

RESOLUTION 2019-02

A RESOLUTION ADOPTING CITY OF COBURG 2019 EMPLOYEE POLICY MANUAL

The City of Coburg City Council adopts the following:

WHEREAS, the City Council desires a comprehensive set of general guidelines and policies governing all personnel matters for all City employees, including employee conduct, workplace conditions, drug and alcohol policies, policies that implement state and federal employment laws, and other aspects of public employment and City service; and

WHEREAS, these policies are intended to apply to all City employees that do not have an employment contract with the City and to all City employees with employment contracts that do not already address these policy issues; and

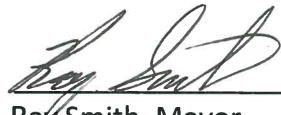
WHEREAS, the policies contained in the Employee Policy Manual, attached to this resolution as Exhibit B and incorporated herein by this reference, are general guidelines for the City's current employment practices and workplace procedures. They are not intended to be a contract, expressed or implied, or any type of promise or guarantee of specific treatment upon which employees may rely, nor a guarantee of employment of any specific duration. Because of the City's small size, some exceptions to these policies may need to be made on a case-by-case basis as the City Administrator deems appropriate; and when discussed with and approved by the Mayor, and

WHEREAS, the City Administrator received updated language from City County Insurance (CIS) for the draft Employee Policy Manual in order to address most current legal and state law language; and

WHEREAS, the City Council has reviewed and considered the 2019 Employee Policy Manual at its regular meeting on January 8, 2019;

NOW THEREFORE, BE IT RESOLVED by the City of Coburg City Council that the Employee Policy Manual attached hereto as Exhibit B and incorporated herein by this reference, is adopted as the City's Personnel Policies Manual and shall be applicable to all employees unless preempted by state or federal law or in conflict with an existing employment contract.

Adopted by the City Council of the City of Coburg, Oregon, by a vote of 6 for and 0 against, this 12th day of February, 2019.



Ray Smith, Mayor

ATTEST:



Sammy L. Egbert, City Recorder

**City of Coburg, Oregon
Employee Policy Manual**



Effective February 12, 2019

At the City of Coburg we're glad to have you on our team. We believe that our employees are our most valuable asset. In fact, we attribute our success as an organization in significant part to our ability to recruit, hire, and maintain a motivated and productive workforce. We hope that during your employment with Coburg, you will become a productive and successful member of Coburg's team.

This employee handbook describes, in summary, the personnel policies and procedures that govern the employment relationship between Coburg and its employees. The policies stated in this handbook are subject to change at any time at the sole discretion of Coburg City Council by Resolution with or without prior notice. This handbook supersedes any prior handbooks or written policies of the City of Coburg that are inconsistent with its provisions.

This handbook does not create a contract of employment between Coburg and its employees. All employment at Coburg is "at will." That means that either you or Coburg may terminate this relationship at any time, for any reason, with or without cause or notice. No supervisor, or representative of Coburg other than the City Administrator has the authority to enter into any agreement with you regarding the terms of your employment that changes our at-will relationship or deviates from the provisions in this handbook, unless the change or deviation is put in writing and signed by City Administrator.

You may receive updated information concerning changes in policy from time to time, and those updates should be kept with your copy of the handbook. If you have any questions about any of the provisions in the handbook, or any policies that are issued after the handbook, please ask City Administrator.

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I. Equal Employment Opportunity (EEO) Policies

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

All employees are encouraged to discuss these EEO Policies with City Administrator or supervisor at any time if they have questions relating to the issues of harassment, discrimination or bullying.

A. No-Discrimination Policy

Coburg provides equal employment opportunity to all qualified employees and applicants without unlawful regard to race, color, religion, gender, sexual orientation, national origin, age, disability, genetic information, veteran status, or any other status protected by applicable federal, Oregon, or local law. This EEO policy applies to all aspects of the employment relationship — including but not limited to, recruitment, hiring, compensation, promotion, demotion, transfer, disciplinary action, layoff, recall, and termination of employment.

B. No-Harassment Policy

Coburg prohibits harassment of any kind in the workplace, or harassment outside of the workplace that violates its employees' right to work in a harassment-free workplace. Specifically, Coburg prohibits harassment or conduct related to an individual's race, color, religion, gender, sexual orientation, national origin, age, disability, genetic information, veteran status, or any other protected status or activity recognized under Oregon, federal or local law.

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

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

Sexual Harassment

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

1. Submission to such conduct is made either implicitly or explicitly a term or condition of employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

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

Other Forms of Prohibited Harassment

Coburg policy also prohibits harassment against an individual based on the individual's race, color, religion, national origin, age, sexual orientation, marital status, disability, protected activity, and any other status protected by applicable law.

Such harassment may include verbal, written or physical conduct that denigrates or shows hostility towards an individual because of any protected status, and can include:

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

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

Bullying

Coburg strives to promote a positive, professional work environment free of physical or verbal harassment, "bullying," or discriminatory conduct of any kind. Coburg, 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:

1. Verbal Bullying: Slandering, ridiculing or maligning a person or his/her family; persistent name calling which is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks.
2. Physical Bullying: Pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; damage to a person's work area or property.
3. Gesture Bullying: Non-verbal threatening gestures, glances that can convey threatening messages.
4. Exclusion Bullying: Socially or physically excluding or disregarding a person in work-related activities. In some cases, failing to be cooperative and working well with co-workers may be viewed as bullying.
5. Cyber Bullying: Bullying that takes place using electronic technology, which includes devices and equipment such as cell phones, computers, and tablets as well as communication tools including social media sites, text messages, chat, and websites. Examples of cyberbullying include transmitting or showing mean-spirited text messages, emails, embarrassing pictures, videos or graphics, rumors sent by email or posted on social networking sites, or creating fake profiles on web sites for co-workers, or supervisors or elected officials.

Complaint Procedure

Employees are encouraged to tell the harasser that the behavior is offensive and unwanted, and that they want it to stop. Employees who wish to report harassment or discrimination should first talk to his or her supervisor. If you are not comfortable speaking with your supervisor, or you are not satisfied with your supervisor's response, you are encouraged to speak with the City Administrator. Supervisors are required to inform the City Administrator about reports of harassment or discrimination they receive from employees.

In addition, any employee who observes any conduct that he or she believes constitutes harassment, discrimination, or bullying, or who receives information about these types of incidents that may have occurred, must immediately report the matter to the City Administrator and/or a supervisor.

Investigation and Confidentiality

All complaints and reports will be promptly and impartially investigated and will be kept confidential to the extent possible, consistent with Coburg's need to investigate the complaint and address the situation. If conduct in violation of this policy is found to have occurred, Coburg will take prompt, appropriate corrective action, and any employee found to have violated this policy will be subject to disciplinary action, up to and including termination of employment.

Protection against Retaliation

Coburg prohibits retaliation in any way against an employee because the employee has made a good-faith complaint pursuant to this policy or the law, has reported (in good faith) harassing, discriminatory, or bullying conduct, or has participated in an investigation of such conduct. Any employee who is found to have retaliated against another employee in violation of this policy will be subject to disciplinary action up to and including termination of employment.

See also the Reporting Improper and Unlawful Activity Policy, below.

C. Disability Accommodation Policy

Coburg 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.

Accommodations

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

Requesting an Accommodation

A reasonable accommodation is any change or adjustment to a job or work environment that does not cause an undue hardship on the department or unit (or, in some cases, Coburg) 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, 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 City Administrator, and should specify which essential functions of the employee's job cannot be performed without a reasonable accommodation. In most cases, an employee will need to secure medical verification of his or her need for a reasonable accommodation.

D. Reporting Improper or Unlawful Conduct — No Retaliation

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

- A violation of any federal, Oregon, or local law, rules or regulations by Coburg;

- Mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health resulting from action of Coburg ;
- A substantial and specific danger to public health and safety resulting from actions of Coburg; or
- The fact that a recipient of government services is subject to a felony or misdemeanor arrest warrant.

Further, in accordance with Oregon law, Coburg 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.

Employee Reporting Options

Employees who wish to report improper or unlawful conduct should first talk to his or her supervisor. If you are not comfortable speaking with your supervisor, or you are not satisfied with your supervisor's response, you are encouraged to speak with the City Administrator. Supervisors are required to inform the City Administrator about reports of improper or unlawful conduct they receive from employees.

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

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

Additional Protection for Reporting Employees

Oregon law provides that, in some circumstances, an employee who discloses a good faith and objectively reasonable belief of the City of Coburg's violation of law will have an "affirmative defense" to any civil or criminal charges related to the disclosure. For this defense to apply, the employee's disclosure must relate to the conduct of his/her coworker or supervisor acting within the course and scope of his or her employment. The disclosure must have been made to: (1) a state or federal regulatory agency; (2) a law enforcement agency; (3) City Administrator of Coburg; 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.

Policy Against Retaliation

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

In addition, Coburg prohibits retaliation against an employee because he or she participates in good faith in any investigation or proceeding resulting from a report made pursuant to this policy. Further, no Coburg 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. Coburg may take disciplinary action (up to and including termination of employment) against an employee who has engaged in retaliatory conduct in violation of this policy.

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

II. Employment Status

A. Probationary Period of Employment

All new employees, including current employees who are promoted or transferred within Coburg, are hired into a probationary training period that generally lasts no less than 180 days. The probationary period is an extension of the employee selection process. During this period, you are considered to be in training and under observation and evaluation by your Supervisor. Evaluation of your adjustment to work tasks, conduct and other work rules, attendance and job responsibilities will be considered during the probationary period. This period gives you an opportunity to demonstrate satisfactory performance for the position, and also provides an opportunity to determine if your knowledge, skills and abilities and the requirements of the position match. It is also an opportunity for you to decide if Coburg meets your expectations of an employer.

At or before the end of the probationary period, a decision about your employment status will be made. Coburg will decide whether to: (1) Extend your probationary period; (2) Move you to regular, full-time or regular, part-time status; or (3) Terminate your employment.

Employees are not guaranteed any length of employment upon hire or transfer/promotion; both you and Coburg may terminate the employment relationship during the probationary period for any lawful reason. Further, completion of the probationary period or continuation of employment after the probationary period does not entitle you to remain employed by Coburg for any definite period of time. Both you and Coburg are free to terminate the employment relationship, at any time, with or without notice and for any reason not prohibited by law.

B. Employee Classification

Coburg classifies employees as follows:

1. Regular Full-time: Employment in an established position requiring 40 hours or more of work per week. Generally, full-time employees are eligible to participate in Coburg's benefit programs.
2. Regular Part-time: Employment requiring less than 40 hours of work per week. Normally a part-time schedule, such as portions of days or weeks, will be established. Occasional workweeks of over 40 hours will not constitute a change in status from part-time to full-time. Employees working 30 hours or more are eligible for benefits. Regular, part-time employees working 29 hours or less are not eligible for benefits except those mandated by applicable law.
3. Temporary: Employment in a job established for a specific purpose, for a specific period of time, or for the duration of a specific project or group of assignments. Temporary employment can either be full-time or part-time. Temporary employees are not eligible for benefits other than those mandated by applicable law.

Additionally, all employees are defined by federal and Oregon law as either "exempt" or "nonexempt," which determines whether the employee is eligible for overtime. Employees will be instructed as to whether they are exempt or non-exempt at the time of hire or when a promotion or demotion occurs. All employees, regardless of employment classification, are subject to all Coburg rules and procedures.

C. The Workweek

The workweek is a seven-day work period beginning Sunday at 12:00 a.m. through Saturday at 11:59 p.m. Typically, administrative business hours are from Monday through Friday 8:00 a.m. through 5:00 p.m. Other departments have different shifts and/or operational hours of business. Your schedule will be determined by your supervisor. You are responsible for knowing your scheduled work hours and showing up timely for your shift.

D. Meal Periods and Rest Breaks

Nonexempt employees are required to take a paid, uninterrupted 10-minute rest break for every four-hour segment or major portion thereof in the work period. The rest break should be taken in the middle of each segment, whenever possible. Whenever a segment exceeds two hours, the employee must take a rest break for that segment.

Nonexempt employees are required to take at least a 30-minute unpaid meal period when the work period is six hours or greater. The law requires an uninterrupted period in which the employee is relieved of all duties. No meal period is required if the work period is less than six hours. If, because of the nature or circumstances of the work, an employee is required to remain on duty or to perform any tasks during the meal period, the employee must inform his or her supervisor before the end of the shift so that Coburg may pay the employee for that work.

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" in order to come in late or leave early. An employee who fails to abide by this policy and applicable laws may be subjected to discipline, up to and including termination.

Sample rest and meal break schedules are listed below. Employees with questions about the rest or meal breaks available to him or her should contact the City Administrator.

Length of Work Period	Requirement	
	Rest Breaks	Meal Periods
2 hours or less	0	0
2 hrs & 1 min – 5 hrs & 59 min	1	0
6 hrs	1	1
6 hrs & 1 min – 10 hrs	2	1
10 hrs & 1 min. – 13 hrs & 59 min	3	1

E. Pay Administration

Hourly and Salaried employees

Hourly and salary pay is determined by the approved and budgeted salary scale of the City. This scale is analyzed, updated and approved annually by the budget committee and City Council. All employees must be paid according to the established and approved scale.

Merit Increases

Merit increases are a reward for employees who successfully meet or exceed the expectation of their position. Merit increases are based on the recommendation of the Supervisor and approved by the City Administrator. This decision is made at the time of the annual performance review.

Compensation for Excellence and Retention

Occasionally a valued employee who provides excellence in service will be at the top of their scale with little room for growth in salary due to the limitations of the salary scale. It is the intention of the City of Coburg to always provide incentive for continued growth. Therefore, a supervisor may make recommendations to the City Administrator at the time of the employee’s annual review for some form of compensation outside of the standard hourly rate. These decisions are solely at the discretion of the City Administrator and must be approved within the confines of the established budget.

Certificate Pay

Police and Public Works employees may be required to obtain certificates in order to continue to take on the responsibility of public safety and care for the City's infrastructure (water and sewer). Therefore, certificate pay is paid in addition to the employee's standard rate of pay. Entering into a certificate program must be at the approval of the Supervisor and City Administrator, and be deemed a reasonable need, and in the best interest of the City for the employee to pursue. Certificate pay is limited to three (3) certificates per employee. Each certificate is paid at three percent (3%) of the employee's gross wage. Employees must present proof of completion to their supervisor who must forward it to the City Administrator for approval.

On-Call Pay

Employees in the Police and Public Works Department are required to perform on-call duty. This means that the employee is ready to respond to an emergency at the City. Employees accepting on-call duty must be available by phone or page and be ready and able to respond to an emergency in 20 minutes.

Standard on-call pay for "ready to respond" will be paid at rate of one (1) hour standard rate of pay for every eight (8) hours on-call.

An employee who has called in sick for a regular shift may not accept on-call pay within that same day (ending at midnight).

Total paid hours including on-call may not exceed 24 hours on any given day. The exception to this is if an on-call duty is assigned on a holiday. In such cases, the total hours payable could possibly exceed 24 (i.e., 8 hours holiday and a maximum of 24 hours on-call totaling 32 hours). This is assuming that the employee is a full-time employee and has not elected to bank the holiday (allowed only to Police).

Employees who have accepted an on-call schedule are required to be available during those hours. Failure to respond to make yourself available to emergency calls or failure to respond will be considered the same as a no-show to your shift (see Section C "The Workweek") and will be subject to the same policies.

Employees accepting on-call duty must make sure that child care and family needs do not interrupt in your ability to respond. If you have an emergency and you can't fulfill the duty as assigned then you should make your supervisor aware at the earliest moment possible.

At no time will it be acceptable for an employee to respond to a call-out while in the company of your family.

Time-and-a-Half

Coburg pays one and one-half times a non-exempt employee's hourly rate for all hours worked over 40 in any workweek. See "Employee Classification," above.

Limitation on Overtime Pay

Paid hours not actually worked (for example, sick, vacation, holidays, and family leave) will not be counted toward the 40 per workweek required to receive overtime pay.

Assignment of Overtime Work

You may be required to work overtime. When overtime work is required by Coburg on a particular job on a shift commencing on a day other than Saturday, Sunday, or a holiday, the non-exempt employee performing that job at the conclusion of his or her straight-time hours will normally be expected to continue to perform the job on an overtime basis. When overtime work is assigned by Coburg on a Saturday, Sunday, or holiday, it generally will be assigned By the supervisor of the department.

When overtime is required by Coburg on a Sunday or on a holiday, Coburg will endeavor to give the employees required to work notice of their assignment during their last shift worked prior to such Sunday or Holiday.

Supervisor Authorization

No overtime may be worked by non-exempt employees unless specifically authorized in writing by a supervisor or management. Employees who work unauthorized overtime may be subject to discipline up to and including termination.

Compensatory (Comp) Time

Overtime hours can be paid or, at the employee's option with Coburg approval, accumulated at time and one-half up to a maximum of 80 hours and taken as comp time off. Employees are encouraged to work with their supervisor to schedule and use comp time within 60 days of when it is accrued. At the discretion of an employee's supervisor, employees who have accrued less than 40 comp hours may be able to choose whether to have the accrued comp time cashed out at the rate earned by the employee at the time the employee receives the payment as long as the pay-out is supported by the budget.

There may be times when due to the requirements of a position, and capacity of the department, an employee may not be able to take their comp time accrued. Banking such time off farther than 60 days will be allowed only at the sole discretion of the department supervisor and after receiving written approval from the City Administrator. At no time will an employee accrue more than 80 hours.

Flex Time

Both non-exempt and exempt employees are eligible for flextime, however not all positions are eligible for flex time. Some positions require that the employee be present at the City within certain hours in order to provide continued customer service within the hours the City Hall is open. The supervisor may exclude an employee from flex time due to their individual duties, or constraints or capacity of the department.

Flex time is designed for occasional use when the workload of the City exceeds the available work hours of the employee. For an example, an employee may work 10 hours on Tuesday in order to meet a deadline of the City, but then leave two hours early on another day within that work week. Vacation, holidays, and sick time do not constitute hours worked and therefore may not be counted as flexible hours.

Formal Flex Time

The City may consider a formal flex time schedule when the services of the City are being met and the department supervisor has approved. Two examples of a formal flex time schedule are:

1. Compressed work week – Four ten hour days
2. 5-4=9 - nine days are worked over the course of two weeks with 80 hours being worked and split between the two weeks such as five days worked one week and four the next but some worked days are longer than others.

Telecommuting

Coburg may consider telecommuting where there are opportunities for improved employee performance, reduced commuting miles, and/or the potential for Coburg savings. This may also be temporarily allowed in order for an employee to have uninterrupted and focused time in order to meet a deadline. Telecommuting is defined as work and transportation alternatives that substitute home-to-work commuting with the option of working at home. Not every position in the City has the option of telecommuting.

Telecommuting is an option but is not a “right” of any employee of the City. The decision as to whether to allow it or not will be at the sole discretion of the supervisor and/or the City Administrator.

F. Timekeeping Requirements

All non-exempt employees must accurately record time worked on a time card for payroll purposes. Employees are required to record their own time. It is required that hourly employees record their time daily. An employee who fails to record his or her time properly and turn in their time card timely to accounting will be paid for the hours recorded to date. It will be the responsibility of the employee to work out with accounting the correction of incomplete time cards.

Salaried exempt employees are also required to turn in a time card for each pay period.

Employees taking vacation, planned sick, and/or holiday pay must fill out a leave slip and have it signed by their supervisor. This sheet must be attached to timesheets.

All time sheets must be signed and dated by employees. Signatures must be legible. supervisor must sign time sheets prior to them being turned in.

G. Employee-Incurred Expenses and Reimbursements

Coburg will pay actual and reasonable business-related expenses incurred in the performance of your job responsibilities if they are: (1) listed below or elsewhere in this handbook; and (2) pre-approved by your supervisor before they are incurred. Coburg will not pay for or reimburse the costs incurred by a spouse, registered domestic partner or travel companion who accompanies the employee on Coburg approved travel.

Employees must provide a completed and signed travel expense report and evidence of proof of purchase (receipts) within one month of the expense being incurred or the employee risks forfeiting their payment or reimbursement.

Some examples of actual and reasonable business-related expenses that Coburg will reimburse/pay for are:

- *Conferences or Workshops:*
- *Education:*
- *Meals:*
- *Mileage and Parking:* Employees will be reimbursed for authorized use of their personal vehicles at a rate established by the Internal Revenue Service. Reasonable parking costs are also reimbursed upon submission of receipts on private auto expense form. Any traffic citations or court-ordered fees relating to driving or parking offenses (including parking tickets) are the responsibility of the employee and will not be reimbursed by Coburg.

Employees who have a City credit card are encouraged to use those cards for all travel related expenses. Employees who do not have a City visa may request meal and mileage pre-payment based on a projected expense as recorded on a travel permission slip. An expense report must be completed upon the return of the employee including all associated receipts. Money left over from the pre-payment must be returned to the City upon return.

H. Payroll Policies

All employees are paid bi-weekly. There are 26 pay periods in the calendar year. Time cards are due by noon on the day after the pay period ends unless otherwise specified by the Finance Department.

Paydays fall exactly one week following the close of the pay period

Net pay will be directly deposited into the employee's bank account.

The Coburg makes all efforts to comply with applicable Oregon and federal wage and hour laws. In the event you believe that Coburg has made any improper deductions, has failed to

pay you for all hours worked or for overtime, or has failed to properly calculate your wages in any way, you must immediately report the error to the Finance Department. Coburg 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 because he or she has reported any errors or complaints regarding Coburg's pay practices.

I. 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. Keeping your personnel records current can be important to you with regard to pay, deductions, benefits and other matters. If you have changes in any of the following items, please notify The Finance Department to ensure that the proper updates/paperwork is completed as quickly as possible:

- Name;
- Marital status/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 Coburg about the items listed above in order to continue to receive benefits or anything of value for themselves or anyone else. Upon request, Coburg 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 termination.

J. Performance Reviews

All Coburg employees will receive periodic performance reviews. Performance reviews serve as one factor in decisions related to employment, such as training, merit pay increases, job assignments, employee development, promotions, retention and discipline/termination. Any employee who fails to satisfactorily perform the duties of his/her position is subject to disciplinary action (including termination).

Coburg's goal is to provide an employee with his/her first formal performance evaluation within six months after hire or promotion. After the initial evaluation, Coburg will strive to provide a formal performance review on an annual basis.

Reviews will generally include the following:

- An evaluation of the employee's quality and quantity of work
- A review of exceptional employee accomplishments
- Establishment of goals for career development and job enrichment

- A review of areas that the supervisor and the employee agree that the employee needs improvement on
- Setting of performance goals for the employee for the following year.

Employees who disagree with a performance evaluation may submit a written response with reasons for disagreement. The employee’s response shall be filed with the employee’s performance evaluation in the employee’s personnel file. Such response must be filed not later than 30 days following the date the performance evaluation was received.

Supervisors are encouraged to provide employees with informal evaluations of their employees’ work on an as-needed basis.

III. Time Off and Leaves of Absence

A. Attendance, Punctuality and Reporting Absences

Employees are expected to report to work as scheduled, on time and be prepared to start work. Employees are also expected to remain at work for their entire work schedule, except for unpaid break periods or when required to leave on authorized Coburg business, and perform the work assigned to or requested of them. Late arrivals, early departures, or other absences from scheduled hours are disruptive and must be avoided.

Unless specified otherwise in a policy below, employees who will be unexpectedly absent from work for any reason or who will not show up for work on time must inform their supervisor via a telephone call, text or email no later than three hours before the start of the employee’s scheduled shift. Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter. The first instance of a no call/no show will result in a final written warning. The second separate offense may result in termination of employment with no additional disciplinary steps. A no call/no show lasting three days will be considered job abandonment and may be deemed an employee’s voluntary resignation of employment.

B. Vacation

It is the policy of Coburg to provide each full-time employee with vacation time on a periodic basis. The amount of vacation to which an employee becomes entitled is determined by the employee’s length of service as of his or her employment anniversary date. Employees who work **less** than 40 hours receive pro-rated benefit accruals. All accruals begin on the first day of the month following the date of hire. Vacation leave is accrued as follows:

<u>Length of Service</u>	<u>Hours/Per Month</u>	<u>Full-Time Days Per Year Equivalent</u>
1-12 months (1 Year)	6.67	10 days
13-71 months	8.0	12 days
72-107 months	9.375	15 days
108-143 months	11.33	17 days
144-191 months	12.67	19 days

192+

13.33

20 days

Vacation accrues monthly and may not be taken until it is earned. Vacation time is intended to provide time away from work for rest and recreation. Each employee **must** take at least five (5) consecutive days off in a row in each calendar year. Vacation pay accrual may not exceed a maximum of 240 hours. Vacation benefits will stop accruing once the maximum limit has been reached. Once the total is reduced below the maximum level, then benefits can begin accruing again.

Vacation leave is paid at the Employee's base rate at the time vacation is taken.

Requests for vacation time are made to your supervisor by filling out the time off request form and submitting it for signature to your supervisor. Approved time off request forms must be attached to your time sheet which reflects the pay period for which the vacation time was taken.

Employees should be mindful of busy seasons, project due dates, and the responsibilities of the departments you serve when requesting vacation. Vacation request should be made well in advance and pre-approved by your supervisor. No employee should request vacation time off for more than two (2) weeks at a time.

Excess Vacation Accrual Payout Request

Employees with an accrual total of 120 or more hours may request a pay out of vacation hours annually in December, or at any time when it is related to a life-event. This pay out may not exceed two weeks or 80 hours and is subject to approval of the City Administrator and available budget. The City is not required to process all employee requests equally due to department budget availability. The City may honor a request of one employee while not doing so for another. This is solely at the discretion of the City Administrator and based upon availability of funds. A request must be provided in writing, signed and dated by the employee. This request will be forwarded to Payroll after approval and will be reflected on the next scheduled pay period.

C. Sick Leave

The City of Coburg provides eligible employees with sick leave in accordance with Oregon's Paid Sick Leave Law. This policy will be updated as necessary to reflect changes in and to ensure compliance with Oregon law.

Employees with questions about this policy may contact the City Administrator. Please also refer to the Oregon Sick Leave Law poster that is posted in the employee breakroom.

Eligibility and Accrual of Paid Sick Leave

Under Oregon's Paid Sick Leave Law and this policy, "employee" includes part-time, full-time, hourly, salaried, exempt and non-exempt employees. Sick leave runs concurrently with Oregon Family Medical Leave, federal Family and Medical Leave and other leave where allowed by law.

Employees begin to accrue paid sick leave on the first day of employment, but may not use paid sick leave until the 31st day of employment. After the 31st day of employment, paid sick leave may be used as it is accrued.

Full-Time Employees will accrue one sick day per month or 96 hours per calendar year. Paid sick leave shall be taken in hourly increments.

Pay Rate and Carryover

Paid sick leave will be paid at the employee's regular rate of pay. Exempt employees are presumed to work 40 hours in each workweek for purposes of their sick leave accrual unless their normal workweek is less than 40 hours, in which case sick leave is accrued based on the employee's normal workweek. Generally, sick leave pay will be included in the paycheck for the next payroll period after sick leave is used, provided the employee submits adequate documentation verifying that the absence was for a qualifying reason as defined in the "Use of Sick Leave" section below.

Sick leave is meant to be used or carried over; any 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.

Employees may carry over up to a maximum of 520 hours of accrued and unused sick leave for use in subsequent calendar years.

Use of Sick Leave

Accrued paid sick leave may be used for the following reasons:

1. For the diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive medical care. This is available for the employee or his/her covered family member.
 - "Family member" means the eligible employee's grandparent, grandchild, spouse, or registered same-gender domestic partner, and the domestic partner's child or parent; the employee's stepchild, parent-in-law or a person with whom the employee was or is in a relationship of in loco parentis; and the employee's biological, adoptive or foster parent or child.
2. For any purpose allowed under the Oregon Family Leave Act, including bereavement leave.
3. If the employee, or the employee's minor child or dependent, is a victim of domestic violence, harassment, sexual assault or stalking as defined by Oregon law and requires leave for any of the purposes under Oregon's domestic violence leave law (ORS 659A.272).
4. In the event of certain public health emergencies or other reasons specified under Oregon's sick leave law.

Employees absent from work for a qualifying reason must use accrued sick time hours for that reason and on each subsequent day of absence.

Employee Notice of Need for Sick Leave

Foreseeable Sick Leave. If the need for sick leave is foreseeable, an employee must notify their supervisor as soon as practicable before the leave using the Coburg call-in/notification procedures. Generally, an employee must provide at least 5 days' notice for foreseeable sick leave. The request shall include the anticipated duration of the sick leave, if possible. Employees must make a reasonable effort to schedule foreseeable sick time in a manner that minimally disrupts the operations of Coburg. Employees must notify their supervisor of any change in the expected duration of sick leave as soon as is practicable.

Unforeseeable Sick Leave: If the need for sick leave is unforeseeable, the employee must notify their supervisor as soon as practicable and comply generally with Coburg call-in procedures. See Section C. Generally, an employee should notify his/her immediate supervisor of unforeseeable sick leave at least 30 minutes prior to the beginning of his/her shift, unless physically unable to do so, at which time notice should be given as soon as possible.

An employee must contact his/her supervisor daily while on sick leave, unless an extended period of sick leave has been prearranged with the supervisor or when off work on protected leave. The employee shall inform his/her supervisor of any change in the duration of sick leave as soon as practicable.

If an employee fails to provide proper notice or make a reasonable effort to schedule leave in a manner that is only minimally disruptive to the organization and operations, Coburg may deny the use and legal protections of sick leave.

Sick Leave Documentation

If an employee takes more than three consecutive scheduled workdays as sick leave, Coburg may require reasonable documentation showing that the employee was absent for an approved reason. Reasonable documentation includes documentation signed by a healthcare provider, or documentation for victims of domestic violence, harassment, sexual assault or stalking.

Sick Leave Abuse

If Coburg 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; Coburg may require documentation from a healthcare provider on a more frequent basis. Employees found to have abused sick leave as described here may also be subject to discipline, up to and including termination.

Sick Leave Donation

The purpose of donated sick leave is to assist any eligible employees with additional leave through the donations of eligible co-workers. All full-time regular employees are eligible to request or donate sick time in cases deemed as "hardship" by the City Administrator. 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 and/or the Oregon Family Leave Act.

An employee who is receiving, or is eligible to receive, any type of retirement disability, short-term or long-term disability insurance, or other supplemental income is not eligible to receive donated leave when such benefits would cross over and thus create a double benefit.

Donated hours must not be processed in an amount greater than that which is approximately necessary to cover the employee's next occurring pay period or the equivalent of ten (10) working days.

If otherwise qualifying, donated leave may be used to provide paid Military Family & Medical Leave that would otherwise be unpaid, but may not extend the length of Military Family & Medical Leave entitlement.

Unless otherwise stated, donated leave may not be used for any other reason except sick leave as established in the Family Medical Leave Act and/or the Family Leave Act.

The Requesting Employee (Recipient) Must:

- A. Fill out the donation request form and provide documentation for a non-work related seriously disabling illness or injury, as certified by a physician.
- B. Have exhausted all vacation, sick, and compensatory accrued leave and not be on, or eligible for, disability leave or pay.
- C. Have worked one full year at Coburg and have received satisfactory performance evaluations.
- D. Submit a request for donated leave to their immediate supervisor indicating reason and anticipated amount of lost work time.

The Donating Employee:

- A. Must complete and submit a designated form indicating the desire to donate to the City Administrator or designee with supervisor approval.
- B. May donate up to a maximum of 40 hours of sick time per calendar year, but must retain a minimum of 40 hours sick leave.
- C. Any decision by the City Administrator or designee regarding Sick Leave Donation will be binding. Donated time is calculated using the number of hours donated the donator's hourly wage, and the recipient's hourly wage.

D. Holidays and Floating Holidays

Coburg recognizes ten holidays each year. All full-time employees will receive their regular straight-time compensation for each holiday. Regular part-time employees receive pay for each designated holiday in the proportion that their normally scheduled number of hours equals 40 hours per week. The holidays celebrated are:

1. New Years Day
2. Martin Luther King Jr. Day
3. President's Day
4. Memorial Day
5. Independence Day
6. Labor Day
7. Veteran's Day
8. Thanksgiving Day
9. Day after Thanksgiving
10. Christmas Day

A holiday that falls on a weekend will be observed on either the preceding Friday or the following Monday to coincide with local custom.

To be eligible for holiday pay, an employee must have worked his or her regularly scheduled hours the workday before and the workday after the holiday, or have been on an approved vacation day or any other excused absence under Coburg policy. If an employee is on vacation when a holiday is observed, the employee will be paid for the holiday and will be granted an alternate day of vacation at a later date.

Non-exempt, Regularly Variable Scheduled Employee Holiday

Non-exempt, regularly variable scheduled employees (Police Officers) whose duties are required for the continuation of City services on a holiday will be allowed to bank time off for identified holidays. These "holidays" may then be used at the employee's discretion within the calendar year they are received. This is subject to approval of their supervisor and shall request the time prior to taking it via the proper request form. All holiday time must be used in the calendar year it is accumulated or it will be forfeited.

An employee who works on a recognized holiday shall receive double time pay for the amount of hours actually worked on the holiday up to 8 hours. If an employee works more than an eight, they receive one and one-half times the hours worked which is the standard overtime rate. They do not receive double time for the hours in excess of eight (8).

E. Personal Holidays

Employees may select one additional day with pay per calendar year

Personal holidays may only be used in full-day increments; partial days are not allowed.

Employees must coordinate requests for floating holidays with their supervisor.

Employees who begin employment after January 1 receive a pro-rated number of hours for a personal Holiday. For example, if you start on May 1 then you will receive 66% of 8 hours or 5.28 hours.

F. Family Medical Leave

Statement of No FMLA/OFLA Coverage

Coburg employees are not eligible for leaves of absence under the Oregon Family Leave Act (OFLA) or the federal Family Medical Leave Act (FMLA) due to the entity's small size.

One exception is that Coburg will honor requests from eligible employees to take a leave of absence under the Oregon Military Family Leave Act. Thus, during a period of military conflict, as defined by law, eligible employees with a spouse or registered same-sex domestic partner who is a member of the Armed Forces, National Guard, or military reserve forces ("Military Spouse"), and who has been notified of an impending call or order to active duty (or who has been deployed) is entitled to a total of 14 days of unpaid leave per deployment after the Military Spouse has been notified of an impending call or order to active duty and before deployment and when the Military Spouse is on leave from deployment. To be an eligible employee and entitled to this leave, the employee must have worked an average of 20 hours per week prior to beginning the requested leave.

G. **Bereavement Leave**

For permanent status employees who have fulfilled their six month probationary period bereavement leave will be paid for up to three (3) days. This leave will be paid based upon employee's base pay. Employees may, with supervisor approval use any vacation or personal holiday available paid leave for additional time off as necessary for the attendance of funerals of those who do not meet the criteria of "family member." See "family member" definition under sick Leave, page 15.

An additional one-week, non-paid bereavement leave may be granted by a supervisor based upon the scheduling and work load of any department.

Bereavement leave may be used to attend the funeral or alternative to a funeral of the family member, to make arrangements necessitated by the death of the family member, or to grieve the death of the family member. The three (3) days bereavement leave must be taken in the 60-day period following notice of death of a family member. For purposes of this policy, "Family Member" is defined to include the employee's spouse, same-sex domestic partner (registered), child, parent, parent-in-law, grandparent, or grandchild, or the same relations of an employee's same-sex domestic partner (registered) or spouse.

Employees who wish to take bereavement leave must inform Coburg as soon as possible after receiving notification of a Family Member's death. Although prior notice is not required, oral notice must be provided within 24 hours of beginning leave. Written notice must be provided to the employer within three days of returning to work. Employees are required to use any available sick leave during the period of bereavement leave for a death of a "family member"; vacation time will be used if the employee has no available sick leave.

H. Jury and Witness Duty

Jury Duty

Coburg will grant employees time off for mandatory jury duty and/or jury duty orientation. A copy of the court notice must be submitted to the employee's supervisor to verify the need for such leave. Jury duty leave is paid; however, the employee shall surrender any jury duty pay he/she receives to the City.

The employee is expected to report for work when doing so does not conflict with court obligations. It is the employee's responsibility to keep his/her supervisor informed about the amount of time required for jury duty.

Witness Duty

Time spent serving as a witness in a work-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, and the employee submits witness fees to finance department upon receipt.

Except for employee absences covered under Coburg's "Crime Victim Leave Policy" or "Domestic Violence Leave and Accommodation Policy," employees who are subpoenaed to testify in non-work-related legal proceedings must use any available vacation time to cover their absence from work. If the employee does not have any available vacation time, the employee's absences may be unexcused and may subject the employee to discipline, up to and including termination. 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.

I. Religious Observances Leave and Accommodation Policy

Coburg respects the religious beliefs and practices of all employees. Coburg will make, upon request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on Coburg's business. Employees may use vacation or unpaid time for religious holy days or to participate in a religious observance or practice; if accrued leave is not available, then an employee may request to take unpaid leave. Requests for religious leave or accommodation should be made with the City Administrator.

J. 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 his or her 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 his/her intention to take leave (unless giving advance notice is not feasible); and
- Submit a request for the leave in writing to the City Administrator 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, Coburg 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.

K. Domestic Violence Leave and Accommodation Policy

All employees are eligible for reasonable unpaid leave to address domestic violence, harassment, sexual assault, or stalking of the employee or his or her 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.

When seeking this type of leave, the employee should provide as much advance notice as is practicable of his or her 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 the City Administrator as far in advance as possible, indicating the time needed, when the time will be needed, and the reason for the leave. Coburg 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 Coburg 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 oral or written notice as soon as is practicable. When leave is unanticipated, this notice may be given by any person on the employee’s behalf.

Finally, employees who are victims of domestic violence, harassment, sexual assault or stalking may be entitled to a “reasonable safety accommodation” that will allow the employee to more safely continue to work, unless such an accommodation would impose an “undue hardship” on

Coburg. Please contact the City Administrator immediately with requests for reasonable safety accommodations.

L. Military Leave

Military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Employees who wish to serve in the military and take military leave must give advance notice to their supervisor and to the City Administrator unless military deployment necessity prevents such notice, or it is otherwise impossible or unreasonable.

Employees who have been employed for at least six months will continue to receive full pay while on long-term leave for two weeks followed by unpaid leave. If the employee is on leave for training and is otherwise compensated for the training, the Employee will reimburse the City for any compensation they received up to the amount of their net payroll. Employees may use available paid time off to cover parts of their absence as well.

Continuation of health insurance benefit is available through COBRA if the employee wishes to elect such coverage for themselves or their family. Employees who will be on long-term leave and do not elect COBRA should work with the City Human Resources Department to make sure that coverage is reinstated timely.

Vacation and sick leave benefits will continue to accrue during military leave of absence if an employee has been at the City for at least one year. Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Employees returning from military leave shall contact their supervisors to let them know that their deployment will end. Written notice is required to let the City know when to expect them to return to employment in their former department. Employees not contacting the City at the end of their deployment, or failing to provide a date of return to work could be considered leave without permission from their supervisor, or that they have abandoned their employment. In this case, general City policy on these will be in force.

For more information on Military Leave please contact the City Administrator

IV. Employee Benefits

A. Healthcare Benefits

Employees who meet the definition of “benefit eligible” under both Coburg policy and that of its health insurance provider are entitled to the benefit options offered by Coburg. Generally speaking, that means Coburg offers medical insurance for all of its regular, full-time employees (30 hours or more) unless otherwise established by law. Coburg pays 95% of the cost of elected coverage for its regular, full-time employees. Employees are required to pay 5% of their elected coverage. Part-time employees (29 hours or less) are not eligible for health-insurance coverage.

The group insurance policy and the summary plan description issued to employees set out the terms and conditions of the health insurance plan offered by Coburg. These documents govern all issues relating to employee health insurance. As other employee benefits are offered by Coburg, employees will be advised and provided with copies of relevant plan documents. Copies are available from Finance Department.

Long-term Disability

Coburg provides a long-term disability (LTD) benefit plan to help employees working in benefits-eligible positions cope with an illness or injury resulting in a long-term absence from employment. Information regarding long-term disability will be made available annually, upon new-hire, and on request.

Life Insurance

Coburg provides a basic life insurance plan that is based upon your annual salary, to a maximum benefit amount for employees working in benefits-eligible positions. Information regarding life insurance will be made available annually, upon new hire, and upon request.

Pre-tax Account (FSA)

Coburg makes available an FSA option to benefit eligible employees for dependent care expenses, medical and dental services, and employee insurance premiums. The FSA option is an employee elected deduction and is not funded by the City.

Health Reimbursement Account (HRA)

The City provides \$50 per month or \$600 annually into a Health Reimbursement account for employees working 20 hours or more. These funds may be spent according to the policies of the carrier but are meant for reimbursements for small items such as co-pay, prescriptions, immunizations, and approved medical expenses. Information regarding the HRA will be made available annually, upon new hire, and upon request.

For information on any medical benefits of the City contact the Finance Department.

B. Employee Assistance Program (EAP)

This free, confidential service is provided to all employees covered by our medical insurance benefits, and their covered dependents who may be experiencing life problems. Information regarding this service can be obtained by contacting the City Administrator.

C. Workers' Compensation and Safety on the Job

You are protected by workers' compensation insurance under Oregon law. This insurance covers you in case of occupational injury or illness by providing, among other things, medical care and compensation and temporary or other disability benefits. Employees are expected to work safely and in a safe environment.

Steps to take if You are Injured on the Job

If you are injured on the job, Coburg wants to know about it and expects to learn about it no later than 24 hours after your injury (report all work-related injuries to your supervisor).

If you seek treatment for your work-related injury and want to apply for workers' compensation benefits, you must do all of the following:

1. Report any work-related injury to your supervisor. You must report the injury no later than 24 hours after injury.
2. Seek medical treatment and follow-up care if required.
3. Promptly complete a written Employee's Claim Form (Form 801) and return it to the City Administrator.

Failure to timely follow these steps may negatively affect your ability to receive benefits.

Return to Work

If you require workers' compensation leave, Coburg will strive to reemploy you in the most suitable vacant position available at the conclusion of that leave. However, you must first submit documentation from a health care provider who is familiar with your condition certifying your ability to return to work and perform the essential functions of the position.

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

Early Return-to-Work Program

Our Return-to-Work program provides guidelines for returning you to work at the earliest possible time after you have suffered an on-the-job injury or illness that results in time loss. This program is not intended as a substitute for reasonable accommodation when an injured employee also qualifies as an individual with a disability. The Return-to-Work Program is

intended to be transitional work, to enable you to return to your regular job in a reasonable period of time.

The Return-to-Work program for job-related injuries consists of a team effort by Coburg, injured employees and their treating physicians, and our workers' compensation insurance carrier claims staff. The goal is to return our employees to full employment at the earliest possible date that is consistent with their medical condition and the advice of the treating physician.

If your doctor determines that you are able to perform modified work, Coburg will attempt to provide you with a temporary job assignment for a reasonable period of time until you can resume your regular duties (except where provided as an accommodation for a disability). If, due to a work-related injury, you are offered a modified position that has been medically approved, failure to phone in or report at the designated time and place may affect your compensation and employment with Coburg. While you are on modified or transitional work, you are still subject to all other Coburg rules and procedures.

Overlap with Other Laws

Coburg will account for other leave and disability laws that might also apply to your situation, such as the Americans with Disabilities Act (ADA). If, after returning from a workers' compensation leave, it is determined that you are unable to perform the essential functions of your position because of a qualifying disability, you may be entitled to a reasonable accommodation, as governed by the ADA and/or applicable Oregon laws covering disabilities in the workplace.

D. PERS (Public Employees' Retirement System) Benefits

As participants in the PERS system, your designation as a Tier I, Tier II, or OPSRP member will depend on your prior PERS service and PERS rules.

You become a PERS member after working six full calendar months for a PERS-covered employer in a qualifying position requiring at least 600 hours per calendar year period. That six month "waiting period" cannot be interrupted by more than 30 consecutive working days. Your effective date of membership is the first day of the month after you have met this requirement.

Coburg makes two contributions to PERS on your behalf. The first contribution is an amount based on the actuarial requirements for funding Coburg employee pensions. It is a percentage of payroll set by PERS. The amount may be different for each designation (Tier I, Tier II, OPSRP), and changes from year to year.

Coburg also pays on your behalf the employee contribution to the PERS system, which is set by statute at 6% of your pay. The employee contribution is deposited by PERS into the Individual Account Program (IAP). After you become a member of PERS, you will receive

information about how to review your IAP account. PERS also will send you annually a statement of your balance(s).

When you become a PERS member, you should fill out a Designation of Beneficiary form to name someone to receive your benefits should you die before resigning or retiring. The "Standard Designation" on the Designation of Beneficiary form directs your death benefits to your surviving next of kin. If you select the standard designation, you automatically provide for changes which occur in your family situation such as marriage, birth, divorce, or death.

For more information on PERS membership, contact their Customer Service line: 1-888-320-7377 or 503-598-7377, Monday – Friday between the hours of 8:30 a.m. and 5:00 p.m.

V. Miscellaneous Policies

A. Alcohol/Drug Use, Abuse and Testing Policy

Prohibited Conduct

The following conduct is strictly prohibited and will result in disciplinary action up to and including termination:

1. Possession, sale and/or use of drugs on Coburg property/premises, while in Coburg provided clothes, while on Coburg work-related travel, or while on Coburg business (other than employees who possess drugs while they are engaged in law-enforcement work);
2. Failure to notify Coburg of an arrest or conviction under any criminal drug or alcohol statute within five days of the arrest or conviction;
3. Possession and/or consumption of alcoholic beverages or being under the influence of alcohol during work hours, while in Coburg provided clothes or on Coburg property/premises, while operating an Coburg vehicle (or while operating a personal vehicle in connection with the performance of Coburg business), or while performing job functions other than at the employee's home (other than employees who possess drugs while they are engaged in law-enforcement work); or.
4. Being under the influence of drugs while on duty, on Coburg property/premises, on Coburg work time, while in Coburg provided clothes, while on Coburg business, or while operating an Coburg vehicle (or while operating a personal vehicle in connection with the performance of Coburg business).

As used in this policy, "drug" 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.

Prescription Medication and Medical Marijuana

An employee who uses prescription or over-the-counter drugs that may impair the employee's ability to safely perform the job, or that may affect the safety or well-being of others, must notify the City Administrator of such use immediately before starting or resuming work. City of Coburg 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 termination. (Although an employee is not required to provide City of Coburg with the name(s) of the prescription medication(s) taken, medical verification of the prescription may be required.)

Employees who use medical marijuana in connection with a disability should discuss with their supervisor other means of accommodating the disability in the workplace, as Coburg will not agree to allow an employee to use medical marijuana as an accommodation. (See "Disability Accommodation Policy," above.)

Testing

Coburg reserves the right to:

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

The phrase "reasonable suspicion" (or in any variation) 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 suspicion" may include, but are not limited to:

- A pattern of abnormal or erratic behavior;
- Information provided by a reliable and credible source;
- A work-related accident;
- 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.

Supervisors 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 the City Administrator. Whenever possible, supervisors should locate a second employee or witness to corroborate his/her "reasonable suspicion" 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 the City Administrator. 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.

Search of Property

When reasonable suspicion exists to believe an employee possesses alcohol or a controlled substance on Coburg property, or has otherwise violated provisions of this rule regarding possession, sale or use of controlled substances or alcohol, Coburg may search the employee's possessions located on Coburg property, including but not limited to, clothes, locker, lunchbox, toolbox, and desk. Employees should have no expectation of privacy in any items they bring on to Coburg property, or in property, equipment or supplies provided by Coburg to employee.

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 termination. 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 termination. 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.

Crimes Involving Drugs and/or Alcohol

Employees shall report:

- Any criminal arrest or conviction for drug- or alcohol-related activity within five days of the arrest or conviction;

- Entry into a drug court or diversion program; or
- 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 termination.

Drug and Alcohol Treatment

Coburg 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. Coburg is willing to help such employees obtain appropriate treatment.

An employee who believes that he or she has a problem involving the use of alcohol or drugs should ask their supervisor and/or the City Administrator for assistance.

Coburg 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 Coburg to the extent its existing benefits package covers some or all of the program costs.

Although Coburg 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 Coburg policy is discovered, the employee's willingness to seek Coburg or outside assistance will not "excuse" the violation and generally will have no bearing on the determination of appropriate disciplinary action.

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 Coburg employee is prohibited unless written authorization is obtained from the employee.

B. Cellular Devices Policy

This policy applies to employee use of cell phones, smart phones (including iPhones, "smartphones" and similar devices), tablets and similar devices, all of which are referred to as "cellular devices" in the Cellular Devices Policy.

Cell Phones and Cellular Devices in General

Employees are allowed to bring personal cell phones and cellular 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 Coburg provided cell phones/cellular devices may not violate Coburg's policies against harassment and discrimination. Thus, employees who use a personal or Coburg provided cell phone/cellular device to send a text or instant message to another employee (or to a citizen or someone not employed by the Coburg that is harassing or

otherwise in violation of Coburg's no-harassment and no-discrimination policies will be subject to discipline up to and including termination.

Employee Use of Coburg Provided Cell Phones/Cellular Devices

Cell phones/cellular devices are made available to Coburg employees on a limited basis to conduct Coburg's business. Determinations as to which employees receive Coburg provided cell phones will be made on a case-by-case basis; employees are not guaranteed a cell phone or cellular device

Employees who receive a cell phone or cellular device from Coburg must agree to not use the cell phone/cellular device for personal use except in emergency situations and must abide by all aspects of the Cellular Device Policy. Further, employees who receive a cell phone or cellular device from Coburg must acknowledge and understand that because the cell phone/cellular device is paid for and provided by Coburg, any communications (including text messages) received by or sent from the cell phone/cellular device may be subject to inspection and review if Coburg has reasonable grounds to believe that the employee's use of the cell phone violates any aspect of the Cellular Device Policy or any other Coburg policy. An employee who refuses to provide Coburg access to his/her personal cell phone/cellular device in connection with an investigation and after reasonable notice may be subject to discipline, up to and including termination.

Employees may not use Coburg provided cell phones or cellular devices to call 1-900, 1-976 or similar "pay per minute" services. Further, family and friends may not use an employee's Coburg provided cell phone/cellular device.

Employee Use of Cell Phones/Cellular Devices with Cameras

Cameras of any type, including cell phones or cellular devices with built-in cameras and video photography options, may not be used during working hours, or at any Coburg sponsored function unless authorized to do so by the City Administrator. Photos may be needed for recorded incidents or work related reports. Employee may take pictures and/or videos when they will be used for records for the City of Coburg.

Cell Phones/Cellular Devices and Public Records

Coburg related business conducted on Coburg 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 Coburg.

Cell Phone/Cellular Device Use While Driving

The use of a cell phone or cellular 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 Coburg 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 Coburg.

Employees are prohibited from using handheld cell phones for any purpose while driving on Coburg authorized or Coburg related business. This policy also prohibits employees from using a cell phone or other cellular device to send or receive text or "instant" messages while driving on Coburg 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 termination.

C. Use of Coburg Email and Electronic Equipment, Facilities and Services

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

Ownership

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

Use

All of Coburg's electronic equipment, facilities and services are provided and intended for Coburg business purposes only and not for personal matters, communications or entertainment. Access to the Internet, websites and other electronic services paid for by Coburg are to be used for Coburg business only. This means, for example, that employees may not use the Coburg provided Internet, or Coburg electronic equipment, facilities and services to:

- Display or store any sexually explicit images or documents, or any images or documents that would violate Coburg's no-harassment, no-discrimination or bullying policies;
- Play games (including social media games) or to use apps of any kind;
- Engage in any activity that violates the rights of any person or Coburg, and that is protected by copyright, trade secrets, patent or other intellectual property (or similar laws or regulations);
- Engage in any activity that violates the rights to privacy of protected healthcare information or other Coburg specific confidential information;
- Engage in any activity that would introduce malicious software purposefully into a workstation or network (e.g., viruses, worms, Trojan horses).
- Download or view streaming video for personal use. 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.

- On-line shopping except for the purposes of purchasing for the City of Coburg.

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

Inspection and Monitoring

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

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

Personal Hardware and Software

Employees may not install personal hardware or software on Coburg's computer systems without approval from the City Administrator. All software installed on Coburg's computer systems must be licensed. Copying or transferring of Coburg owned software may be done only with the written authorization of the City Administrator.

Unauthorized Access

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

Security

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

Inappropriate Web Sites

Coburg'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 Coburg's policies on harassment and discrimination.

D. Social Media

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

Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of co-workers, or otherwise adversely affects our citizens or people who work on behalf of Coburg or Coburg's legitimate business interests may result in disciplinary action up to and including termination.

Prohibited Postings

Employees will be subject to discipline, up to and including termination, if they create and post any text, images or other media that violate any Coburg policies, including Coburg's no-harassment and no-discrimination and workplace violence 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 termination.

Do not create a link from your blog, website or other social networking site to a Coburg owned or maintained website without identifying yourself as an Coburg employee.

Express only your personal opinions. Never represent yourself as a spokesperson for Coburg, unless you are authorized by your supervisor to do so. If Coburg is a subject of the content you are creating, be clear and open about the fact that you are a Coburg employee, and make it clear that your views do not represent those of Coburg or its employees or elected officials.

Encouraged Conduct

Always be fair and courteous to co-workers, the citizens we serve, Coburg's employees and elected officials, and suppliers or other third parties who do business with Coburg.

Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers, or by utilizing our Open Door Policy, than by posting complaints to a social media outlet. If you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage citizens, co-workers, Coburg employees or elected officials, that might constitute harassment or bullying, and/or that violate Coburg 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 Coburg policy.

Maintain the confidentiality of Coburg's confidential information. Do not post internal reports, policies, procedures or other internal, Coburg related confidential communications or information. (See "Confidential Coburg Information" policy, below.)

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

Request for Employee Social Media Passwords

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

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

E. Confidential Coburg Information

Employees must not access, use or disclose sensitive or confidential information or data except in accordance with Coburg 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 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 Coburg) may be removed from our premises without permission from the City Administrator. Likewise, any materials developed by Coburg's employees in the performance of their jobs are the property of Coburg and may not be used for personal or financial gain. Additionally, the contents of records or information otherwise obtained in regard to the Coburg's business may not be disclosed to anyone, except where required for a business purpose or when required by law.

F. Ethics

At Coburg, we believe in treating people with respect and adhering to ethical and fair business practices. We expect employees to avoid situations that may compromise their reputation or integrity, or that might cause their personal interests to conflict with the interests of the Coburg or the Coburg's citizens.

We at Coburg are public employees, and as such, are also subject to the State of Oregon's ethics laws. In some cases, these laws provide additional limitations on employees, such as prohibitions on gifts and strict definitions of conflict of interest. If you are coming to Coburg from work in the private sector, you may find that some activities that 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: <http://www.oregon.gov/OGEC>.

If you have questions about whether an activity meets Coburg's or Oregon's ethical standards, please talk with the City Administrator. Employees who violate the Ethics Policy, or who violate Oregon ethics laws, may be subject to disciplinary action up to and including termination.

G. Open-Door Policy

Coburg's Open Door Policy is based on our belief that open, honest communication between supervisors and employees should be a common business practice. Coburg's 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). If you have a complaint, suggestion, or question about your job, working conditions, or the treatment you are receiving from anyone in Coburg, please raise them first with your immediate supervisor. If you are not satisfied with the response from your immediate supervisor, or if your issue involves your immediate supervisor, request to have the facts/situation reviewed by the City Administrator.

H. Outside Employment

Generally, employees may obtain employment with an employer other than Coburg or engage in private income-producing activity of their own so long as that activity is not otherwise prohibited by these rules. Employees are responsible for assuring that their outside employment does not conflict with these rules.

An employee is prohibited from, directly or indirectly, soliciting or accepting the promise of future employment based on the understanding that the offer is influenced by the employee's official action.

Employees may not accept outside employment that involves:

- The use of Coburg time (including the employee's work time), Coburg facilities, equipment and supplies, or the prestige or influence of the employee's position with Coburg. In other words, the employee may not engage in private business interests or other employment activities on the Coburg's time or using the Coburg's property;

- The performance of an act that may later be subject to control, inspection, review or audit by the department for whom the employee works (or by a State agency); or
- Receipt of money or anything of value for performance of duties that the employee is required to perform for Coburg.

The Coburg requires employees to report outside employment to the City Administrator before the outside employment begins. Thereafter, an employee must provide an update to the City Administrator on an annual basis, or sooner if any changes in outside employment occurs. Employees who accept outside employment in violation of this policy may be subject to discipline, up to and including termination.

I. Criminal Arrests and Convictions

Employees must promptly and fully disclose to their supervisor on the next working day:

1. All drug- or alcohol-related arrests, citations, convictions, guilty pleas, no contest pleas or diversions that result from conduct which occurred while on duty, on Coburg property, or in a Coburg vehicle (see "Alcohol/Drug Use, Abuse and Testing" policy above);
2. All arrests, citations, convictions, guilty pleas or no contest pleas that result from crimes involving the theft or misappropriation of property, including money; or
3. If you are arrested, cited or convicted of a violation of any law that will prevent you from performing the essential functions of your position.

Reporting an arrest or conviction will not automatically result in termination of employment. Situations will be evaluated on a case-by-case basis.

Employees who are unavailable to report for work because they have been sent to jail or prison may not use sick leave or vacation time to cover the absence, and may be subject to disciplinary action, including termination.

J. Political Activity

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:

- Be required to give money or services to aid any political committee or any political campaign;
- 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 Coburg employees to express their personal political views.); or
- Be disciplined or rewarded in any manner for either giving or withholding money or services for any political committee or campaign.

K. Bad Weather/Emergency Closing

Except for regularly scheduled holidays identified by Coburg (see "Holidays" section, above); Coburg is open for business on Mondays through Fridays during normal business hours. If there are circumstances beyond our control, such as inclement weather, a

national crisis, or other emergencies that make one or more of our office locations inaccessible for all or part of a regularly scheduled workday, the City Administrator (or his/her designee) will decide whether to and to what extent Coburg will close. The City Administrator will contact all supervisors who will then pass the information on to their team.

In the event of extreme bad weather, we recognize that each employee's ability to safely reach work may be different. If you cannot safely report to work in such circumstances, you should contact your supervisor. If staff cannot reach the office and are able to serve Coburg from home, you should do so subject to approval by your supervisor. Safety and a trustworthy approach are your guides.

L. Driving While on Business

Employees using a private vehicle to conduct Coburg's business must possess a valid driver's license and must carry auto liability insurance. Employees who use their own vehicles for authorized Coburg business use should make any necessary arrangements with their insurance carriers.

Coburg may verify the validity of your driver's license and/or your driving record at the time of hire and at any point during your employment. Once you are employed with Coburg, we will receive automated reports from the Department of Motor Vehicles (DMV). The reports notify Coburg when there are transactions on your driving record such as speeding tickets and citations.

While on Coburg 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 supervisor of any subsequent restrictions, limitations, or other change in their driving status within 72 hours of the change or new restrictions/limitations. See also, "Cell Phone 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 termination.

M. Workplace Violence

Coburg recognizes the importance of a safe workplace for employees, customers, vendors, contractors, and the general public. A work environment that is safe and comfortable enhances employee satisfaction as well as productivity. Therefore, 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 Coburg.

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

Coburg also may conduct an investigation of a current employee where the employee's behavior raises concern about work performance, reliability, honesty, or potentially threatens the safety of co-workers or others. See policy on "Workplace Inspections."

N. Workplace Inspections — No Right to Privacy or Confidentiality

This policy applies to inspections and investigations conducted by Coburg pursuant to policy or law unless otherwise modified by a different policy in this Handbook.

An employee investigation may include, but is not limited to, investigation of criminal records; it may also include a search of desks, work areas, file cabinets, voicemail systems and computer systems. *Employees are strongly discouraged from storing personal items in the desks, lockers, work areas, file cabinets and other office equipment or furniture, as well as voicemail and computer systems assigned to them by the Coburg; these areas are not private.*

All information related to reports generated from inspections and investigations, including the name of the reporting employee(s), will be kept as confidential as possible under the circumstances.

O. Smoke-Free Workplace

Coburg provides a tobacco-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 Coburg property, vehicles or facilities/buildings.

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

If you wish to smoke tobacco, you must do so outside of Coburg'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.

VI. 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 termination. This list of prohibited conduct is illustrative only; other types of conduct injurious to security, personal safety, employee welfare and Coburg's operations, some of which are described elsewhere in this Handbook, may also be grounds for discipline, up to and including termination.

- Falsification of employment or other Coburg records, or
- Recording of work time of another employee or allowing any other employee to record your work time, or allowing falsification of any time sheets (your own or another employee's).
- Theft or the deliberate or careless damage or destruction of any Coburg property, or the property of any other employee, citizen, vendor or third party.
- Unauthorized use of Coburg equipment, materials or facilities.
- Provoking a fight or fighting during work hours or on Coburg property/premises.
- Carrying firearms or any other dangerous weapon on Coburg property/premises at any time except Police Officers or Reserve Police Officers.
- Engaging in criminal conduct while at work.
- Causing, creating or participating in a significant or substantial disruption of work during working hours on Coburg property/premises.
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward another Coburg employee, customer or vendor.
- 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.
- Failure to observe work schedules, including rest breaks and meal periods. You are expected to be at work on time, remain until your workday ends, and perform the work assigned to or requested of you.
- Sleeping or malingering on the job.
- Excessive personal telephone calls during working hours.
- Unprofessional appearance during normal business hours.
- Failing to attend scheduled work sessions and related activities at conferences, workshops, or educational events that are paid for by Coburg.
- Misrepresentation of Coburg policies, practices, procedures, or your status or authority to enter into agreements on behalf of the Coburg. Employees may not use the Coburg's name, logo, likeness, facilities, assets or other resources of the Coburg for personal gain or private interests.
- Violations of the Ethics Policy or Oregon's Ethics laws.
- Violation of any safety, health, security or Coburg 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 Coburg or outside regulatory or legislative bodies.
- Failing to timely pay water/sewer/tax accounts with Coburg on time, and/or who's Coburg provided services are disconnected. This includes, without limitation, situations

where the employee writes a check to Coburg that is refused for payment due to non-sufficient funds.

- Harassment or discrimination that violates Coburg policy.

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

B. Corrective Action/Discipline Policy

Employees are expected to perform to the best of their abilities at all times. 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 Coburg standards, Coburg 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 a verbal counseling or include a sequence or steps. Some acts, particularly those that are intentional or serious, warrant more severe action (including termination) on the first or subsequent offense.

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

In all cases, Coburg will determine the nature and extent of any discipline based upon the circumstances of each individual case. Coburg may proceed directly to a written warning, demotion, last chance agreement, or termination for misconduct or performance deficiency, without any prior disciplinary steps, when Coburg deems such action appropriate. Coburg 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.

C. Retirement or Resignation from Employment

If you choose to resign or retire, it is anticipated that you will give Coburg as much notice as possible — preferably a minimum of two weeks. When giving your two-week notice, vacation, personal, or sick days should not be used in lieu of notice. If you do not give two-week notice of your intent to leave Coburg, you will not be eligible for re-employment at a later date.

Employees who miss three or more consecutive work days 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 the City Administrator before making a final decision.

Employees must return all Coburg property, including phones, computers, and identification cards, credit cards, keys, and manuals, to their supervisor on or before their last day of work.

D. **References**

All requests for references or recommendations must be directed to the City Administrator. No supervisor or employee is authorized to release references for current or former employees. 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, City of Coburg discloses only the dates of employment and position(s) held of former employees. Former employees who authorize additional disclosures must make a request to do so in writing.

Employee Acknowledgement

Acknowledgment of Receipt of 2019 Personnel Policies

PERSONNEL POLICIES

I acknowledge that I have received and will read a copy of Coburg's 2019 Personnel Policy Manual. I also understand that a copy of the Personnel Policy Manual is available to me at any time to review in finance office and on the intra-office folder on the City's network. In addition, I am aware that these policies will be updated periodically and I will be provided an updated manual and be asked to acknowledge the receipt of the new policy manual.

I understand that Coburg has adopted the Personnel Policies only as a guide about policies, work rules and the work environment, and that they are subject to change at any time in Coburg's sole discretion. I also understand that the Personnel Policies are Council approved policy and overrule any other contradictory statements made verbally or in writing.. I acknowledge that the Personnel Policies are not an employment contract and are 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 Coburg or I may terminate my employment relationship at any time, for any lawful reason, with or without cause, 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 Coburg's policies regarding equal employment opportunity and that the City of Coburg aims to provide a workplace free of harassment and discrimination. I will bring any questions or concerns I have regarding equal employment opportunities, discrimination, retaliation or harassment to the City Administrator or my supervisor.

During my employment with Coburg, I understand that it is my responsibility to remain informed about the policies as revisions, updates and new policies as 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 will be kept in the Employee's personnel file. A copy will be provided to the Employee upon request.