they shall contact the supervisor or manager prior to the start of the work shift. If those individuals cannot be reached, then the employee shall contact an alternate managerial representative.
2. Employees shall regard their workplace with respect and attention. The City records, equipment and property shall be treated carefully and appropriately. The City equipment

shall be used for City business, and anything created with the use of such equipment is the sole property of the City. Employees are responsible for those items in their care and custody and will be held accountable for their maintenance, appropriate use, and/or accuracy.

3. Employees shall act in accordance with all appropriate codes, laws, regulations and policies.
4. Employees shall conduct themselves in a professional and respectful manner, exhibiting a high regard for all community members, vendors, business associates, and co-workers. The City will not condone any breach of professional behavior including, but not limited to, abusive language, harassment, personal business during work time, etc.
5. Employees shall maintain the confidentiality of City information or community members' information.
6. Employees shall dress in a neat manner consistent with the professional atmosphere, keeping in mind the impression made on community members, visitors, and other employees, and the need to promote the City and employee safety. Good individual judgement is the best guideline, but management retains the right to decide what appearance at work is appropriate. Employees are responsible for adhering to any department-specific requirements for uniforms and personal protective equipment.
7. Any other action an employee takes that is not in the best interest of the City.
8. Employees shall meet the standards for the performance of the position held. Failure to perform up to acceptable standards, insufficient productivity, inattentiveness to the job shall result in corrective action.

This information regarding unacceptable practice/behavior may help in providing guidance for employee actions. The City urges all employees to use reasonable judgment at all times and to seek advice from managers or supervisors in any doubtful or unclear situation. Ideally, if all employees do their best to meet both the spirit and intent of these guidelines, employee disciplinary issues should be minimal. Violations of the workplace rules identified above or any other City policy may result in corrective action up to and including immediate discharge.

B. Workplace Ethics Policy

The City believes in treating all people with respect and adhering to ethical and fair business practices. Employees shall avoid situations that might cause their personal interests to conflict with the interests of the City or situations that may compromise their reputation and integrity. City employees are public employees as defined by the State of Oregon and, as such, are subject to the State's ethics laws. In some cases, these laws provide additional

limitations on employees such as prohibitions on gifts or strict definitions of conflict of interest. Employees coming to the City from work in the private sector may find some activities which are common business practices in the private sector are prohibited in the public sector. Information on these laws is available at the Oregon Government Ethics Commission website at <http://www.oregon.gov/OGEC/>.

For those who have questions about whether an activity meets the City's or State's ethical standards or whether something may be a "gift" under Oregon's ethics laws should reference the web link above or contact the Ethics Officer. Employees who violate the Ethics Policy or who violate Oregon's ethical standards and laws may be subject to disciplinary action up to and including discharge.

C. Confidentiality

Employees shall not access, use, or disclose sensitive or confidential information or data except in accordance with the City's policies, practices and procedures or as authorized by state or federal laws or regulations. Confidential information includes all information acquired by an employee during employment that is not generally available to the public including legally protected information. Examples include but are not limited to:

1. Records concerning ongoing law enforcement investigations or administrative investigations conducted by the City or other public entity;
2. Employee personnel files and related documents;
3. Personally identifying information (names, addresses, telephone numbers, date of birth, driver's license, and social security numbers) about employees, court defendants, utility account holders, and users of public facilities;
4. Any privileged or confidential commercial or financial information including the social security number or driver's license of any person;
5. Any records of discrimination or harassment complaints and investigations whether or not part of a personnel file;
6. Records submitted by a candidate for an executive position;
7. Any record revealing or indicating a person has a disability;
8. Any medical, mental health, or psychological records;
9. Letters of reference;

10. Any documents not subject to production under Oregon’s public records laws.

The contents of records or information otherwise obtained regarding City business may not be disclosed to anyone except where required for a business purpose or unless directed to do so by a court of competent jurisdiction or upon direction from the City Manager.

No records or information including (without limitation) protected medical data, documents, files, records, computer files or similar materials (except in the ordinary course of performing duties on behalf of the City) may be removed from our premises without written permission from the City Manager.

All information acquired by an employee during the course of employment is to be used solely for the benefit of the City and, through the City, for the benefit of our community members. The use of such information for personal advantage or disclosure to others is strictly prohibited. Likewise, any materials developed by employees in the performance of their jobs is the property of the City. Employees may not take this material with them when they leave employment with the City nor remove it from City offices for non-work related reasons. Nor shall they copy or distribute it to any other persons or companies unless required in the course of business without written approval from the City Manager. Employees are subject to disciplinary action up to and including discharge for revealing information of a confidential nature.

D. Criminal Acts

City Employees shall report if they are arrested and/or charged with any misdemeanor or felony, including a DUII, as well as if they receive any criminal citations or plead guilty or no contest to charges. Employees shall inform Human Resources about these events within two business days. Upon conviction or dismissal of charges, the employee shall report the matter to Human Resources within two business days and submit documentation concerning the resolution.

An arrest or conviction of a crime is not an automatic bar to continued employment. The City will review the underlying facts of the matter. Any action taken will be on a case-by-case basis, taking into account the totality of the circumstances. Actions may range from no action to disciplinary action including discharge.

Failing to report arrests, criminal charges and/or convictions constitutes grounds for discharge. Furthermore, misrepresentation of the circumstances of the events can serve as grounds for discharge. Employees who are unavailable to report to work due to incarceration will not be allowed to use accrued leave and may be subject to disciplinary action including discharge.

E. Klamath Falls Police Department (KFPD) Incidents

This policy establishes guidelines to promote uniformity in the investigation of auto accidents, traffic citations and arrests involving City employees or their immediate family members living in the same household or are covered on the City employee's insurance policy.

If an employee or their immediate family member (living in the same household) are detained/contacted for questioning, citation, or auto accident investigation by a Klamath Falls Police Officer, they **must immediately** inform the officer that they are a City employee or family member.

Auto accidents shall be referred to an outside law enforcement agency for investigation. Arrest and traffic citations shall be filed with the Klamath County Circuit Court to avoid the appearance of impropriety.

Failure to inform a Klamath Falls Police Officer of City employment as outlined above is not an automatic bar to continued employment. The City will review the underlying facts of the matter. Any action taken will be on a case-by-case basis, taking into account the totality of the circumstances. Actions may range from no action to disciplinary action including discharge. Employees are responsible for sharing this policy with their immediate family members (living in the same household).

F. City Services

Employees inhabiting, owning, or operating property served by City utility system(s) are required to keep the Utility Billing Department informed of the service address and pay the account on time in compliance with the rules and regulations that apply to all rate payers. Employees who fail to pay their account on time, and/or whose services are disconnected, may result in disciplinary action up to and including discharge, in addition to other penalties.

Those employees who write checks to the City which are refused for payment due to Non-Sufficient Funds (NSF), may result in appropriate disciplinary action up to and including discharge, in addition to other penalties.

G. Outside Employment

City Employees may hold outside employment if the additional work does not interfere with or adversely affect their performance at the City, does not create a conflict of interest, does not use City time/equipment/property/premises, including the employee's own work time with the City, does not discredit the prestige or influence of the employee's position, does not involve actions that may be subject to review or control by the City, and does not otherwise detract from or discredit the City. Employees proposing to accept outside employment shall notify their manager in writing and obtain written permission which will

not be unreasonably withheld. Employees who accept employment in violation of this policy, or who start a job outside the City without first getting permission from their manager, may be subject to discipline up to and including discharge.

H. Misrepresentation

City employees should consider how they represent the City when conducting business transactions and interactions. Employees should not misrepresent policies, practices, procedures or prices, nor misrepresent their status and authority to enter into agreements. Employees may not use the City's name, logo likeness, facilities, assets or other resources for personal gain nor use the authority of their position with the City for the benefit of private interests. Employees who misrepresent the City in violation of this policy may be subject to discipline up to and including discharge.

I. Prohibited Political Activity

City Employees may engage in political activity except to the extent prohibited by Oregon law when on the job during working hours.

This means that employees cannot:

1. Be required to give money or services to aid any political committee or any political campaign.
2. Solicit money or services (including signatures) to aid or oppose any political committee, nomination or election of a candidate, ballot measure or referendum, or political campaign while on the job during working hours (this is not intended to restrict the right of City employees to express their personal political views).
3. Be disciplined or rewarded in any manner for either giving or withholding money or services for any political committee or campaign.

Employees who engage in prohibited political activity in violation of this policy may be subject to discipline up to and including discharge.

J. Fraud & Theft

Each employee is required to take Fraud Awareness Training every three years. Employees in positions that conduct monetary transactions are required to take Fraud Awareness Training annually.

Fraud or fraudulent means an intentional deception designed to obtain a benefit or advantage or to cause denial of some benefit that is lawfully due. Theft means the act of unlawfully taking something from someone. Corruption includes conflicts of interest, illegal gratuities, and bribery.

Examples of fraud and theft include:

1. Forgery or alteration of a check, bank draft, or any other financial document;
2. Theft of a check or other diversion of a payment made to the City;
3. Improper or dishonest handling of funds, supplies, or other assets;
4. Improper handling or reporting of financial transactions;
5. Intentional misstatement or omission of material information in the financial statements with the intent to mislead;
6. Profiteering as a result of insider knowledge of City operations;
7. Selling or using confidential City information in the conduct of an outside business activity;
8. Taking equipment or supplies belonging to the City and utilizing or keeping the property for personal use;
9. Falsifying time records or expense reports;
10. Personal purchases on City credit cards and/or accounts.

Failure to comply with this policy will subject an employee to disciplinary action, which may include immediate discharge. The City will pursue criminal prosecution if the results of an investigation indicate criminal activity.

III. EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICIES

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

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

A. No-Discrimination, No-Retaliation Policy

The City provides equal employment opportunity to all qualified employees and applicants without unlawful regard to race, color, religion, sex, gender identity, pregnancy (including childbirth and related medical conditions), sexual orientation, national origin, age, disability, genetic information, veteran status, domestic violence victim status, or any other status protected by applicable federal, Oregon, or local law. The City also recognizes an employee's right to engage in protected activity under Oregon and federal law, as discussed in various policies below, and will not retaliate against an employee for engaging in protected activity.

For purposes of this and all other City policies, "race" is defined to include physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hair styles). Further, "protective hairstyles" is defined as "hairstyle, hair color or manner of wearing hair, including braids (regardless of whether the braids are created with extensions or styled with adornments, locks and twists)."

The City's commitment to equal opportunity applies to all aspects of the employment relationship — including but not limited to, recruitment, hiring, compensation, promotion, demotion, transfer, disciplinary action, layoff, recall, and discharge.

B. No Harassment Policy

All City employees are required to take Sexual Harassment & Abusive Conduct Prevention Training every two years. All City employees and volunteers have the right to work in a harassment free workplace. Therefore, the City prohibits harassment of any kind or sexual assault in the workplace, or harassment or sexual assault outside of the workplace that violates its employees and volunteers. Specifically, the City prohibits harassment or inappropriate conduct (regardless of whether that harassment is targeted specifically at the employee or volunteer) related to an individual's disability, race, color, age, national origin, religion, sex, sexual orientation, genetic information, military status, pregnancy, domestic violence victim status, association with members of a protected class, marital status, injured worker status, non-supervisory family relationships, or any other protected class recognized under Oregon, federal or local law.

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

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

Employees who violate the No Harassment Policy may be subject to disciplinary action up to and including discharge.

1. Sexual Harassment

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature (regardless of whether such conduct is “welcome”), when:

- a. Submission to such conduct is made either implicitly or explicitly a term or condition of employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c. Such conduct interferes with an individual’s work performance or creates an intimidating, hostile, or offensive work environment.

Some examples of conduct that could give rise to sexual harassment are unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; sexual jokes; flirtations; advances or propositions; verbal abuse of a sexual nature; comments about an individual’s body, sexual prowess, or deficiency; talking about your sex life or asking others questions about theirs; leering or whistling; unwelcome touching or assault; sexually suggestive, insulting, or obscene comments or gestures; displays of sexually suggestive objects or pictures; making derogatory remarks about individuals who are gay, lesbian, bisexual or transgender; or discriminatory treatment based on sex.

This is not a complete list. All employees are expected to exercise common sense and demonstrate professional conduct in the workplace at all times.

2. Other Forms of Prohibited Harassment

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

The City policy also prohibits harassment such as verbal, written, or physical conduct that denigrates, makes fun of, or shows hostility towards an individual because of that individual's protected class or protected activity, and can include:

- a. Jokes, pictures (including drawings), epithets, or slurs;
- b. Negative stereotyping;
- c. Displaying racist symbols anywhere on City property;
- d. "Teasing" or mimicking the characteristics of someone with a physical or mental impairment or disability;
- e. Criticizing or making fun of another person's religious beliefs, or "pushing" your religious beliefs on someone who doesn't have them;
- f. Threatening, intimidating, or hostile acts that relate to a protected class or protected activity;
- g. Written or graphic material that speaks badly of or shows hatred toward an individual or group because of one or more protected statuses;
- h. Negative comments or teasing a person about their natural hair, hair texture, hair type or hair style (see definition of "race" in Section III.A). Employees may not touch another employee's hair without permission to do so, even if the touch is extended out of curiosity or as a compliment.

This is not a complete list. All employees are expected to exercise common sense and demonstrate professional conduct in the workplace at all times.

3. Bullying

The City strives to promote a positive, professional work environment free of physical or verbal harassment, "bullying," or discriminatory conduct of any kind. The City, therefore, prohibits employees from bullying one another or engaging in any conduct that is disrespectful, insubordinate, or that creates a hostile work environment for another employee for any reason. For purposes of this policy, "bullying" refers to repeated, unreasonable actions of individuals (or a group) directed towards an individual or a group of employees, which is intended to intimidate and that creates a risk to the health and safety of the employee(s). Examples of bullying include:

- a. Verbal Bullying: Slandering, ridiculing, or maligning a person or their family; persistent name calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.

- b. Physical Bullying: Pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; damage to a person's work area or property.
- c. Gesture Bullying: Non-verbal threatening gestures, glances that can convey threatening messages.
- d. Exclusion Bullying: Socially or physically excluding or disregarding a person in work-related activities. In some cases, failing to be cooperative and working well with coworkers may be viewed as bullying.
- e. Cyber Bullying: Bullying that takes place using electronic technology, which includes devices and equipment such as cell phones, computers, and tablets as well as communication tools including social media sites, text messages, chat, and websites. Examples of cyberbullying include transmitting or showing mean-spirited text messages, emails, embarrassing pictures, videos or graphics, rumors sent by email or posted on social networking sites, or creating fake profiles on websites for coworkers, managers, supervisors, or elected officials.

This is not a complete list. All employees are expected to exercise common sense and demonstrate professional conduct in the workplace at all times.

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

C. Reporting Improper or Unlawful Conduct – No Retaliation

In addition to the City's Open Door Policy (see section I.B.4), employees who wish to report improper or unlawful conduct should first talk to their supervisor. If an employee is not comfortable speaking with their supervisor, or they are not satisfied with their supervisor's response, employees are encouraged to speak with the Ethics Officer or Human Resources. Supervisors and managers are required to inform the Ethics Officer or Human Resources about reports of improper or unlawful conduct they receive from employees. Employees may submit an anonymous and confidential report through EthicsPoint. EthicsPoint reporting is available through an online link on the Human Resources page of the City's website or by calling 1-866-607-0157.

1. Reporting Sexual Assault, Harassment or Discrimination

Employees or volunteers who have experienced a sexual assault, any harassment or discrimination in violation of this policy, who have witnessed such behavior, or who have information about such behavior occurring, are expected and should bring the matter to the attention of Human Resources, the Ethics Officer, a supervisor, or member of management as

soon as possible. Employees are strongly encouraged to document the information or incident in any written or electronic form, or with a voice mail message (or phone call). An employee who experiences or witnesses harassment is encouraged, but not required, to tell the harasser that the behavior is offensive and unwanted, and that they want it to stop.

2. Reporting Fraud or Theft

The City's Fraud & Theft Policy applies to employees, volunteers, elected officials, consultants, vendors, contractors, outside agencies and any person doing business with the City or in any other relationship with the City. Suspected fraud or theft may be reported to the Ethics Officer. The reporting employee shall not contact the individual suspected of fraud or theft. The reporting employee will observe strict confidentiality and shall not discuss suspicions with anyone other than the Ethics Officer. This will allow the Ethics Officer to conduct the investigation. If employees report suspected fraud or theft to their supervisor, the supervisor shall report the information to the Ethics Officer. The supervisor does not have authority to determine the merits of a report of known or suspected fraud or theft. Only the Ethics Officer will make that determination. The supervisor shall report the information to Human Resources if the Ethics Officer is unavailable.

3. Concerns about the City's Compliance with any Laws, Regulation or Policy

Employees may report concerns about the City's compliance with any law, regulation or policy, using one of the methods identified in this policy. The City will not retaliate against employees who disclose information that the employee reasonably believes is evidence of:

- a. A violation of any federal, Oregon, or local laws, rules or regulations by the City;
- b. A violation of law, regulation, or standard pertaining to safety and health in the place of employment;
- c. Mismanagement, gross waste of funds, abuse of authority;
- d. A substantial and specific danger to public health and safety resulting from actions of the City or one of its employees; or
- e. The fact that a recipient of government services is subject to a felony or misdemeanor arrest warrant.

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

4. Investigation & Confidentiality

All complaints and reports of unlawful or improper conduct will be promptly and impartially investigated and will be kept confidential to the extent allowed by law and consistent with City's need to conduct an impartial and efficient investigation of the complaint and address the situation. If conduct in violation of this policy is found to have occurred, the City will take prompt, appropriate corrective action, and any employee found to have violated this policy will be subject to disciplinary action up to and including discharge of employment.

Employees who have been subjected to harassment, sexual assault, or discrimination are encouraged to use the City's complaint-reporting procedure, described above, to ensure a timely, thorough investigation and handling of the situation. Employees may, however, seek redress from the Oregon Bureau of Labor and Industries (BOLI) pursuant to ORS 659A.820 to 659A.865, or in a court under any other applicable law, whether criminal or civil. Although the City cannot provide employees with legal advice, employees should be aware of the statute of limitations applicable to harassment or discrimination claims under ORS 659A.030, 659A.082 or 659A.121 (five years). Further, before an employee can take any legal action against the City, they must provide written notice of the claim to the City within 180 days of the act or omission the employee claims caused them harm. When an employee can prove harm as a result of unlawful harassment or discrimination in an administrative proceeding or in a court, remedies available to the employee include enforcement of a right, imposition of penalty, or issuance of an order to the employee's employer (in limited circumstances).

5. Protection Against Retaliation

The City prohibits retaliation in any way against employees who report a good-faith complaint and discloses information of the type described above about conduct that is improper or unlawful, and who lawfully accessed information related to the violation (including information that is exempt from disclosure as provided in Oregon law or by City policy).

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

In addition, the City prohibits retaliation against an employee for participating in good faith in any investigation or proceeding resulting from a report made pursuant to this policy. Further, no City employee will be adversely affected because they refused to carry out a directive that constitutes fraud or is a violation of local, Oregon, federal or other applicable laws and regulations. The City may take disciplinary action (up to and including discharge of employment) against an employee who has engaged in retaliatory conduct in violation of this policy.

Employees who believe they have been retaliated against in violation of this policy should immediately report it to the Ethics Officer, Human Resources, or any supervisor or member of management. Any employee who is found to have retaliated against another employee in violation of this policy will be subject to disciplinary action up to and including discharge of employment.

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

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

6. Other Resources Available to Employees

The City provides an Employee Assistance Program (EAP) through Canopy. For access to confidential help 24 hours a day, seven days a week, call toll-free: 1-800-433-2320 or go online to www.canopywell.com. The EAP program provides confidential counseling services and educational tools such as resources relating to mental health, eldercare, childcare, legal consultation, financial coaching, identity theft, and more.

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

7. Other Employee Rights

Nothing in this policy is intended to diminish or discourage an employee who has experienced workplace harassment or discrimination, or sexual assault, from talking about or disclosing their experience.

The City is committed to creating and maintaining a workplace free of sexual assault, harassment, discrimination, and retaliation and it has confidence in the process it has developed for addressing good-faith complaints. However, Oregon law requires the City to inform employees that if they have been aggrieved by workplace harassment, discrimination or sexual assault and want to enter into an agreement with the City regarding their experience and/or employment status, the employee should contact Human Resources. The employee's request to enter into such an agreement must be in writing (email or text is acceptable). Requests of this nature will be considered on a case-by-case basis. Such agreements are not appropriate for every situation. If the City and employee do reach an agreement, the City will not require an employee to enter into a nondisclosure agreement (which would prohibit the employee from discussing or communicating about their experiences in the workplace or the terms of the agreement) or a non-disparagement agreement (which would prohibit the employee from speaking slightly about the City or

making comments that would lower the City in rank or reputation). If, however, the employee makes a request for an agreement under this paragraph, nondisclosure and non-disparagement are terms to which the City and the employee may agree to. The employee will have seven days to revoke the agreement after signing it.

IV. PAY ADMINISTRATION

The City values quality employees and is committed to compensating employees for their efforts and results. The City Strives to provide a competitive compensation package that will attract, retain and motivate employees. Policies and pay practices shall be administered consistently throughout the City.

The pay of a new employee may be set within the established pay band based on the pay level of current employees in the same or similar positions, and the new employee's previous experience, education, knowledge and skills.

Employees may be eligible for future pay increases based on the City's approved budget and the employee's work performance. Represented employees shall receive pay increases in accordance with the employees' CBA.

A. Pay Equity Policy

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

B. Payroll Policies

The regular payday is the last day of the month except when the last day falls on a weekend or holiday, in which case, the day prior will serve as payday. Depending on payroll processing timeframes, direct deposits will be made available sometime during payday. If payment is not available first thing in the morning all staff will be notified that payday will be available by the end of the day. No payroll direct deposit will be released prior to payday. Each payday, the City will electronically deposit paychecks into an account at a financial institution designated by the employee. Pay stubs will be emailed to the address provided by the employee.

Employees will be paid monthly. For hourly (non-exempt) employees, "month" is defined as the 20th to the 19th, and those are the dates you should report on your timecard.

For salaried (exempt and non-exempt) employees, “month” is defined as the first day of the month through the last day of the month.

The City does not provide advance payments of salary or loans from salary to be earned.

C. Statement Regarding Pay Practices

The City makes all efforts to comply with applicable Oregon and federal wage and hour laws. In the event an employee believes that the City made any improper deductions, failed to pay for all hours worked or for overtime, failed to pay in accordance with the law, or has failed to properly calculate wages in any way, the employee must immediately report the error to Payroll. The Finance Department will investigate all reports of improper pay practices and will reimburse employees for any improper deductions or omissions. No employee will suffer retaliation or discrimination for reporting an error or complaint regarding the City’s pay practices. See also “Pay Equity Policy”, above.

1. Paycheck Underpayment

If an employee’s paycheck has an underpayment that represents less than five percent of the employee’s gross wages, the amount may be paid to the employee on the next regular payday. If an employee’s paycheck has an underpayment that represents more than five percent of the employee’s gross wages, the amount will be paid within three business days.

2. Paycheck Overpayment

Any employee who is paid for time not worked or otherwise received compensation for which they did not qualify, the City will request reimbursement for the amount of overpayment the employee received.

D. Reporting Changes to an Employee’s Personal Data

Because personnel records are used to administer pay and benefits and other employment decisions, employees are responsible for keeping information current regarding changes in name, address, phone number, exemptions, dependents, beneficiary, etc. If employees have changes in any of the following items, they are required to update the information in their online timekeeping account to ensure that the proper updates are completed as quickly as possible:

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

Employees may not intentionally withhold information from the City about the items listed above in order to continue to improperly receive benefits or anything of value for themselves or anyone else. Upon request, the City may require employees to provide proof of marital status/domestic partnership status. Employees who violate this policy may be subject to discipline up to and including discharge.

E. Timekeeping for Non-exempt Employees

The City calculates non-exempt employee pay by monthly reported hours as approved by their manager. The time record is formal documentation of the exact time worked. It should be completed daily and reviewed at the end of each week for completeness and accuracy. It must be completed and approved at the end of each pay period.

The manager or designee will review and approve time records each pay period. If an error must be corrected or time clarified, the employee should notify their manager during the review process. The employee's electronic or written signature on the time record each pay period verifies the times and dates are true and accurate. Each employee is responsible for their own time records. Intentionally falsifying a time record may be grounds for corrective action up to and including discharge.

F. Time Records (Leave Requests) for Exempt Employees

Employees classified as exempt do not fill out time records; however, exempt employees are expected to complete and certify the hours that they are on leave and submit these records to their manager for approval monthly. Any leave of absence should be coordinated with their manager.

G. Final Paycheck

Final paychecks shall include all wages earned through the last workday plus payment for any accrued and vested benefits (excluding PERS) that are eligible for payment at separation.

If an employee provides the City with at least 48 hours' notice prior to resigning or retiring from the City, the employee shall receive their final paycheck on their last day of employment, unless that day is a weekend or a holiday. In that case, their final paycheck is due on the next business day.

If an employee provides the City with less than 48 hours' notice (not including weekends and holidays) prior to resigning or retiring from the City, the employee shall receive their final paycheck within five business days or on the next regular payday, whichever comes first.

If an employee is discharged, they shall receive their final paycheck no later than the end of the next business day.

If an employee and the City mutually agree to terminate the relationship, the employee shall receive their final paycheck no later than the end of the following business day.

V. HOURS OF WORK AND WORK SCHEDULES

A. City of Klamath Falls Office Hours

The manager schedules specific work hours for individual employees. Changes to work schedules (hours/days) may be made on an individual basis based on business necessity and/or at the discretion of the manager with approval from the Department Director. The City will attempt to notify employees of any changes in workdays or work week schedules one week in advance of the effective date of change. Management reserves the right to modify schedules consistent with the needs of the organization. Schedules and revisions may be controlled by an applicable CBA.

Hours worked for the City are compensable and include all the time that an employee is required to be on duty. Travel time and training or meeting time are considered hours worked under specific conditions outlined under federal and state wage and hour laws, or by City policy. Employees should consult with their managers regarding these conditions.

B. Meal and Rest Periods

Non-exempt employees are required to take meal and rest periods according to federal and state laws. Represented employees are required to take rest and meal breaks according to their CBA.

Non-exempt employees are not permitted to work through a meal period unless they obtain approval from their manager prior to the scheduled meal break. Non-exempt employees who obtain permission to work during a meal period shall be paid for that meal period. If an employee frequently works through a meal and/or rest period, without manager approval, the employee may be subject to disciplinary action.

Meal periods and rest breaks are mandatory and are not optional. An employee's meal period and rest break(s) may not be taken together as one break. Meal periods and rest breaks may not be "skipped" to leave early. An employee who fails to abide by these policies and laws may be subjected to discipline up to and including discharge.

C. Overtime

The City complies with the provisions for overtime for our non-exempt employees, as outlined in the Fair Labor Standards Act (FLSA) and state wage and hour laws. Managers and employees will make every effort to keep the hours worked, to the regular 40-hour work week. This may be accomplished by flexing the hours worked during the work week (Sunday through Saturday), with the manager's approval. This may enable the employee to maintain their regular hours during the week and reduce the accumulation of overtime. If scheduling adjustments cannot be made during the week, compensation time may be granted (refer to Compensatory Time policy below). However, managers should avoid

accumulated overtime by employees.

Employees shall be compensated at the rate of time and one-half (1½) for all authorized hours worked over 40 hours in a given work week. Overtime hours shall be calculated to the nearest quarter hour. Any hours of leave, including sick leave, vacation leave, compensatory leave and holidays are not counted towards hours worked in a given work week.

Non-exempt employees shall not work overtime without specific authorization by a manager. Employees who work unauthorized overtime may be subject to discipline up to and including discharge.

D. Compensatory Time

Compensation for authorized overtime work may be paid in the form of compensatory time off. Compensatory time off not paid in the month earned will be accrued at a rate of time and one-half (1½) and paid at the current hourly rate when used. Compensatory time off shall be scheduled by agreement between the Department Head or their designated management representative and the employee involved as soon as is mutually convenient following the date on which the authorized overtime work giving rise to the compensatory time is accrued. Maximum accrual of compensatory time shall be in accordance with the employee's CBA and as required by law. Maximum accrual of compensatory time for Police Sergeants is 80 hours. Any accrual in excess of eligible compensatory hours shall be paid at the overtime rate during the period in which it is earned.

Accrued compensatory time will be paid out at the current hourly rate when an employee leaves employment. In the event of the death of an employee, all unpaid compensatory time shall be paid at the regular rate of pay which the employee would have received had they not died to the estate of the deceased employee or to any other beneficiary legally entitled to receive such payment.

E. Social and Recreational Activities

Participation in all off-duty social or recreational activities such as picnics and holiday parties are entirely voluntary. Participation or nonparticipation will not have any effect on employee wages, hours, working conditions or employment opportunities.

F. Inclement Weather/Emergency Closing

The City recognizes there may be circumstances beyond its control, such as inclement weather, a national crisis, or other emergencies, that may make one or more office locations inaccessible. On such occasions, one or more City locations may be closed for all or part of a regularly scheduled workday. In such an event, the City Manager (or designee) shall decide and notify all managers for the purpose of contacting employees. Employees may contact

their managers or access City closure information by going to www.klamathfalls.city or call the main City phone line at 541-883-5316.

The City recognizes that in the event of extreme inclement weather conditions, each staff member's ability to safely reach the office may be different. Staff who cannot report to work in such circumstances should contact their manager. To the extent that exempt staff cannot reach the office and are able to serve community members from home, they may do so.

VI. EMPLOYEE BENEFITS

The City strives to provide excellent and cost-effective benefits for employees in recognition of the influence employment benefits have on the economic and personal welfare. The total cost to provide the benefits described in this handbook and other documents should be viewed as additional compensation.

Policies, provisions and procedures that govern City benefit programs apply to all benefits-eligible employees (i.e. regular full-time), whether their status is exempt or non-exempt, unless otherwise provided in a particular benefit plan.

Employees shall receive Summary Plan Descriptions (SPDs) for the City benefit programs. Benefit programs are explicitly defined in legal documents, including insurance contracts, official plan texts and trust agreements. In the event of a conflict between those documents and this policy, the plan documents will supersede. The following information may not include all available voluntary benefits that the City offers. Information about all benefits offered by the City is available at www.klamathfalls.city or employees may contact Human Resources by phone: 541-883-5317 or email HR@klamathfalls.city.

A. City Health/Dental/Vision Insurance Benefits

The City currently offers health insurance coverage for all benefits-eligible employees and their plan eligible dependents. Coverage of plan eligible dependent(s) require document(s) in accordance with SPDs, state and federal laws. Employees will receive information about the plans during orientation. Unless otherwise stated in an employee's CBA, new employees will be eligible for health insurance coverage on the first day of the month after their hire date. If an employee's hire date with the City is on the first day of the month, then their health insurance coverage will begin on their hire date. Employees make monthly pre-tax payroll contributions towards the cost of their eligible coverage based on their regular work schedule, their represented union, and the elected coverage level. Employees may make changes to their health insurance coverage when a qualified event occurs or during open enrollment. Qualifying event changes must be made in accordance with SPDs, state and federal laws. Annual open enrollment changes do not require a qualified event and are effective January 1st of the following year.

B. HRA VEBA

In accordance with the employees' CBA, the City shall contribute into an HRA VEBA (Health Reimbursement Account a voluntary Employees' Beneficiary Association) account to all benefit-eligible, represented employees.

The City shall contribute to all benefits-eligible, non-represented employees \$1700.00 annually into an HRA VEBA account. The City's HRA VEBA contributions shall be paid in equal monthly payments for each month worked.

C. Life Insurance Policies

The City provides a \$20,000 basic life insurance policy and a \$20,000 accidental death and dismemberment (AD&D) policy for full-time employees and elected officials. New employees will be eligible for these life insurance policies on the first day of the first full month of service to the City.

The City offers additional voluntary life insurance policies to full-time employees. Eligible employees may elect to purchase additional life insurance and spousal insurance in \$10,000 increments up to \$300,000. Employees may also elect \$10,000 dependent life insurance for all qualified dependents at a flat monthly rate. Voluntary life insurance elections are paid through monthly payroll deductions.

D. Pre-Tax Flexible Spending Accounts

The City offers employees voluntary flexible spending account(s) (FSAs) for dependent care expenses and/or qualified health care expenses. Since taxable income is reduced, employees who elect FSAs pay less taxes.

E. Public Employees Retirement System (PERS)

An employee's prior Oregon PERS service and current PERS rules designate an employee as a Tier I, Tier II or OPSRP (Oregon Public Service Retirement Plan) PERS member. Employees in qualifying positions become PERS eligible after working six full calendar months or 600 hours worked during a calendar year for a PERS covered employer. The six month "waiting period" cannot be interrupted by more than 30 consecutive working days. An employee's effective date of membership is the first day of the month after an employee has met this requirement. PERS members will receive an annual statement directly from Oregon PERS. Qualified PERS members should complete a PERS Designation of Beneficiary form.

Employees may contact PERS by email: customer-service.PERS@state.or.us, phone: 1-888-320-7377 or visit the PERS website at www.oregon.gov/PERS for additional information.

1. PERS Pension

The City contributes to the qualified PERS pension on the employee's behalf. The City contribution is an amount based on the actuarial requirements established by Oregon PERS. The monthly PERS pension contributions are a percentage of an employee's gross wages. The contribution amounts may differ for each designation (Tier I, Tier II, OPSRP), and may change on an annual basis. To receive PERS pension at retirement age, employees are required to vest.

To vest in a PERS pension, an employee must do one of two things:

- a. Work for five years in a PERS-qualifying position for at least 600 hours per year. The years do not need to be consecutive, but you cannot have a gap in qualifying employment of more than five years.

OR

- b. Work in a qualifying position on or after reaching normal retirement age based on the employee's qualifying position.

2. PERS Individual Account Program (IAP)

Employee monthly contributions to their PERS IAP are established by statute at 6% of an employee's gross wages. The employee's pre-tax payroll contribution is deposited by PERS into the employee's IAP in accordance with contribution mandates determined by PERS. Full-time, benefits-eligible employees shall receive a step increase after their initial six-month employment period with the City.

F. Deferred Compensation

To supplement the PERS retirement plan, employees may elect to participate in a deferred compensation program offered by MissionSquare. Employees may elect a 457 account which allows employees to set aside part of their monthly salary and defer the taxes on it until retirement. The City also offers MissionSquare Roth IRA payroll contributions. Employees may participate beginning with their first paycheck.

G. Vacation Leave

All non-represented benefits-eligible employees qualify for vacation based on the schedule below. Benefits eligible employees who regularly work less than 40 hours may be eligible for pro-rated vacation accruals. All accruals begin at the date of hire. After completing the initial probation period, employees may use the accruals with manager approval. No vacation time will be authorized during the probation period unless specific arrangements have been made at the time of hire.

Vacation time is intended to provide time away from work for rest and recreation. Non-represented benefits-eligible employees' vacation accrual bank cannot exceed a maximum of 288 hours. Maximum vacation accrual for represented employees shall be in accordance with the employees' CBA.

Vacation benefits will stop accruing once the maximum has been reached. When this total is reduced below the maximum allowable, the vacation benefit will begin accruing again. No vacation is accrued while an employee is on a leave of absence without pay.

1. Vacation Accrual Schedule

Non-represented benefits-eligible employees shall earn vacation leave benefits according to the following schedule:

Length of Service	Full-Time Accrual Per Month	Full-Time Days Per Year
Less than 3 years	8 hours	12 days
3 years to 5 years	10 hours	15 days
5 years to 10 years	12 hours	18 days
10 years to 15 years	14 hours	21 days
15+ years*	16 hours	24 days

*Upon separation of employment, non-represented benefits eligible employees who have completed 6 months of employment will be paid for unused vacation time that has been earned through the last day of work with a cap of 240 hours. Any vacation accrued exceeding 240 hours is not eligible for payout. Vacation payout for represented employees shall be in accordance with the employees' CBA.

Vacation leave is paid at the employee's base pay rate at the time vacation is taken. In the event that available vacation is not used by the end of the calendar year, non-represented benefits-eligible employees will rollover unused vacation time forward to the next calendar year with a maximum of 288 hours. Maximum vacation accrual for represented employees shall be in accordance with the employees' CBA.

Vacation leave balances are accumulated and deducted based upon the time period used to calculate the employee's paycheck. Changes (including adjustments) to balances will not be reflected until payroll has been processed.

Any employee wishing to use vacation time should request vacation hours as early as possible so that arrangements for coverage can be made. All employees should be aware of the critical times for their work groups during the year and avoid taking any routine or expected time off during these periods. The City shall make every attempt to grant each request; however, the City cannot make any guarantees.

2. Vacation Leave Donation and Use

The purpose of donated vacation leave is to assist any eligible employees with additional leave through the donations from eligible co-workers. All full-time regular employees are eligible to request or donate vacation time in cases deemed as “hardship” by Human Resources. All donations will be kept confidential and donors will remain anonymous.

In order to qualify for a leave donation, an employee must meet the eligibility requirements of the Family Medical Leave Act, Oregon Family Leave Act, and/or Paid Leave Oregon (PLO).

Donated leave may be used to provide paid Family & Medical Leave (FMLA), Oregon Family Leave Act (OFLA), and/or Paid Leave Oregon (PLO) that would otherwise be unpaid but may not extend the length of FMLA, OFLA, and/or PLO entitlement.

Donated leave may not be used to extend employment beyond the point that it would otherwise end by operation of law, rule, policy, or regulation. For example, if an employee would have otherwise been terminated due to layoff or other reasons, donated leave may not be used to extend employment.

The Requesting Employee (Recipient) must:

- a. Provide documentation for a non-work related seriously disabling illness or injury, as certified by a physician.
- b. Exhaust all vacation, sick, holiday and compensatory accrued leave.
- c. Work one full year at the City and have satisfactory performance evaluations.
- d. Submit a vacation donation request to Human Resources indicating the reason and anticipated amount of lost work time.

The Donating Employee:

- a. Must submit a completed vacation donation form to Human Resources
- b. Must retain a minimum of 40 hours vacation leave.

Any decision by Human Resources regarding Vacation Leave Donation will be final. Donated time is calculated using the number of hours donated at the donor’s hourly wage, and the recipient’s hourly wage. Announcement of the need for sick leave will be made with the employee’s cooperation and approval. Donated vacation time will not be deducted from the donating employee until it is needed by the requestor. Donations will be processed in order of receipt by Payroll.

H. Paid Time Off (PTO)

Non-represented benefits-eligible employees who have 20 or more years of continuous service with the City shall earn 4 hours of paid time off (PTO) per month worked. PTO accrual bank cannot exceed a maximum of 80 hours. PTO is not eligible for payout upon separation from employment.

I. Paid Holiday

The City grants paid holiday time off to all benefits-eligible employees. If a holiday falls on a Saturday, it will be observed the Friday prior; if it falls on a Sunday, it will be observed the following Monday. Employees shall receive holiday hours relative to the hours of the employees' work schedules for each of the eligible holidays which fall on their regularly scheduled days off.

The administration of holiday hours for represented employees shall be in accordance with the employees' CBA.

Non-represented benefits-eligible employees may bank up to 80 hours of holiday time. Banked holiday hours are not eligible for payout upon separation from employment.

The City provides 12 paid holiday and additional float holiday(s) in accordance with job classification. The holiday schedule is available on the City's website.

1. Defined Holidays for City of Klamath Falls (Office Closed)

- New Year's Day (January 1st)
- Martin Luther King Jr. Day (third Monday in January)
- Presidents' Day (third Monday in February)
- Memorial Day (last Monday in May)
- Juneteenth (June 19th)
- Independence Day (July 4th)
- Labor Day (first Monday in September)
- Veterans Day (November 11th)
- Thanksgiving Day (fourth Thursday in November)
- Day after Thanksgiving
- Christmas Eve (December 24th)
- Christmas Day (December 25th)

2. Floating Holiday

One Floating Holiday is annually issued on July 1st to full-time, benefits-eligible employees. Employees shall receive floating holiday hours relative to the hours of the employees' work schedules. If floating holiday hours are not used prior to June 30th of each year, the time will be forfeited. Float Holiday hours are not eligible for payout upon separation from employment.

3. Administrative Leave

The City annually grants non-supervisory, non-represented, benefits-eligible employees 24 hours of paid leave on July 1st. If administrative hours are not used prior to June 30th of each year, the time will be forfeited. Administrative Leave hours are not eligible for payout upon separation from employment.

4. Executive Leave

The City annually grants supervisory, non-represented, benefits-eligible employees 32 hours of paid leave on July 1st. If administrative hours are not used prior to June 30th of each year, the time will be forfeited. Executive Leave hours are not eligible for payout upon separation from employment.

J. Sick Leave

Sick leave accruals begin on the first day of employment but may not be used until the 91st day of employment. After the 91st day of employment, available paid sick leave hours may be used. Sick leave will stop accruing once the maximum has been reached. When this total is reduced below the maximum allowable, the sick leave will begin accruing again. No sick leave is accrued while an employee is on leave of absence without pay. Sick leave is meant to be used or carried over. Unused sick leave will not be cashed out upon separation from employment. If an employee leaves employment and is rehired within 180 days, the employee's sick leave balance will be restored.

Sick leave may be used in accordance with state and federal law. Leave for routine doctor or dentist appointments should be charged to sick time unless other arrangements have been made with the manager. Employees are encouraged to schedule such appointments to occur outside of work hours.

Full-time employees receive 8 hours of sick leave for every month of service. Sick leave accrual bank cannot exceed a maximum of 960 hours.

Part-time or Temporary employees will accrue one hour of sick leave for each 30 hours worked in accordance with Oregon's Paid Sick Leave Law. A maximum of 40 hours of accrued and unused sick leave may be carried over for use in subsequent calendar year but employees may use only 40 hours of sick leave each calendar year. Sick leave accrual is capped at 80 hours.

The City realizes that an employee with temporary illnesses such as influenza, colds, and other viruses often needs to continue with normal life activities, including working. Managers may require employees to go home from work if they appear to be too ill to be at work or if they cannot perform normal job duties and meet regular performance standards. If in the judgment of the manager, an employee's continued presence poses no risk to the health of themselves, other employees, or customers, they may be allowed to work. If this is not the

case, and the manager requires an employee to go home, they shall do so. Employees who dispute their manager's decision must submit a statement from their attending health care provider that their continued presence in the workplace poses no significant risk to anybody.

Employees who have missed time from work due to illness or injury and have a release from a health care provider to return to temporary modified work, should contact the City before returning to work. The City will determine whether they may return to work in a temporary modified job.

Employees who miss more than five (5) consecutive days of work may be required to provide a release from their health care provider before returning to work. Please refer to the Family Medical Leave Act (FMLA), Oregon Family Leave Act (OFLA) and Paid Leave Oregon (PLO) section of this handbook, for sick leave use when on FMLA/OFLA/PLO.

Employees are expected to notify their managers of absences due to illness or injury prior to each workday during their absence. Exceptions to this include a serious accidental injury, hospitalization, or when it is known in advance that they will be absent for an extended period.

If the City suspects sick leave abuse, including but not limited to repeated use of unscheduled sick leave or repeated use of sick leave adjacent to weekends, holidays, vacations and paydays, the City may require documentation from a healthcare provider for the employee's need to use sick time, regardless of whether the employee has used sick time for more than three consecutive days. Employees found to have abused sick leave as described here may also be subject to discipline up to and including discharge.

For those employees with accrued sick leave exceeding 960 hours as of the date of this handbook, on the month prior to retirement, all sick leave above 960 hours will expire with no value and the remaining 960 hours may be used consistent with the applicable policies in effect at the time of retirement.

Frozen Sick Leave

Eligible full-time union represented employees who are transferred to a full-time unrepresented exempt position and have a sick leave balance that is subject to payout in accordance with their CBA at the time of transfer will have their sick leave balance moved to a frozen sick leave. Frozen sick leave will be eligible for the non-represented frozen sick leave payout terms. These employees will continue to earn time in their sick bank (not subject to payout) and at the end of each fiscal year payroll will review the combined balances for both the frozen and sick bank and anything over 960 hours will be removed from the sick bank.

K. FMLA, OFLA and PLO Leaves

The following is a summary of eligibility, policies and procedures under Family Medical Leave Act (FMLA), Oregon Family Leave Act (OFLA) and Paid Leave Oregon (PLO). FMLA, OFLA and PLO allow employees to take job-protected time off work for a qualifying reason and return to the same position, or a virtually identical position (if the previous position no longer exists) with the same pay, benefits and other working conditions, including shift and location, at the end of the employee's leave. Employees who wish to take FMLA, OFLA, and/or PLO are required to notify Human Resources by email: HR@klamathfalls.city or phone: 541-883-5317.

1. Notification Requirements for FMLA, OFLA and/or PLO

When FMLA, OFLA and/or PLO is foreseeable, the employee is required to notify Human Resources 30 days prior to the start of their leave. If the need for FMLA, OFLA or PLO is unforeseeable or unplanned, employees must provide Human Resources oral notice within 24 hours of the start of the leave and written notice within three days of returning to work.

2. Leave Year for FMLA, OFLA and/or PLO

The City uses a "rolling forward" leave year for purposes of tracking an employee's FMLA, OFLA and PLO. The "rolling forward" leave year is defined as a consecutive 52-week period, beginning on the Sunday immediately preceding the date on which FMLA, OFLA and/or PLO commences. Leave under Oregon and federal law may run concurrently when permitted. FMLA, OFLA and/or PLO offer consecutive leave (the start date to the end date of leave) or intermittent leave (days or weeks of leave between the start date and end date of your leave, but also work some days or weeks during this time). FMLA and OFLA allow employees to intermittently work for less than a full workday. PLO benefits will not apply if leave is less than a full workday.

3. Benefits while on FMLA, OFLA and/or PLO

a. Health Insurance

Employees who take FMLA, OFLA and/or PLO may continue their group health plan coverage while on this type of leave on the same basis as if the employee had not taken leave. An employee wishing to maintain health insurance during a period of approved FMLA, OFLA and/or PLO leave will be responsible for bearing the cost of their share of group health plan premiums which had been paid by the employee prior to such leave. Employees may use their available accrued leave to pay all or a portion of their share of group health plan premiums through pre-tax payroll deductions. Employees who do not use accrued leave to pay their share of group health plan premiums will submit a monthly payment to the Finance Department.

b. Life Insurance and Voluntary Benefits

Employees on FMLA, OFLA and/or PLO leave(s) may be required to temporarily stop

their life insurance policies and/or voluntary pay deductions for optional supplemental benefits in accordance with SPDs, state and federal laws.

c. Holiday Pay While on Leave

Employees using their available accrued leave during FMLA, OFLA and/or PLO in which a holiday occurs will qualify to receive holiday pay. Employees who do not use their available accrued leave during FMLA, OFLA and/or PLO during a holiday will not qualify to receive holiday pay.

d. Vacation and Sick Leave Accruals While on Leave

Employees using their available accrued leave during FMLA, OFLA and/or PLO will qualify to accrue vacation and sick leave based on the hours of accrued leave used in each pay period. Employees who do not use their available accrued leave during FMLA, OFLA, and or PLO will not qualify to accrue vacation and sick leave.

4. Family Medical Leave Act (FMLA)

Employees may be eligible for FMLA if they have worked for at least 1,250 hours during a 12-month period before FMLA leave. Eligible employees may take up to 12 workweeks of FMLA leave in a 12-month period. FMLA leave is not paid leave, but employees may choose to use any available accrued leave to cover FMLA. Employees applying for FMLA must provide certification from a health care provider to verify medical leave and may request certification of a qualifying exigency. Qualifying FMLA leave includes:

- Birth, adoption or foster placement (within the first year of birth or placement)
- Family member’s serious health condition
 - Spouse
 - Child (specially defined under FMLA)
 - Parent
- Employee’s own serious health condition
 - Before reinstating an employee returning from FMLA leave for their own serious health condition, the City requires them to provide a "return-to-work certification" from their medical care provider, stating that they are medically able to return to work, with or without restrictions.
 - If an employee wishes or is required to work modified duty when returning from FMLA leave for their own serious health condition, the City will implement the Workplace Accommodation Policy in this handbook.
- Military family leave (certain qualifying reasons related to the foreign deployment of an eligible employee’s spouse, child, or parent who is a military servicemember).
- An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness may take up to 26 workweeks of FMLA leave in a single 12-month period to care for the servicemember.

5. Oregon Family Leave Act (OFLA)

Employees may be eligible for OFLA if they have worked for at least 25 hours per week during a 180-day period before OFLA leave. OFLA pregnancy disability leave does not have a waiting period with no minimum number of hours worked. During a public health emergency, employees may become eligible for OFLA with just 30 days of employment (rather than 180) if they have worked an average of 25 hours a week in the 30 days before taking OFLA leave). OFLA eligible employees who terminate or are removed from the schedule but return to service within 180 days remain eligible for OFLA leave on their return. Also, credit for days of employment prior to a break in service must be restored when the employee is reemployed/returned to service within 180 days. Unless otherwise stated, eligible employees may take up to 12 workweeks of OFLA leave in a 12-month period (with the exception of pregnancy disability leave – special rules apply). OFLA leave is not paid leave, but employees may choose to use any available accrued leave to cover OFLA. To determine OFLA qualification, employees must provide Human Resources required information. Employees applying for OFLA must provide certification from a health care provider to verify medical leave and may request certification of a qualifying exigency.

Qualifying OFLA leave includes:

- Home care for the employee's child (both serious and non-serious health conditions) as well as school and childcare closures for public health emergencies.
- Pregnancy disability (up to 12 additional weeks of leave due to pregnancy-related conditions, either before or after giving birth).
- Oregon Military Family Leave Act (up to 14 days per deployment or active duty leave to an employee who is the spouse or registered domestic partner of a service member of the US Armed Forces, National Guard or US military reserve forces).

Bereavement Leave (OFLA)

Employees may take bereavement leave 2 weeks per family member with a maximum of 4 weeks in a given leave year and must be completed within 60 days of the eligible employee receiving notice of the death of a covered family member. The time spent for bereavement leave is deducted from the employee's 12-week of OFLA leave entitlement.

Family members for bereavement leave include the following:

- A spouse or registered domestic partner;
- A child of a covered individual or the child's spouse or registered domestic partner;
- A parent of a covered individual or the parent's spouse or registered domestic partner;
- A sibling or stepsibling of a covered individual or the sibling's or stepsibling's spouse or registered domestic partner;
- A grandparent of a covered individual or the grandparent's spouse or registered domestic partner;
- A grandchild of a covered individual or the grandchild's spouse or registered domestic partner;
- Any individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship.

Non-represented, benefits-eligible employees may use up to five days of bereavement leave at the employee's regular pay rate without deducting from their accrued leave (but it will run concurrently with OFLA leave for the same purpose). Non-represented, benefits-eligible employees may use any available accrued leave for extended leave for up to 2 weeks (which will also run concurrently with OFLA leave). The administration of bereavement leave for represented employees shall be in accordance with the employees' CBA.

Upon approval of their supervisor or Department Head, an employee may be granted leave to attend the funeral of someone other than a member of their immediate family. If granted, the employee may use any available accrued leave other than sick leave. The number of employees who are granted this leave at one time shall be at the discretion of the Department Head, consistent with the need to maintain a minimum workforce during this time.

6. Paid Leave Oregon (PLO)

Employees may be eligible for PLO if they work in Oregon, earned \$1,000 in wages and made contributions to PLO during the base year or alternate base year before applying for benefits. The employee must have worked 90 consecutive days for the City to have job protection. PLO leave is paid leave directly from the Oregon Employment Department (OED). An employee who takes PLO is allowed up to 16 weeks of total leave during the PLO benefit year. This is a combination of PLO and OFLA leave (unpaid by PLO). Unless otherwise stated, eligible employees may take up to 12 weeks of PLO. Employees can use PLO benefits on a consecutive or daily basis. Employees cannot receive PLO benefits for less than a day. When receiving PLO benefits, employees may not work for any employers, even themselves if they are self-employed. Employees must go to Paid Leave Oregon at <https://paidleave.oregon.gov> to start their online application. Employees may contact the Oregon Employment Department at Paidleave@oregon.gov or by calling 833-854-0166 to inquire about PLO's processes, requirements and/or online system.

Qualifying reasons for PLO leave include:

- Birth, adoption or foster placement (within the first year of birth or placement)
- Family member's serious health condition
 - Spouse or registered domestic partner;
 - Child or child's spouse or registered domestic partner;
 - Grandchild or grandchild's spouse or registered domestic partner;
 - Parent or parent's spouse or registered domestic partner;
 - Grandparent or grandparent's spouse or registered domestic partner;
 - Sibling or stepsibling or their spouse or registered domestic partner;
 - Anyone related by blood or anyone who is connected to you like a family member.
- Employee's own serious health condition
- Pregnancy disability
 - Up to 2 additional weeks of leave due to pregnancy, childbirth or related medical conditions, either before or after giving birth.
 - The combined amount of PLO and OFLA cannot exceed 18 weeks, with no more than 14 weeks taken as PLO.
- Domestic violence, sexual assault, harassment, stalking, or bias crimes

L. Other Leaves of Absence

The City recognizes that employees may encounter situations that require a temporary but extended absence from work. Therefore, the City offers additional leaves of absence. The type of leave may determine which employees are eligible and what procedure is to be followed in requesting and obtaining the leave. The effect of the leave on benefit accruals, benefits, and reinstatement rights also vary according to the type of leave the employee is requesting. For more information, employees may contact Human Resources by email: HR@klamathfalls.city or phone: 541-883-5317.

1. Leave Without Pay (LWOP) that is Non-FMLA, OFLA, and/or PLO

Leave without pay (LWOP) for a limited duration may be approved in advance by the Department Director and City Manager based on workload and business necessity. The employee's accrued leave must be exhausted before LWOP may be approved. All requests will be considered on a case-by-case basis. Instances of leave without pay may affect an employee's annual performance appraisal date. The City has the right to make such a change and may do so at the discretion of the City Manager.

2. Jury Duty

Employees notified or subpoenaed to serve as a juror may obtain a leave of absence. Upon being excused or dismissed from jury duty, the employee shall promptly return to work.

- **Length of Leave** - Jury duty leave is available for the period of time covered by the initial subpoena or court order and any involuntary extensions.
- **Request Procedure** – Employees must notify their manager as soon as they receive the notice or as soon as is practicable in order for arrangements to be made to cover their position. If requested, the employee shall provide the City a copy of the subpoena or notice.
- **Jury Fee** - Employee endorses any fee to the City as a condition to the receipt of regular pay, excluding mileage and meal allowances. The employee shall remit to the City any amount received for jury duty fees. Any mileage and/or meal allowance provided to the employee for jury duty shall not be considered in the amount received for jury duty.
- **Status of Benefits** - Benefits are not affected by jury duty leaves.

3. Witness Duty

Employees who spend time as a witness in a City-related, legal proceeding will be treated as time worked for pay purposes, provided the time served occurs during regularly scheduled hours, the employee is subpoenaed to testify (or is named as a defendant), and the employee submits witness fees to Payroll upon receipt.

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

4. Military Leave

Employees who wish to serve in the military and take military leave should contact Human Resources by email: HR@klamathfalls.city or phone: 541-883-5317 for information about their rights before and after such leave. Employees are entitled to reinstatement upon completion of military service, provided they return or apply for reinstatement within the time allowed by law.

All employees who are members of the National Guard, National Guard Reserve or of any reserve component of the Armed Forces of the United States or of the United States Public Health Service are entitled to a paid leave of absence from duties for a period not exceeding 21 work days in any federal fiscal year (October 1st through September 30th) for training, provided the employee is employed at least six months prior to the leave. Employees who have not worked for the City for six months will also receive up to 21 work days in any federal fiscal year for the same purposes, but such leave will not be paid. Employees are not required to take their leave in one block of time but may use the paid leave allowed under this rule over the course of the federal fiscal year. The actual number of paid work hours allowed is dependent on the employee’s standard work schedule but must be consistent with the intent of this rule. Employees may use military leave for active duty or inactive duty for training, state active duty and duty under Title 10 or 32 of the United States Code.

The total number of paid days for both training and active duty shall not exceed the total amount allowed above in any federal fiscal year.

Absences incurred for additional active duty or inactive duty for training, state active duty and duty under Title 10 or 32 of the United States Code may be charged to accrued paid time off such as vacation or compensatory time or taken as unpaid leave.

5. Domestic Violence Leave and Accommodation Policy

All employees are eligible for reasonable unpaid leave to address domestic violence or the crimes of harassment, sexual assault, bias or stalking (either the employee or the employee’s minor dependents).

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

Leave is generally unpaid, but the employee may use any accrued vacation or sick leave while on this type of leave. Employees should also determine whether Paid Leave Oregon may provide pay during this type of leave. See the “Paid Leave Oregon” policy for more information.

When seeking this type of leave, the employee should provide as much advance notice as is practicable of their intention to take leave, unless giving advance notice is not feasible.

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

If more leave than originally authorized needs to be taken, the employee should give the City notice as soon as is practicable prior to the end of the authorized leave. When taking leave in an unanticipated or emergency situation, the employee must give verbal or written notice as soon as is practicable. When leave is unanticipated, this notice may be given by any person on the employee’s behalf.

Finally, employee who are victims of domestic violence, harassment, sexual assault, bias crimes or stalking may be entitled to a “reasonable safety accommodation” that will allow the employee to more safely continue to work, unless such an accommodation would impose an “undue hardship” on the City. Please contact Human Resources immediately by email: HR@klamathfalls.city or phone: 541-883-5317 with requests for reasonable safety accommodations.

6. Crime Victim Leave Policy

Any employee who has worked an average of at least 25 hours per week for 180 days is eligible for reasonable, unpaid leave to attend criminal proceedings if the employee or their immediate family member (defined below) has suffered financial, social, psychological or physical harm as a result of being a victim of certain felonies, such as kidnapping, rape, arson, and assault.

“Immediate family member” includes a spouse, registered same-sex domestic partner, father, mother, sibling, child, stepchild, or grandparent.

Employees who are eligible for crime victim leave must:

- Use any accrued, but unused vacation/sick leave during the leave period.
- Provide as much advance notice as is practicable of their intention to take leave (unless giving advance notice is not feasible).
- Submit a request for the leave in writing to Human Resources as far in advance as possible, indicating the amount of time needed, when the time will be needed, and the reason for the leave.

In all circumstances, the City may require certification of the need for leave, such as copies of any notices of scheduled criminal proceedings that the employee receives from a law

enforcement agency or district attorney's office, police report, a protective order issued by a court, or similarly reliable sources.

7. Religious Observances Leave

The City respects the religious beliefs and practices of all employees. Upon timely request, the City will make an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on the City's business. Employees may use vacation or unpaid time (if accrued leave is not available) for religious holy days or to participate in a religious observance or practice.

M. Employee Assistance Program (EAP)

The City provides an Employee Assistance Program (EAP) through Canopy. For access to confidential help 24 hours a day, seven days a week, call toll-free: 1-800-433-2320 or go online to www.canopywell.com. The EAP program provides confidential counseling services and educational tools such as resources relating to mental health, eldercare, childcare, legal consultation, financial coaching, identity theft, and more.

N. Worker's Compensation

Under the provisions of the Oregon Workers' Compensation Division, the City insures all employees and accredited Police Department volunteers for injuries, illnesses, and exposures incurred while performing duties for the City. The City uses an external claims adjuster to process employee claims and determine the compensability of a claim. This information may be found on all employee bulletin boards. Employees may contact Oregon Workers' Compensation Division by phone: 800-452-0288 or email: workcomp.questions@dcbs.oregon.gov, or visit the website at www.wcd.oregon.gov for additional information.

1. Treating Work-related Injuries, Illnesses, and Exposures

Employees should immediately treat any injury, illness, or exposure in accordance with its severity. Treatment requirements may range from first aid without the need for medical care, general medical urgent care, or admittance to the nearest emergency medical facility. The employee is required to inform all medical providers that treatment is for a work-related injury, illness, or exposure.

If a chemical exposure occurs, the employee must immediately follow that chemical's Safety Data Sheet (SDS) requirements.

If a bloodborne pathogen exposure occurs, the employee must immediately follow requirements in accordance with bloodborne pathogen training.

2. Workers' Compensation Reporting Requirements

Employees must report to Human Resources and/or their supervisor work-related injuries, illnesses, or exposures no later than 24 hours or no later than 8 hours for in-patient hospitalization, fatalities, or catastrophes. *Failure to report a work-related injury, illness, or exposure may delay the payment of any benefits and could subject the City to fines and penalties.

*The City must report to Oregon OSHA within 8 hours any work-related injuries or illnesses that cause the loss of an eye, an amputation or avulsion that includes bone or cartilage loss, in-patient hospitalization, catastrophe, or fatality, including fatalities from heart attacks and motor vehicle accidents. The supervisor or Human Resources will report to Oregon OSHA as required by law. Reports to Oregon OSHA must be made in person or telephone by calling 800-922-2689 or the nearest Oregon OSHA office in Medford, phone: 541-776-6030.

- Submit completed **Form 801** to Human Resources. Form 801 may be obtained from Human Resources or www.klamathfalls.city. Human Resources will submit the completed Form 801 to the City's external claims adjuster.
- Employee and Employee's Supervisor complete a **Supervisor's Accident or Near-Miss Investigation Report**. The completed report must be submitted to Human Resources and may be issued to the City's Central Safety Committee for review.
- Submit a **Release to Return to Work form** to Human Resources after each appointment with a health care provider for work-related injury or illness.
 - Must be completed, signed, and dated by attending health care provider.
 - Must specify if employee may return to full duty or modified duty.
 - If employee is released to modified duty, must specify exact limitations.
 - If follow-up appointment is scheduled, must include its date.

3. Transitional Modified Duty

If the attending health care provider determines that an employee may perform modified duty, the City will attempt to provide transitional modified duty. If available, modified duty may be approved for a reasonable period until the attending health care provider releases the employee to full duty. Transitional modified duty is temporary and may be offered at a different location and/or shift. If the City offers a modified position as medically approved, failure to phone in or report at the designated time and place may affect the employee's compensation. Employees performing transitional modified duty remain subject to all policies and procedures.

Transitional modified duty is not a substitute for reasonable accommodation when an injured employee also qualifies as an individual with a disability and/or protected leave. The City will account for other leave and disability laws that might also apply to the employee's situation, such as the Americans with Disabilities Act (ADA), FMLA, OFLA, and/or PLO. If after returning from a workers' compensation leave, it is determined that an employee is unable to perform

the essential functions of their position because of a qualifying disability, they may be entitled to a reasonable accommodation, as governed by the ADA and/or applicable Oregon and federal laws for workplace disabilities.

4. Workers' Compensation Time Loss Payments

If a City employee's workers' compensation claim is accepted, the employee may request that the City pay the employee the difference between the time loss payments received directly from workers' compensation and their regular rate of pay. The dollar value paid by the City shall be converted to the employee's hourly wage rate and charged on an hourly basis against the employee's accrued leave. Wages paid by the City for a leave period covered by workers' compensation will be paid first from accrued sick leave. Upon exhaustion of the employee's sick leave, the employee may choose to use any of their other available accrued leave. Upon exhaustion of the employee's available leave, the City's supplemental paychecks will stop. If an employee has received accrued leave from the City while waiting for a time loss payment, the employee shall reimburse the City for any pay overages. If the employee does not request supplemental leave use, no accruals will be paid. If the employee's workers' compensation claim is denied, all future use of accrued leave for the time loss event will revert to the leave policies as written in the handbook.

O. Workplace Accommodation Policy

The following is a summary of eligibility, policies and procedures under Oregon and federal laws, including the Americans with Disabilities Act (ADA) and the Pregnant Workers Fairness Act (PWFA).

The City is an equal opportunity employer and does not discriminate on the basis of race, religion, color, sex, age, national origin, disability, veteran status, sexual orientation, gender identity, gender expression or any other classification protected by state and federal law. The City will make reasonable accommodations for known physical or mental disabilities of an applicant or employee as well as known limitations related to pregnancy, childbirth or a related medical condition, such as lactation, unless the accommodation would cause an undue hardship.

To request an accommodation, discuss concerns or inquire about this policy, please contact Human Resources by email: HR@klamathfalls.city or phone: 541-883-5317.

Among other possibilities, reasonable accommodations could include:

- Acquisition or modification of equipment or devices;
- More frequent or longer break periods or periodic rest;
- Assistance with manual labor;
- A reasonable period of leave; or
- Modification of work schedules or job assignments.

Employees and job applicants have a right to be free from unlawful discrimination and retaliation. This includes discrimination because of pregnancy, childbirth and related medical conditions. For this reason, the City **will not**:

- Deny employment opportunities on the basis of a need for reasonable accommodation.
- Deny reasonable accommodation for known limitations, unless the accommodation would cause an undue hardship.
- Take adverse employment action, discriminate or retaliate because the applicant or employee has inquired about, requested or used a reasonable accommodation.
- Require an applicant or an employee to accept accommodation that is unnecessary.
- Require an employee to take family leave or any other leave if the employer can make reasonable accommodations instead.

The City prohibits retaliation or discrimination against any employee who, under this policy: (1) asked for information about or requested accommodations; (2) used accommodations provided by the City; or (3) needed an accommodation.

Employees who ask about, request or use accommodations under this policy and applicable law have the right to refuse an accommodation that is unnecessary for the employee to perform the essential functions of the job or when the employee doesn't have a known limitation.

1. Disability Accommodation Policy

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

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

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

Employees should request an accommodation as soon as it becomes apparent that a reasonable accommodation may be necessary to enable the employee to perform the essential duties of a position. All requests for accommodation should be made with Human Resources by email: HR@klamathfalls.city or phone: 541-883-5317 and should specify which essential functions of the employee's job cannot be performed without reasonable accommodation. In most cases, an employee will need to secure medical verification of their need for a reasonable accommodation. Both the City and employee must monitor the employee's accommodation situation and make adjustments as needed.

2. Pregnancy Accommodation Policy

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

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

Employees who are concerned that their pregnancy, childbirth or a related medical condition will limit their ability to perform their duties should request an accommodation as soon as it becomes apparent that a reasonable accommodation may be necessary to enable the employee to work. All requests for accommodation should be made with Human Resources by email: HR@klamathfalls.city or phone: 541-883-5317 and should specify which essential functions of the employee's job cannot be performed without a reasonable accommodation. In most cases, information from the employee's doctor may be needed to assist the City and the employee find an effective accommodation, or to verify the employee's need for an accommodation. Both the City and employee must monitor the employee's accommodation situation and make adjustments as needed.

Employees who are pregnant or experiencing pregnancy-related medical conditions should also be aware of their leave of absence options under Paid Leave Oregon (PLO), Oregon Family Leave Act (OFLA), and the Family Medical Leave Act (FMLA) and Pregnant Workers Fairness Act (PWFA).

3. Expression of Breast Milk

The City will provide reasonable rest periods to accommodate an employee who needs to express milk for her child eighteen (18) months of age or younger. If possible, the employee will take the rest periods to express milk at the same time as the rest breaks or meal periods that are otherwise provided to the employee. If not possible, or if the employee is exempt from overtime laws, the employee is entitled to take a reasonable period each time the employee has a need to express milk.

The City will treat the rest breaks used by the employee for expressing milk as paid rest breaks up to the amount of time the City is required to provide as paid rest breaks and/or meal periods under applicable policies or CBAs. Additional time needed beyond the paid rest breaks and/or meal periods may be taken as unpaid time.

If an employee takes unpaid rest breaks, the City may, at the discretion of the employee's supervisor, allow the employee to work before or after her normal shift to make up the amount of time used during the unpaid rest periods. The City will allow, but not require, an employee to substitute paid leave time for unpaid rest periods taken in accordance with this policy.

The City will make a reasonable effort to provide the employee with a private location within close proximity to the employee's work area to express milk. For purposes of this policy, "close proximity" means within walking distance from the employee's work area that does not appreciably shorten the rest or meal period. A "private location" is a place, other than a public restroom or toilet stall, in close proximity to the employee's work area for the employee to express milk concealed from view and without intrusion by other employees or the public.

If a private location is not within close proximity to the employee's work area, the City will identify a private location the employee can travel to. The travel time to and from the private location will not be counted as a part of the employee's break period.

Notice

An employee who intends to express milk during work hours must give her supervisor or Human Resources by email: HR@klamathfalls.city or phone: 541-883-5317 reasonable oral or written notice of her intention to do so in order to allow the City time to make any preparations necessary for compliance with this policy.

Storage

Employees are responsible for storing expressed milk. Employees may bring a cooler or other insulated food container to work for storing the expressed milk. If an office provides access to refrigeration for personal use, an employee who expresses milk during work hours may use the available refrigeration.

VII. EMPLOYEE-INCURRED EXPENSES & REIMBURSEMENT

The City will pay all actual and reasonable business-related expenses an employee incurs while performing their job responsibilities. All such expenses incurred must be pre-approved by the employee's manager before reimbursement will be made.

Per diem expense reports must be submitted within one month of the expense being incurred following authorized travel. Otherwise, the employee risks forfeiting their payment or reimbursement.

A. Mileage Reimbursement

Employees will be reimbursed for authorized use of their personal vehicles at a rate consistent with the US General Services Administration (GSA) rate for authorized personal vehicles. The current GSA rates may be found at www.gsa.gov/mileage. Other related expenditures (e.g., parking) are also reimbursed upon submission of receipts on an expense report. Any traffic citations- including parking tickets, court-ordered fees, and attorney fees are the responsibility of the employee and will not be reimbursed by the City.

B. Travel & Meal Reimbursement for Training

The City encourages employees to avail themselves of training and educational opportunities in support of their functions on behalf of the City. The following guidelines apply with respect to registration, travel, accommodation, meal, and other approved expenses in connection with seminars, workshops, or other educational events attended by the employee at the request of the City, approved by the City, or that are authorized by the Department Director as mandatory training programs.

1. Registration & Accommodation

The City will pay employee registration fees and charges for accommodation at the single room rate. If a spouse/significant other accompanies an employee, the City will not be responsible for their additional registration and accommodation costs.

2. Travel

The City will pay for the cost of travel by employees to approved training and educational workshops and seminars, using GSA mileage rates for auto travel and actual coach class airfare for airline travel. Spouses/significant others may accompany employees to these events, but the City will not be responsible for any of their associated travel or accommodation costs.

3. Meals

- The City will reimburse employees on a per diem basis for meals and incidental expenses associated with attendance at events/activities as a City representative. Per diem rates are found by connecting to the website www.gsa.gov/perdiem and choosing the destination for the event/activity. Receipts are not required.
- Meals provided at the event/activity will be deducted from the per diem using the Meals & Incidentals (M&EI) breakdown on www.gsa.gov/perdiem.
- The City will not usually pay for meals of spouses/significant others, unless the meal is associated with a City group function where the attendance of the employee is required, and it is appropriate to bring a spouse/significant other.
- The City will not pay for the consumption of alcoholic beverages.

4. Attendance

If the City is paying registration, travel, meals, and accommodation costs for attendance at the workshop, seminar, conference etc., employees will attend scheduled works sessions and related activities and take advantage of the opportunity to learn in both formal and informal settings. Employees are encouraged to report back on their learning experience for the benefits and development of other staff.

VIII. PERFORMANCE MANAGEMENT & APPRAISAL

To ensure a meaningful performance evaluation system upon which the City can monitor the effectiveness of our organization and its operations, employees typically receive annual performance evaluations. The type of evaluation an employee can expect is dependent upon their position's classification. Performance evaluations for represented employees shall be in accordance with the employees' CBA.

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

- Ensure that each person in our organization knows how they are performing based on performance standards;
- Ensure communication and two-way feedback;
- Provide a consistent, objective and fair method for making compensation decisions where applicable;
- Identify areas where an employee may need more training;
- Identify strengths and areas where the employee is excelling;
- Provide a tool for career planning and development; and,
- Provide a record of employee performance and contributions.

The performance appraisal program is intended to be participatory, involving the employee's input as much as that of their manager, thereby contributing to the growth and improvement of the City. Employees are encouraged to:

- Inquire about your performance from time to time;
- Accept additional responsibilities and show initiative;
- Review opportunities for advancement within the organization;
- Ask for assistance in developing a goal-oriented path for advancement; and,
- Learn about training available to assist you in improving your skills.

Performance evaluations serve as one factor in decisions related to employment, such as training, merit pay increases, job assignments, employee development, promotions, and retention. Written reports identify specific performance levels, acknowledge the merit of above standard performance, and prescribe the means and methods for correcting performance deficiencies to the required level of performance.

IX. CORRECTIVE ACTION

The City expects all employees to perform to the best of their abilities at all times. To assist employees, managers shall ensure a positive work environment and provide mentoring, coaching and training. There may be occasions when employees perform at an unsatisfactory level, violate a policy or law, or commit an act that is inappropriate. When performance or conduct does not meet City standards, the City will, in most circumstances, provide the employee a reasonable opportunity to correct the deficiency. This can be accomplished through forms of discipline short of discharge, such as verbal warnings, written warnings, work improvement plans, suspensions without pay, or demotions. The correction action process will not always commence with verbal counseling or include a sequence of steps. Some acts, particularly those that are intentional or serious, warrant more severe action (including discharge) on the first or subsequent offense.

In lieu of discharging an employee for serious violations of City policies, procedures, laws or for other inappropriate conduct, the City may choose to provide the employee a final opportunity to continue employment in the form of a Final Warning.

The City will determine the nature and extent of any discipline based upon the circumstances of each individual case. Disciplinary action for represented employees shall be in accordance with the employees' CBA. Thus, the City may proceed directly to a written warning, demotion, or discharge for misconduct or performance deficiency, without any prior disciplinary steps, when the City deems such action appropriate. At all times, the City retains the right to terminate any employee's employment at any time and for any reason, with or without advance notice or other prior disciplinary action.

X. ELECTRONIC COMMUNICATION, EQUIPMENT & SERVICES

The City uses multiple types of electronic equipment and services for producing documents, research and communication including, but not limited to, computers, software, email, copiers, telephones, voicemail, fax machines, online services, the Internet and any new technologies used in the future. This policy governs the use of such City property.

A. Ownership

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

B. Use

All of the City's electronic equipment and services are provided and intended for City business purposes. Access to the Internet, websites and other electronic services paid for

by the City are to be used for City business. This means, for example, that employees may not use the City-provided Internet, or City electronic equipment and services to:

- a. Display or store any sexually explicit images or documents, or any images or documents that would violate the City's no-harassment, no-discrimination or bullying policies;
- b. Play games (including social media games) or to use apps of any kind (e.g. Facebook, TikTok, etc.);
- c. Engage in any activity that violates the rights of any person or the City, and that is protected by copyright, trade secrets, patent or other intellectual property (or similar laws or regulations);
- d. Engage in any activity that violates the right to privacy, of protected healthcare information or otherwise, or other City-specific confidential information;
- e. Engage in any activity that would introduce malicious software purposefully into a workstation or network (e.g., viruses, spyware, adware and other malware); or
- f. Download or view streaming videos for personal use. This includes, without limitation, YouTube videos, movies, and TV shows. Streaming audio is allowed, provided it does not contain explicit material, adversely affect network speed, or interfere with others' ability to work.

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

C. Inspection and Monitoring – No Right to Privacy

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

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

D. Personal Hardware and Software

Employees may not install personal hardware or software on the City's computer systems or mobile devices. All software installed on the City's computer systems must be licensed. Copying or transferring of City-owned software to a personal device/equipment may be done only for personal devices/equipment used for City business and with the written authorization of the City IT Manager.

E. Unauthorized Access

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

F. Security

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

G. Inappropriate Web Sites

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

H. Confidential City Information

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

No records or information including (without limitation) protected medical data, documents, files, records, computer files or similar materials (except in the ordinary course of performing duties on behalf of the City may be removed from City premises without permission from the City Attorney. Likewise, any materials developed by the City's employees in the performance of their jobs is the property of the City and may not be used for personal or financial gain. Additionally, the contents of records or information otherwise obtained in regard to the City's

business may not be disclosed to anyone except where required for a business purpose or when required by law.

I. Mobile Devices Policy

This policy applies to employee use of cell phones, smart phones, tablets and similar devices, all of which are referred to as “mobile devices” in this policy.

1. Cell Phones and Mobile Devices in General

Employees are allowed to bring personal mobile devices to work with them. During working hours; however, employees should refrain from using them except in an emergency or during a meal period or rest break.

Employees who use personal or City-provided mobile devices may not violate City’s policies against harassment, bullying, and discrimination. Thus, employees who use a personal or City-provided mobile device to send a text or instant message or DM to another employee (or to someone not employed by the City) that is in violation of the City’s policies prohibiting discrimination, harassment, and bullying will be subject to discipline up to and including discharge.

Non-exempt employees may not use their personal or City-provided mobile device for work purposes outside of their normal work schedule without advanced approval from their supervisor and in accordance with their CBA. This includes, but is not limited to, reviewing, sending and responding to emails or text messages, and responding to calls or making calls. Employees who violate this policy may be subject to discipline up to and including discharge. Nothing in this policy removes a non-exempt employee’s obligation from recording time for all hours worked.

2. Employee Use of City - Provided or Paid for Mobile Devices

Mobile devices may be made available to City employees on a limited basis to conduct City’s business. Determinations as to which employees receive City-provided mobile devices will be made on a case-by-case basis. Employees are not guaranteed a cell phone or cellular device. In some cases, the City may provide a monthly cellular telephone stipend to employees who regularly make calls on behalf of the City away from the office. Employees may ask their supervisor for more information.

Employees who receive a mobile device from the City must agree to not use the mobile device for personal use except in emergency situations and must abide by all aspects of the Mobile Device Policy. Further, employees who receive a cell phone or mobile device from the City must acknowledge and understand that because the mobile device is paid for and provided by the City, or subsidized by the City, any communications (including text messages) received by or sent from the mobile device may be subject to inspection and review if the City has reasonable grounds to believe that the employee’s use of the cell phone violates any aspect of the Mobile Device Policy or any other City policy. **Employees should have no reasonable expectation of privacy in a City provided or City subsidized for mobile device.** An

employee who refuses to provide City access to their personal mobile device in connection with an investigation and after reasonable notice may be subject to discipline, up to and including discharge.

Family and friends may not use an employee's City-provided mobile device.

3. Mobile Devices and Public Records

City-related business conducted on City-provided or personal cell phones/cellular devices may be subject to disclosure and production under Oregon's Public Records laws or in connection with litigation filed against the City or individual employees.

4. Mobile Device Use While Driving

The use of a mobile device while driving may present a hazard to the driver, other employees and the general public. Subject to a few narrow exceptions for emergency or public safety purposes, Oregon law also prohibits the use of handheld cell phones while driving, even if the driving is for work-related reasons. This policy is meant to ensure the safe operation of City vehicles and the operation of private vehicles while an employee is on work time. It applies equally to the usage of employee-owned cell phones and phones provided or subsidized by the City.

Employees are prohibited from using handheld cell phones for any purpose while driving on City-authorized or City-related business. This policy also prohibits employees from using a cell phone or other mobile device to send or receive text or "instant" messages or DMs while driving on City business (other than those employees engaged in law enforcement work). Should an employee need to make a business call while driving, the employee must locate a lawfully designated area to park and make the call, unless the employee uses a hands-free cell phone or cellular device for the call. In either situation, such calls should be kept short and should the circumstances warrant (for example, heavy traffic, bad weather), the employee should locate a lawfully designated area to park to continue or make the call, even if the employee is using a hands-free device. Violation of this policy will subject the employee to discipline, up to and including discharge.

J. Social Media

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

Ultimately, the employee is solely responsible for what they post online. Before creating online content, employees should consider some of the risks and rewards that are involved. Conduct that adversely affects an employee's job performance, the performance of coworkers, or otherwise adversely affects City residents or people who work on behalf of the

City or the City's legitimate business interests may result in disciplinary action up to and including discharge.

1. Prohibited Postings

Employees will be subject to discipline up to and including discharge, if they create and post any text, images or other media that violate any City policies, including Code of Conduct and EEO policies. Similarly, postings that include threats of violence, that are physically threatening or intimidating, bullying or harassing, will not be tolerated and may subject an employee to discipline up to and including discharge.

Employees shall not create a link from their blog, website or other social networking site to a City-owned or maintained website without identifying themselves as City employees.

Employees should express only their personal opinions. They should never represent themselves as a spokesperson for the City unless they are authorized by their to do so. If the City is a subject of the content created, employees must be clear and open about the fact that they are City employees and make it clear that their views do not represent those of the City or its employees or elected officials.

2. Encouraged Conduct

Employees should always be fair and courteous to coworkers, City residents, the City's employees and elected officials, and suppliers or other third parties who do business with the City.

Employees should remember that they are more likely to resolve work-related complaints by speaking directly with their coworkers, or by utilizing the Open-Door Policy, than by posting complaints to a social media outlet. Employees who decide to post complaints or criticism, should not use statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage community members, coworkers, City employees or elected officials, that might constitute harassment or bullying, and/or that violate City policies. Examples of such conduct might include offensive posts that a reasonable person would perceive as calculated to intentionally harm an individual's personal or professional reputation, posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or City policy.

Employees shall maintain the confidentiality of the City's confidential information. They shall not post internal reports, policies, procedures or other internal, City-related confidential communications or information. (See "Confidential City Information policy, above).

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

3. Request for Employee Social Media Passwords

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

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

K. Artificial Intelligence in the Workplace

This policy aims to ensure that employee use of AI Chatbots conforms with the City's policies and goals relating to privacy, confidentiality and data security and is used to enhance productivity and efficiency.

Although AI takes many forms and can serve many different functions, this policy addresses only the use of a web-based interface to ask or "prompt" the chatbot in a conversational manner to find answers to questions or to create or edit written content (for example, Open AI's ChatGPT and Google's Bard). This policy applies to all City employees and to all work associated with the City that those employees perform, regardless of location (on or off City premises).

1. AI Usage in General

Employees wishing to use AI chatbots in connection with work should discuss the parameters of the intended use with their supervisor or manager. The supervisor or manager may approve, deny or modify the requested parameters as best meets the City's policy, legal requirements or other needs of the City. A supervisor or manager may not approve any request to use AI when the use will involve entering propriety or confidential City data without review by the City IT Manager.

All AI chatbot-generated content must be properly cited as "AI chatbot-generated content" when used as a resource for City work, except for general correspondence (such as email or text).

All AI-generated content must be reviewed for accuracy before relying on it for work purposes. If a reliable source cannot be found to verify actual information generated by the chatbot, that information cannot be used for work purposes.

Authorized AI-generated uses include general knowledge questions meant to enhance one's understanding on a work-related topic; to brainstorm ideas related to projects being worked on; to create formulas for Excel spreadsheets or similar programs; to develop or debug code (to be verified before use); to draft an email or letter; for drafting job descriptions or job announcements; or to summarize online research or to create outlines for projects.

Employees must always comply with Oregon’s record retention and public records laws, and any City policy relating to the retention or destruction of public records.

2. Prohibited AI Uses

Prohibited AI-generated uses include:

- Using any text created by an AI chatbot in final work products of any kind (except as noted above);
- Copying/pasting, typing or in any way submitting City content or data of any kind into the AI chatbot;
- Inputting confidential or sensitive information about the City’s employees (past or present), any individual with reasonable or legally protected privacy interests, or descriptions of the City’s personnel matters into the AI chatbot; or
- Inputting data or information into an AI chatbot that discloses confidential or propriety information of the City.

3. Ethical use

Employees must use generative AI chatbots in accordance with all City policies and values. These technologies must not be used to create content that is inappropriate, discriminatory, or otherwise harmful to others or the City. Such misuse will result in discipline up to and including discharge of employment.

4. Monitoring

All City policies relating to computer usage, mobile devices and the like apply when using AI chatbots on work time, regardless of whether the equipment is owned or provided by the City.

XI. WORKPLACE PRIVACY & CONFIDENTIALITY

The City recognizes its employees’ right to privacy. To achieve this goal, the City adopts these basic principles:

1. The collection of employee information typically is limited to information the City needs for business and legal purposes.
2. Personal information and information in confidential records ordinarily will not be disclosed, except as permitted or required by federal or state law, or as further authorized by the employee.
3. Verifications of employment dates, job title, and wages may be provided without written approval.
4. Internal access to employee records will be limited to those employees having an authorized need-to-know.
5. Employees may review their own personnel file and may correct inaccurate information or submit written comments in disagreement with any material contained in their personnel records.

6. All employees have a responsibility not to disclose information about employees through overheard conversations, mislaid documentation, faxes, emails and hard copies of correspondence sent to a wrong destination. Unauthorized communication of confidential information is a serious matter.
7. The City's IT Division maintains reasonable safeguards to ensure the security, confidentiality and integrity of personal identifying information stored in the City's systems.
8. All employees shall follow these principles, as well as any other City policy or practice related to confidential information. Violations of this policy may result in corrective action up to and including discharge.

A. Communications

1. Conversations

Employees should exercise caution when discussing confidential information about employees in public areas where it might be overheard or when talking on the telephone.

2. Written Information

Employees must use care not to leave written information about other employees where unauthorized persons can view it. This includes leaving confidential documents sitting in printer trays or placing such documents in open recycling bins. Interoffice mail that contains confidential information should be sent in sealed envelopes, marked "confidential". For purposes of this policy, "confidential information" includes, but is not limited to client or employee financial, medical or personal information including without limitation, social security number, driver's license number, date of birth, etc.

B. Prohibition on Secret Recordings

Employees may not obtain or attempt to obtain the whole or any part of a conversation by means of any device without first obtaining permission from all of the people in the conversation. This rule applies to the recording of conversations made during work hours, while at work-related functions, or in connection with work between or among employees, supervisors/managers, elected officials, or members of the public. It does not apply to conversations where there is no expectation of privacy, such as a City Council meeting, a Board of Commissioners work session, and the like.

This policy does not apply to law enforcement employees who record conversations in connection with their official public safety duties. Nothing in this policy prohibits or restricts an employee's right under the federal or Oregon constitutions to make recordings outside of working hours or while not representing or working on behalf of the City. If anything in this policy contradicts existing CBA provisions on the recordings of personnel meetings, or Oregon or federal law that provide for lawful secret recordings, the CBA provision or law will apply.

Employees who secretly record meetings with supervisors, coworkers, elected officials, members of the public or others while on duty will be subject to discipline, up to and including discharge of employment.

C. Workplace Inspections – No Right to Privacy

This policy applies to inspections conducted by the City pursuant to policy, established practice or law unless otherwise addressed in a different policy in this handbook or applicable CBA.

A City-led inspection may include a search of any organization-provided property, such as desks, work areas, file cabinets, voicemail/phone systems and computer systems (including email accounts maintained by the City and internet browsing history). Employees are strongly discouraged from storing personal items in their desks, lockers, work areas, file cabinets and other office equipment or furniture, as well as voicemail/phone and computer systems assigned to them by the City. These areas are not private.

XII. EMPLOYEE HEALTH & SAFETY

The City is committed to providing our employees with a safe and healthy work environment. To accomplish this goal, both management and employees must diligently undertake efforts to promote a healthy and safe workplace. The City, through its Risk Management Committee and Central Safety Committee, develops and implements safety procedures, rules and regulations contained in the General Safety and Occupational Health & Safety sections of this Employee Handbook. The following City policies further promote workplace health and safety.

A. Workplace Violence

Threats and acts of violence made by an employee against another employee, volunteer, elected official, or member of the public with respect to that person's life, health, well-being, family, or property will be dealt with in a zero-tolerance manner by the City.

All employees have an obligation to report any incidents that pose a real or potential risk of harm to employees or others associated with the City, or that threaten the safety, security or financial interests of the City. Employees are also strongly encouraged to report threats or acts of violence by non-employees, such as vendors or community members, against any employee, volunteer or elected official. Employees should make such reports directly to the Ethics Officer.

The City also may investigate a current employee when the employee's behavior raises concern about work performance, reliability, honesty, or potentially threatens the safety of coworkers or others. See policy on "Workplace Inspections."

B. Smoke and Vapor Free Workplace

The City provides a tobacco and vapor free environment for all employees and visitors. For purposes of this policy, “tobacco” includes the smoking of any tobacco-based product, smoking in any form (including, without limitation, cigars and e-cigarettes), and the use of oral tobacco products or “chew/spit” tobacco. Marijuana is also prohibited under this policy. This policy applies to employees, volunteers, and any visitors to City property, vehicles or facilities/buildings.

City buildings and vehicles are tobacco and marijuana-free areas. Tobacco/marijuana use is prohibited during working hours. Further, the City prohibits tobacco/marijuana use in or around City vehicles and equipment or machinery.

Employees who smoke must do so outside of the City’s facilities/buildings, only in designated smoking areas, and out of visitor view. Smoking is not allowed near building entrances; Oregon law prohibits smoking within 10 feet of building entrances and other openings, including second-story windows.

C. Driving While on Business

Employees working in positions where driving is an essential function of their duties must possess a valid driver’s license and must carry auto liability insurance on any personal vehicles used to conduct City business. Employees who use their own vehicles for authorized City business use should make any necessary arrangements with their insurance carriers.

The City may verify the validity of an employee’s driver’s license and/or driving record at the time of hire and at any point during their employment if driving is an essential function of their job or if so doing relates to a legitimate business purpose for the City. The City receives automated reports from the Department of Motor Vehicles (DMV) regarding its employees’ driving records and notifies the City when there are transactions on an employee’s driving record such as speeding tickets and citations.

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

Employees who receive a ticket or citation while driving a City-owned vehicle or while on City business will be responsible for paying the fine (if any) associated with the ticket or citation and may face discipline up to and including discharge.

D. Alcohol/Drug Use, Abuse and Testing

The City works to maintain a safe, healthy and efficient work environment. An employee's off-the-job as well as on-the-job involvement with drugs and alcohol can have a significant impact on the workplace and can present a substantial risk to the employee who is using alcohol and drugs, to coworkers and others.

The City expects employees to report to work free of illegal drugs and alcohol and in a condition that is conducive to performing their duties in a safe, effective and efficient manner.

This policy applies to all employees (except where noted in this policy or where it is inconsistent with applicable law and/or CBA provisions.) This policy revises and supersedes all previous drug and alcohol testing policies and practices.

1. Prohibited Conduct

The following examples of prohibited conduct do not apply to law enforcement employees who possess drugs, alcohol or other items identified in this policy in connection with law enforcement work.

- a. Possession, transfer, use or being under the influence of any alcohol while on City property, on City time, while driving City vehicles (or personal vehicles while on City business), while operating City equipment or machinery, or in other circumstances which adversely affect City operations or safety of City employees or others.
- b. The conduct prohibited by this rule includes consumption of any intoxicating liquor within four hours of reporting to work or during rest breaks or meal periods. If use of alcoholic liquor or an alcohol "hangover" adversely affects an employee's physical or mental faculties while at work to any perceptible degree, or the employee's blood alcohol content exceeds .02 percent, the employee will be deemed "under the influence" for purposes of this rule.
- c. Possession, distribution, dispensing, sale, attempted sale, use, manufacture or being under the influence of any narcotic, hallucinogen, stimulant, sedative, drug or other controlled substance while on City property, on City time, while driving City vehicles (or personal vehicles while on City business), while operating City equipment or machinery, or in other circumstances which adversely affect City operations or safety of City employees or others.
- d. Employees may not have any detectable amount of narcotic, hallucinogen, stimulant, sedative, drug or other controlled substance in their system while on City property, on City time, while driving City vehicles (or personal vehicles while on City business), while operating City equipment or machinery, or in other circumstances which adversely affect City operations or safety of City employees or others.

- i. The conduct prohibited by this rule includes consumption of any such substance prior to reporting to work or during rest breaks or meal periods. If use of such substances or withdrawal symptoms adversely affects an employee's physical or mental faculties while at work to any perceptible degree, or the employee tests "positive" for any such substances by screening and confirmation tests, the employee will be deemed "under the influence" for purposes of this rule.
 - ii. As used in this policy, "controlled substance" includes, but is not limited to, any controlled substance listed in Schedules I through V of the Federal Controlled Substance Act, including marijuana that is otherwise lawful to use under Oregon, Washington, or any other state's law.
- e. Bringing to City property or possessing items or objects on City property that contain any "controlled substance," including, for example, "pot brownies," "edibles," and candy containing marijuana. No employee, regardless of position held, may knowingly serve items containing marijuana or any other "controlled substance" to coworkers, members of the public, or elected officials while on work time or on/in City property.
 - f. Bringing equipment or any devices marketed for use or designed specifically for use in ingesting, inhaling or otherwise introducing marijuana (or controlled substances), such as pipes, bong, "vape" pens, smoking masks, roach clips, and or other drug paraphernalia.
 - g. Bringing equipment, products or materials that are marketed for use or designed for use in planting, propagating, cultivating, growing, or manufacturing marijuana, including live or dried marijuana plants to City property. This prohibition does not apply to employees who possess such items in connection with law enforcement work.

2. Prescription Drugs and Medical Marijuana

With the exception of medical marijuana, nothing in this rule is intended to prohibit the use of a drug taken under supervision by a licensed healthcare professional, where its use does not present a safety hazard or otherwise adversely impact an employee's performance or City's operations.

Employees must inform their supervisor about their use of any prescription or over-the-counter drugs that could affect their ability to safely perform the duties of their position. If an employee's use of such prescription drugs could adversely affect City operations or safety of City employees or other persons, The City may reassign the employee using the prescription drugs to other work or take other appropriate action to accommodate the physical or mental effects of the medication. Failure to report use of prescription drugs covered by this rule will subject an employee to disciplinary action up to and including discharge. (Although an employee is not required to provide the City with the name(s) of the prescription medication(s) taken, medical verification of the prescription may be required.)

The use of marijuana, which is a Schedule 1 controlled substance under federal law, is expressly prohibited under this policy, even if its medical use is authorized under state law. Employees who use medical marijuana in connection with a disability should discuss with

Human Resources other means of accommodating the disability in the workplace, as the City will not agree to allow an employee to use medical marijuana as an accommodation. (See “Disability Accommodation Policy”)

3. Testing

The City reserves the right to:

- a. Subject applicants who are given a condition offer of employment in a safety-sensitive position to a drug and alcohol test;
- b. Test employees reasonably suspected of using drugs or alcohol in violation of this policy;
- c. Discipline or discharge employee who test positive or otherwise violate this policy; and
- d. Test employees when they: (1) cause or contribute to accidents that seriously damage a City vehicle, machinery, equipment or property; (2) result in an injury to themselves or another employee requiring offsite medical attention; and (3) when the City reasonably suspects that the accident or injury may have been caused by drug or alcohol use.

4. Reasonable Cause Testing

If there is reasonable cause to suspect that an employee is under the influence of controlled substances or alcohol during work hours or has used drugs or alcohol in violation of this policy, the City may require the employee to undergo testing for controlled substances or alcohol.

As used in this policy, unless the context indicates otherwise:

- The terms "test" and "testing" shall be construed to mean job impairment field tests, laboratory tests, breathalyzer tests, and other tests of saliva, blood and urine. No testing shall be performed under this rule without the approval of the manager or the manager’s designee.
- "Reasonable cause" as used in this policy means an articulable belief based on specific facts and reasonable inferences drawn from those facts that an employee is more likely than not under the influence of controlled substances or alcohol or has used drugs or alcohol in violation of this policy. Circumstances which can constitute a basis for determining "reasonable cause" may include, but are not limited to:
 - a pattern of abnormal or erratic behavior;
 - information provided by a reliable and credible source;
 - direct observation of drug or alcohol use;
 - presence of the physical symptoms of drug or alcohol use (*i.e.*, glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes);
 - unexplained significant deterioration in individual job performance;
 - unexplained or suspicious absenteeism or tardiness;
 - employee admissions regarding drug or alcohol use; and
 - unexplained absences from normal work areas where there is reason to suspect drug or alcohol related activity.

Managers should detail in writing the specific facts, symptoms or observations that form the basis for their determination that reasonable cause exists to warrant alcohol or controlled substance testing of an employee or a search. This documentation shall be forwarded to Human Resources. Whenever possible, managers should locate a second employee or witness to corroborate their “reasonable cause” findings.

An employee whose initial laboratory screening test for controlled substances yields a positive result shall be given a second test. The second test shall use a portion of the same test sample withdrawn from the employee for use in the initial screening test. If the second test confirms the initial positive test result, the employee shall be notified of the results in writing by Human Resources. The letter of notification shall state the particular substance identified by the laboratory tests. The employee may request a third test of the sample within 24 hours of receiving the letter of notification, but such testing will be paid for by the employee.

5. Search of Property

When reasonable cause exists to believe an employee possesses alcohol or a controlled substance on City property or has otherwise violated provisions of this rule regarding possession, sale or use of controlled substances or alcohol, the City may search furniture, equipment or other property provided to the employee by the City, including but not limited to, clothes (uniforms), locker, toolbox, and desk. Employees should have no expectation of privacy in any property, equipment or supplies provided by the City to the employee.

6. Employee Refusal to Test/Search

An employee who refuses to consent to a test or a search when there is reasonable cause to suspect that the employee has violated this policy is subject to disciplinary action up to and including discharge. The reasons for the refusal shall be considered in determining the appropriate disciplinary action.

An employee who refuses to cooperate with any tests required by this policy is also subject to discipline up to and including discharge. This includes, but is not limited to, tampering with, or attempting to tamper with, a specimen sample, using chemicals or other ingredients to mask or otherwise cover up the presence of metabolites, drugs or alcohol in a specimen, or providing a blood or urine specimen that was produced by anyone or anything other than the employee being tested.

7. Crimes Involving Drugs and/or Alcohol

Employees shall report the following within one business day of the event:

- a. Any criminal arrest or conviction for drug- or alcohol-related activity;
- b. Entry into a drug court or diversion program; or
- c. Loss or limitation of driving privileges when the employee's job is identified as requiring a valid driver's license (regular or CDL).

Failure to report as required will result in disciplinary action up to and including discharge.

8. Drug and Alcohol Treatment

The City recognizes that alcohol and drug use may be a sign of chemical dependency and that employees with alcohol and drug problems can be successfully treated. The City is willing to help such employees obtain appropriate treatment.

An employee who believes they have a problem involving the use of alcohol or drugs should ask a supervisor or Human Resources for assistance.

The City will work with an employee to identify all benefits and benefit programs that may be available to help deal with the problem. Attendance at any rehabilitation or treatment program will be a shared financial responsibility of the employee and the City to the extent its existing benefits package covers some or all program costs.

Although the City recognizes that alcohol and drug abuse can be successfully treated and is willing to work with employees who may suffer from such problems, it is the employee's responsibility to seek assistance *before* drug or alcohol problems lead to disciplinary action. Once a violation of City policy is discovered, the employee's willingness to seek the City's or outside assistance will not "excuse" the violation and generally will have no bearing on the determination of appropriate disciplinary action.

9. Discipline and Consequences of Prohibited Conduct

An employee who violates this policy will be subject to either discharge or a final warning.

A final warning is an agreement whereby an employee who would otherwise be terminated is provided an opportunity to address their substance abuse issue and/or performance or safety issues. The final warning will inform the employee of the problems noted with their performance and specify the performance required for the employee to achieve in order to continue to be employed by the City. Violation of the provisions of a final warning shall result in immediate discharge of the employee, notwithstanding the provisions of any other personnel rule.

10. Confidentiality

All information from an employee's drug and alcohol evaluation is confidential and only those with a need to know are to be informed of test results. Disclosure of such information to any other person, agency, or the City is prohibited unless written authorization is obtained from the employee.

XIII. TERMINATION OF EMPLOYMENT

A. Workplace Rules and Prohibited Conduct

Any violation of the rules or prohibited conduct in this policy may result in discipline, up to and including discharge. This list of prohibited conduct is illustrative only; other types of conduct injurious to security, personal safety, employee welfare and the City's operations,

some of which are described elsewhere in this handbook, may also be grounds for discipline, up to and including discharge.

1. Falsification of employment, time or other City records.
2. Recording time worked of anyone other than yourself; allowing another employee to record your work time.
3. Theft or the deliberate or careless damage or destruction of any City property, or the property of any other employee, member of the public, vendor or third party.
4. Unauthorized use of City equipment, materials, or facilities.
5. Provoking a fight or fighting during work hours or on City property.
6. Engaging in criminal conduct while at work.
7. Causing, creating, or participating in a significant or substantial disruption of work during working hours on City property.
8. Insubordination, including but not limited to failure or refusal to follow the lawful orders or instructions of a supervisor or member of management.
9. Failure to notify a supervisor when unable to report to work, or when leaving work during normal working hours without permission from a supervisor to do so.
10. Failure to observe work schedules, including rest breaks and meal periods. Employees are expected to be at work on time, remain until the workday ends, and perform the work assigned to or requested.
11. Sleeping on the job; faking illness or injury to avoid working.
12. Excessive personal telephone calls or texting during working hours.
13. Failing to attend scheduled work sessions and related activities at conferences, workshops, or educational events that are paid for by the City.
14. Misrepresentation of City policies, practices, procedures, or your status or authority to enter into agreements on behalf of the City. Employees may not use the City's name, logo, likeness, facilities, assets, or other resources of the City for personal gain or private interests.

15. Violation of any safety, health, security or City policy, rule, or procedure. Employees are expected to act in accordance with all appropriate codes, laws, regulations, and policies, regardless of whether they are set by the City or outside regulatory or legislative bodies.
16. Failing to timely pay water/sewer/tax accounts with the City on time, and/or whose City - provided services are disconnected. This includes, without limitation, situations where the employee writes a check to the City that is refused for payment due to non-sufficient funds.

This statement of prohibited conduct does not alter the City's policy of at-will employment. Except for employees subject to a CBA or contract of employment, the City remains free to terminate the employment relationship at any time, with or without cause or notice.

Employees are expected to always perform to the best of their abilities. There will be occasions, however, where employees perform at an unsatisfactory level, violate a policy or law, or commit an act that is inappropriate. When performance or conduct does not meet the City's standards, the City will determine whether it will terminate the employee's employment or provide the employee a reasonable opportunity to correct the deficiency through progressive discipline (such as, in no particular order, verbal warnings, written warnings, suspensions without pay, and demotions). The corrective action process will not always commence with verbal counseling or include a sequence or steps. Some acts, particularly those that are intentional or serious, warrant more severe action (including discharge) on the first or subsequent offense.

In lieu of terminating the employment of an employee for serious violations of City policies, procedures, and rules and for other inappropriate behavior or conduct, the City may choose to provide the employee a final opportunity to continue employment in the form of a final warning. The City may also choose to send the employee to a training or an education opportunity.

In all cases, the City will determine the nature and extent of any discipline based upon the circumstances of each individual case and, where applicable, CBA provisions. The City may proceed directly to a written warning, demotion, final warning or discharge for misconduct or performance deficiency, without any prior disciplinary steps, when the City deems such action appropriate. The City retains the right to terminate any employee's employment at any time and for any reason, with or without advance notice or other prior disciplinary action (other than those employees who are subject to a CBA or contract of employment).

B. Retirement or Resignation from Employment

Employees choosing to resign or retire are asked to give the City as much notice as possible—preferably a minimum of two weeks. When giving two-weeks' notice, vacation, personal, or sick days should not be used in lieu of notice. Employees who do not give two-weeks' notice of their intent to leave the City will not be eligible for re-employment at a later date.

Employees who miss three or more consecutive workdays without contacting their immediate supervisor are typically considered to have resigned their employment.

If the employee's decision to resign is based on a situation that could be corrected, the employee is encouraged to discuss it with Human Resources before making a final decision.

C. Exit Interview

Prior to the employee's last day of employment, a link for an online exit interview may be sent to their City email address. This gives the departing employee an opportunity to offer constructive feedback, positive comments or address any unresolved issues prior to leaving employment with the City. This also allows the City to solicit the employee's candid opinions, as well as suggestions for improvement at the City. The City encourages departing employees to participate in an exit interview. The City values all opinions and suggestions received throughout this process.

D. Return of City Property

Employees must return all City property, including phones, computers, identification cards, credit cards, keys, and manuals, to Human Resources or designated manager on or before their last day of work.

E. References

All requests for references or recommendations must be directed to Human Resources. No manager, supervisor or employee is authorized to give references for current or former employees. Managers and supervisors are expressly prohibited from providing LinkedIn "recommendations" or using a website on the internet to discuss a current or former employee's performance or termination of employment.

By policy, the City discloses only the dates of employment and position(s) held of former employees. Former employees who authorize the City to make additional disclosures must make a request to do so in writing.

XIV. CONCLUDING THOUGHTS

The City welcomes you to our team. The success of our organization depends on the cooperation and contribution of each one of us. We want to continue to provide a workplace that is professional, healthy and conducive to a positive environment. Thank you for joining the City of Klamath Falls Team in continuing this positive tradition.

XV. EMPLOYEE ACKNOWLEDGEMENT

Acknowledgement of Receipt of the City’s Employee Handbook.

I acknowledge that I have received and will read a copy of the City’s Employee Handbook effective July 1, 2024. I also understand that a copy of the Employee Handbook is available to me at any time to review on the City’s website at www.klamathfalls.city or a hardcopy may be requested by contacting Human Resources by phone: 541-883-5317 or email HR@klamathfalls.city.

I understand that the City of Klamath Falls has adopted the Employee Handbook only as a general guide about policies, work rules and the work environment, and that they are subject to change at any time at the City’s sole discretion. I also understand that the Employee Handbook’s control over any other contradictory statements, other than those found in applicable collective agreements. I acknowledge that the Employee Handbook is not an employment contract and is not intended to give me any express or implied right to continued employment or to any other term or condition of employment.

I understand that either the City or I may terminate my employment relationship at any time, for any lawful reason and with or without notice, unless my employment is covered under a collective bargaining agreement. I acknowledge that no promises have been made to me that are inconsistent with this “at will” statement.

I have reviewed or will review the City’s policies regarding equal employment opportunity and that the City aims to provide a workplace free of harassment, discrimination, and retaliation. I will bring any questions or concerns I have regarding equal employment opportunities, discrimination, retaliation, or harassment to Human Resources by phone: 541-883-5317 or email HR@klamathfalls.city, the Ethics Officer, or any trusted manager or supervisor.

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

I have read this acknowledgement carefully before signing.

Employee Signature

Date

The original of this document or one processed in the employee’s account through the City’s online platform will be kept in the Employee’s personnel file. A copy will be provided to the Employee upon request.