

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



**Effective January 14, 2020**

Exhibit A to Resolution 2020-02

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 City of Coburg 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. Pregnancy Accommodation Policy**

~~(This policy applies only to employers with six or more employees.) (including lactation) will impact their ability to work should contact {Contact} their supervisor to discuss their options for continuing to work and, if necessary, leave of absence options. The {Organization} City Of Coburg will provide one or more reasonable accommodations pursuant to this policy for employees with known limitations unless such accommodations impose an undue hardship on the {Organization} City of Coburg’s operations.~~

~~Although this policy refers to “employees,” the {Organization} City of Coburg will apply this policy equally to an applicant with known limitations caused by pregnancy, childbirth or a related medical condition.~~

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### **Requesting a Pregnancy-Related Accommodation**

Employees who are concerned that their pregnancy, childbirth or a related medical condition will limit their ability to perform their duties should request an accommodation as soon as it becomes apparent that a reasonable accommodation may be necessary to enable the employee to work. All requests for accommodation should be made with [Contact] your supervisor and should specify which essential functions of the employee's job cannot be performed without a reasonable accommodation. In most cases, information from the employee's doctor may be needed to assist the [Organization] City of Coburg and the employee find an effective accommodation, or to verify the employee's need for an accommodation. Both the [Organization] City of Coburg and employee must monitor the employee's accommodation situation and make adjustments as needed.

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.F. 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 anniversary of hire date, and will be reflected on the first full pay period following the anniversary date.~~

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### 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 during the annual budget planning season for~~ some form of compensation outside of the ~~standard hourly rate adopted salary scale~~. 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. ~~Police Department employees are~~ ~~Certificate pay is~~ limited to three (3) certificates per employee. Each certificate is paid at three percent (3%) of the employee's gross wage. ~~Public Works employees are limited to six (6) certificates per employee. Each certificate is paid at 1.5 percent (1.5%) 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. It should not be used to substitute for an **alternative work schedule unless approved by your supervisor.** ~~For an~~ **An example,** would be an employee ~~may work~~**working** 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.

~~2-3.~~ **Formal Flex Time must be approved by your supervisor.**

## **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. **Employee’s requesting Telecommuting Permission must fill out a Telecommuting Agreement and execute it with their supervisor and the City Administrator**

## **F-G. 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.H. 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.I. 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. Changes to banking information are required in written format to the Finance Department. No emails or verbal requests will be honored.

The City of 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.

#### **H.J. 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.

#### **H.K. Performance Reviews Dialogue**

We hope that you and your Supervisor will engage in open, ongoing conversations about your work, and that you will feel comfortable asking questions, providing feedback, seeking feedback, being an active participant in your career development, and that you receive the support, resources and feedback you need to do your best. Our goal is that you will know what is expected, how you are doing and that you will have opportunities to develop your skills.

The purpose of the Performance Dialogue is to establish a formal opportunity to have a real one-to-one conversation about what is happening in your work: what is going well, what you may need help or training with, goals for the coming year and in the future, and ways the City of Coburg can improve. It is meant to be interactive and of value to you, your manager and the City.

One component of the Performance Dialogue is the regular Check-In Meeting between you and your manager. This will typically happen quarterly but could be held more often if the

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Supervisor deems it necessary. The purpose of these check-in meetings is to share information and provide ongoing coaching. Again, this should be an interactive conversation and may include how your work is going, problem solving, training, support needs and recognition.

When you are initially hired as a new employee or into a new position you will be meeting often with your Supervisor as part of the training process. You will have a formal progress meeting at approximately the mid-point of your probationary period, and a formal Performance Dialogue at the end of your probationary period.

During your career a Performance Dialogue will occur approximately every three months.

- The Performance Dialogue Form will be used to help guide the conversation during the Dialogue.
- You and your manager should prepare for the conversation, bringing notes, examples, etc.
- The Performance Dialogue Form will be completed jointly during the conversation and signed by you and your manager.
- A copy will be provided to you and the original will be placed in your personnel file.

Performance Dialogues become part of your employment record and may be considered in determining promotion, demotion, transfer, layoff, salary increases, and satisfactory completion of the probationary period.

Performance issues related incidents that result in an employee written warning and/or discipline will be handled immediately and not be held to the performance dialogue meeting. However, they will be followed up on in this meeting.

While we hope that you and your manager will come to agreement on what goes on the Performance Dialogue Form, there may occasionally be differences of opinion. Your signature on the Performance Dialogue form indicates that you have participated in the Dialogue and received a copy. It does not necessarily mean you are in full agreement with the documentation. If an employee declines to sign the form, the manager will note the employee's declination on the form and provide a copy of the form to the employee. An employee who disagrees with the outcome of the Performance Dialogue and the resulting form can provide a written response. The response should include reasons for disagreement and be provided to the manager no later than 30 days following the date of the Dialogue. The response will be attached to the Performance Dialogue form that goes into the personnel file. These forms will be brought to the attention of the City Administrator who will discuss any further action with the department supervisor.



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. The City recommends that each employee 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. Normally employees should request no more time off than two (2) weeks at a time. However, requests of more than two weeks may be considered and approved when agreed upon by the Department Supervisor and the City Administrator.

#### **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 the month following** ~~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.

**If an employee becomes sick and can't report to work in the first 30 days of employment, the supervisor may allow for a sick day depending on the employees standing with the City. Any sick days granted outside of the above policy must be approved by the City Administrator. This policy is solely to avoid having a sick employee report to work and thus expose other employees.**

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 City of Coburg 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. **Only the**

City Administrator may approve a sick leave request or donation. 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.

- 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 donor's hourly wage, and the recipient's hourly wage.

**D. Holidays and Floating Holidays**

Coburg recognizes ~~ten~~**Eleven** 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
- ~~4-5.~~ **Juneteenth**
- ~~5-6.~~ Independence Day
- ~~6-7.~~ Labor Day
- ~~7-8.~~ Veteran's Day
- ~~8-9.~~ Thanksgiving Day
- ~~9-10.~~ Day after Thanksgiving
- ~~10-11.~~ 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.

In years when Christmas falls in the middle of the week, the staff may collectively request to exchange Veteran's Day or the day after Thanksgiving for Christmas Eve. In the event that a change is made it will affect all employees of the City.

**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 by December 31,** in the calendar year it is accumulated or it will be forfeited. **Banked Holiday Pay is not eligible to be paid out in a lump sum.**

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).

Employees who are on a leave of absence and not scheduled to work will not be paid for holidays. Upon their return from absence they will again be paid for holidays per holiday pay policy.

**E. Personal Holidays**

Employees may select one additional day with pay per calendar year

~~Personal holidays may only be used on a holiday if the employee is not scheduled to work. Employees may use the personal holiday in increments of less than 4 hours~~ 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. **The \$50 per month contribution will begin on the 1<sup>st</sup> of the month following 30 days of employment.**

**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 returns 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).

Employees retiring in the PERS system but who continue to work or are rehired at the City are eligible for PERS pension deposits into the PERS system. However, the 6% IAP deposit will not be made by the City.

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

The City of Coburg works to maintain a safe and efficient work environment. Employees who misuse controlled substances, prescription or illegal drugs, or alcoholic beverages pose a risk both to themselves and to everyone who comes into contact with or depends upon them and risks damage to ~~Organization~~ City of Coburg’s reputation.

The City of Coburg expects employees to report to work in a condition that is conducive to performing their duties in a safe, effective and efficient manner. An employee's off-the-job as well as on-the-job involvement with drugs and alcohol can have a significant impact on the workplace and can present a substantial risk to the employee who is using alcohol and drugs, to coworkers and others.

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

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## Prohibited Conduct

1. Possession, transfer, use or being under the influence of any alcohol while on [Organization]City of Coburg property, on [Organization]City of Coburg time, while driving [Organization]City of Coburg vehicles (or personal vehicles while on [Organization]City of Coburg business), or in other circumstances which adversely affect [Organization]City of Coburg operations or safety of [Organization]City of Coburg employees or others.
2. Law enforcement employees may possess or transfer alcohol during the performance of their law enforcement duties, e.g., collecting evidence.
  - a. The conduct prohibited by this rule includes consumption of any intoxicating liquor within four hours of reporting to work or during rest breaks or meal periods. If use of alcoholic liquor or an alcohol "hangover" adversely affects an employee's physical or mental faculties while at work to any perceptible degree, or the employee's blood alcohol content exceeds .02 percent, the employee will be deemed "under the influence" for purposes of this rule.
3. Possession, distribution, dispensing, sale, attempted sale, use, manufacture or being under the influence of any narcotic, hallucinogen, stimulant, sedative, drug or other controlled substance while on [Organization]City of Coburg property, on [Organization]City of Coburg time, while driving [Organization]City of Coburg vehicles (or personal vehicles while on [Organization]City of Coburg business), or in other circumstances which adversely affect [Organization]City of Coburg operations or safety of [Organization]City of Coburg employees. Employees may not have any detectable amount of narcotic, hallucinogen, stimulant, sedative, drug or other controlled substance in system while on [Organization]City of Coburg property or on [Organization]City of Coburg time.
  - a. Law enforcement employees may possess narcotics, drugs or other controlled substances while engaging in law enforcement duties, e.g., collecting or transporting evidence.
  - b. The conduct prohibited by this rule includes consumption of any such substance prior to reporting to work or during rest breaks or meal periods. If use of such substances or withdrawal symptoms adversely affects an employee's physical or mental faculties while at work to any perceptible degree, or the employee tests "positive" for any such substances by screening and confirmation tests, the employee will be deemed "under the influence" for purposes of this rule.
  - c. As used in this policy, "controlled substance" includes, but is not limited to, any controlled substance listed in Schedules I through V of the Federal Controlled Substance Act, including marijuana that is otherwise lawful to use under Oregon, Washington or any other state's law.
4. Bringing to [Organization]City of Coburg property, or possessing, items or objects on [Organization]City of Coburg property that contain any "controlled substance," including, for example, "pot brownies", "edibles" and candy containing marijuana. This prohibition does not apply to law enforcement employees who bring or possess such items in

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connection with law-enforcement work. No employee, regardless of position held, may knowingly serve items containing marijuana or any other "controlled substance" to co-workers, members of the public, or elected officials while on work time or on/in [Organization] City of Coburg property.

5. Bringing equipment or any devices marketed for use or designed specifically for use in ingesting, inhaling or otherwise introducing marijuana (or controlled substances), such as pipes, bongs, "vape" pens, smoking masks, roach clips, and or other drug paraphernalia. This prohibition does not apply to employees who possess such items in connection with law enforcement work.

6. Bringing equipment, products or materials that are marketed for use or designed for use in planting, propagating, cultivating, growing, or manufacturing marijuana, including live or dried marijuana plants to [Organization] City of Coburg property. This prohibition does not apply to employees who possess such items in connection with law enforcement work.

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

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

Employees must inform their supervisor about their use of any prescription or over-the-counter drugs that could affect their ability to safely perform the duties of their position. If an employee's use of such prescription drugs could adversely affect [Organization] City of Coburg operations or safety of [Organization] City of Coburg employees or other persons, [Organization] 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 [Organization] with the name(s) of the prescription medication(s) taken, medical verification of the prescription may be required.)

The use of marijuana, which is a Schedule 1 controlled substance under federal law, is expressly prohibited under this policy, even if its medical use is authorized under state law. Employees who use medical marijuana in connection with a disability should discuss with their Supervisor other means of accommodating the disability in the workplace, as [Organization] City of Coburg will not agree to allow an employee to use medical marijuana as an accommodation. (See "Disability Accommodation Policy," above.)

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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.

**Reasonable Cause Testing**

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

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

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

Supervisors shall document the facts and circumstances that constitute 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 cause" findings.

An employee whose initial laboratory screening test for controlled substances yields a positive result shall be given a second test. The second test shall use a portion of the same test sample withdrawn from the employee for use in the initial screening test. If the second test confirms the

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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**

The City of 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. The City of Coburg is willing to help such employees obtain appropriate treatment.

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



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

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

### **Discipline and Consequences of Prohibited Conduct**

An employee who violates this policy will be subject to either termination or a last-chance agreement.

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

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~~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.~~

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. Equipment Use**

This policy applies to employee use of City vehicles, equipment, 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.

### **Vehicles**

City Vehicles are assigned to employees whose job requires them to utilize a vehicle in order to conduct assigned City Business. This includes Public Works and Police vehicles. Employees must pass a background and DMV check prior to operating a City vehicle, and must have a current driver's license.

Vehicles may only be used for the purpose of City business and shall not be used for personal business. Only City employees may drive or ride in City owned vehicles. Children, spouses,

friends, etc. shall not be allowed in City Vehicles. Exceptions may be made in special circumstances and when approved by the department supervisor or City Administrator.

Employees who are emergency responders and on-call may take their vehicle home when assigned to on-call duty in order to provide a more rapid response time. This includes Police and Public Works employees living within the required response areas. Employees responding to an on-call event in a city vehicle must do so in uniform.

### **Equipment**

Equipment assigned to employees for the purpose of conducting their job should be used properly and cared for as follows:

1. You are responsible for the care and custody of equipment issued to you including computer, office equipment, City issued credit cards, clothing, tools, vehicles, cell phones, etc. This includes securing it against theft.
2. Equipment is not to be used for personal use.
3. City-issued credit cards are not to be used for personal use.
4. Cell phones are for the purpose of conducting City business. Therefore, you are required to answer your cell phone during the day. Cell phones are to remain on. If you are on-call, your cell phone is to remain on and you are expected to answer it.
5. Vehicles are to be clean and properly stocked with tools and safety equipment.

### **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 is unlawful. 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. This policy does not apply to emergency response when operating under lawful exclusions for such purpose.

### C. **General Security- User Acceptable Use**

City of Coburg provides many business tools to its employees to enhance their productivity and jobs. These tools include computers, software, communication tools (email, chat), access to internal networks (intranet), access to external networks (internet), as well as telephone systems, voice mail, fax, photocopiers, etc. City of Coburg requires that these systems be used in a responsible way, ethically, and in compliance with all legislation and other City of Coburg policies and contracts. Noncompliance could have a severe, negative impact on the City of Coburg, its employees, and its customers. This policy does not attempt to anticipate every situation that may arise and does not relieve anyone accessing the system of their obligation to use common sense and good judgment.

Individuals at City of Coburg are encouraged to use the City systems and resources to further the business goals and objectives of the City of Coburg. The types of activities that are encouraged include:

- Communicating with fellow employees, City of Coburg business partners, and City of Coburg customers within the context of an individual's assigned responsibilities.
- Acquiring or sharing information necessary or related to the performance of an individual's assigned responsibilities.
- Participating in educational or professional development activities

### **CYBER SECURITY POLICY INTENDED AUDIENCE**

This policy is applicable to all employees of City of Coburg, including full-time, part-time, and temporary employees; students; and interns. The requirements defined in this policy are applicable to all data, systems, and services owned and/or managed by City of Coburg.

### **Definitions**

- **Shadow IT:** The acquisition and use of information technology systems and/or services within the City of Coburg that have not been approved by the IT Department. Oftentimes, the IT Department is not even aware of these solutions being implemented.
- **Malware:** A program that is inserted into a system, usually covertly, with the intent of compromising the confidentiality, integrity, or availability of the victim's data, applications, or operating system, or of otherwise annoying or disrupting the victim.
- **Social engineering:** The "con game"; the art of manipulating end users into providing confidential or personal information. One example is "phishing," where hackers pretend to be trusted City of Coburgs such as banks, company suppliers, IT staff, or mobile carriers in order to get your personal information such as credit card details or confidential corporate information.
- **Removable media:** Any type of storage device that can be removed from a computer while the system is running. Examples include USB flash/thumb drives, memory cards, CDs/DVDs,

external hard drives, or mobile devices used for storage purposes such as MP3 players or smartphones. While there are business purposes for these devices, they are also known to be common sources of malware infections and susceptible to loss or theft, leading to breaches of sensitive information.

- **IT Service Request:** City of Coburg retains an off-site IT support team, which can be reached through the help desk. Internal policy requires that you report IT support requests to the employee assigned at the City to enter in IT support on-line system.

## **Policy**

### **Acceptable Use of Media Equipment**

Media Equipment includes, but is not limited to, physical equipment, such as desktop computers, servers, printers, laptops, telephones, mobile devices, and removable media (such as USB flash drives), as well as systems and services, such as the City of Coburg network, internet, voicemail, and more. City of Coburg data is also considered to be an asset. All devices and systems are property of City of Coburg and all use must be in accordance with policies, standards, and guidelines.

1. City of Coburg does allow for occasional use of the network, systems, and devices for personal reasons (personal correspondences, online banking, etc.), but personal use must not be abused. Personal use is acceptable provided that it is limited to the following considerations:
  - a) It does not have a negative impact on overall employee productivity.
  - b) It does not cause additional expense to the City of Coburg .
  - c) It does not compromise the City of Coburg in any way.
  - d) It does not disrupt the network performance in any way.
  - e) It does not contradict any other City of Coburg policies in any way.
  - f) It is done during the employees break, lunch or personal time and not during regularly scheduled work times.
2. City of Coburg assets and systems may not be used for illegal or unlawful purposes, including copyright infringement, obscenity, personal gain, libel, slander, fraud, defamation, plagiarism, intimidation, forgery, impersonation, illegal gambling, soliciting for pyramid schemes, and computer tampering (e.g. spreading computer viruses).
3. Users should not access and/or purchase technology, devices, applications, or services that are not formally authorized and approved by IT. (This circumvention of the IT management is known as Shadow IT.)
4. IT assets, such as laptops and mobile devices, are intended to be used only by the people to whom they have been issued. The use of a non-employee (e.g. family member, friend, or contractor) is strictly prohibited.

5. Users will protect all corporate-managed IT assets at all times, keeping them physically and logically secured and under the control of the user, including but not limited to:
  - a) Locking down laptops with a locking cable or storing them in a locked drawer or cabinet when leaving them in the office.
  - b) Ensuring the workstation is locked (screen/keyboard) whenever walking away from it.
6. Access to City of Coburg systems and devices is controlled through individual accounts and passwords, as outlined in the Password Standard section of this document and in the Access Control Policy.
7. All voicemail boxes will be protected with a PIN (personal identification number). PINs must be changed periodically as required by the mailbox security system. Easy-to-guess or previously used PINs will be blocked by the system. PINs must not be shared with others.
8. Removable media, such as USB flash drives, CDs, etc., may be used with the following requirements:
  - a) Information should only be stored on removable media when required in the performance of the user's role (e.g. USB shared between two employees during a conference).
  - b) The use of removable media to introduce malware or other unauthorized software into the City of Coburg environment is strictly prohibited.
  - c) Mobile devices (e.g. smartphones, tablets) are not permitted to be used as removable media to transfer or store any business or customer data.
  - d) Any unknown removable media that is found unattended must be reported to the IT Department and NOT inserted into any City of Coburg issued device.
  - e) End users are encouraged to take reasonable measures to secure removable media (e.g. storing it in a secure/locked location when not in use; not sharing with unauthorized users).
  - f) Use of removable media is not allowed on external or non-company-issued systems.
  - g) Upon completion of the assigned duties, all data shall be deleted, in accordance with NIST SP 800-88 Rev. 1, from the removable media.
  - h) All removable media must be turned in to the Service Desk for proper disposal (in accordance with NIST SP 800-88 Rev. 1) when no longer required for business use.

### **Electronic Communication and Internet Use**

The use of City of Coburg communication and internet systems and services (including email, instant messaging, voicemail, forums, social media, and more) is provided in order to perform regular job duties. The use is a privilege, not a right, and therefore must be used with respect, common sense, and in accordance with the following requirements:

1. The email systems and other messaging services used at City of Coburg are owned by the City of Coburg and are therefore its property. This gives City of Coburg the right to monitor any and all email traffic passing through its email system. This monitoring may include, but is not limited to, inadvertent reading by IT staff during the normal course of managing the email system, review by the HR and legal team during the email discovery phase of litigation, and observation by management in cases of suspected abuse or employee inefficiency.
2. City of Coburg often delivers official communications via email. As a result, employees of City of Coburg with email accounts are expected to check their email in a consistent and timely manner so that they are aware of important City of Coburg announcements and updates, as well as for fulfilling business and role-oriented tasks. Employees are required to respond to work related emails in a timely manner.
3. Electronic communication and internet must not be used for illegal or unlawful purposes, including, but not limited to, copyright infringement, obscenity, libel, slander, fraud, defamation, plagiarism, harassment (including offensive and/or insulting content), discrimination, intimidation, forgery, impersonation, illegal gambling, soliciting for illegal pyramid schemes, and computer tampering (e.g. spreading computer viruses).
4. City of Coburg communication platforms and internet are not to be used for purposes that could be reasonably expected to strain storage or bandwidth (e.g. emailing large attachments instead of pointing to a location on a shared drive). Individual use of resources will not interfere with others' use of City of Coburg email system and services.
5. Users are prohibited from using accounts that do not belong to them and are prohibited from using platforms to impersonate others.
  - a) Users are not to give the impression that they are representing or providing opinions on behalf of City of Coburg unless otherwise authorized.
6. Users shall not open message attachments or click on hyperlinks sent from unknown or unsigned sources through any platform (email, instant message, social media, etc.). Attachments/links are the primary source of malware and social engineering and should be treated with utmost caution.
7. City of Coburg prohibits use of email or other messaging platforms for mass unsolicited mailings, chain letters, and competitive commercial activity unless preapproved by City of Coburg.
8. Any allegations of misuse should be promptly reported to Department Supervisor and/or the City Administrator.

9. If you receive an offensive or suspicious email, do not forward, delete, or reply to the message. Instead, report it directly to Service Desk.
10. Email users are responsible for mailbox management, including City of Coburg and cleaning. If a user subscribes to a mailing list, he or she must be aware of how to unsubscribe from the list and is responsible for doing so in the event that their current email addresses changes.
11. Archival and backup copies of email messages may exist, despite end-user deletion, in compliance with City of Coburg's Records Retention Policy. It will be considered a violation of City of Coburg policy to delete emails that reflect any form of information associated with City business or response to City business. Solicitations and junk email may be deleted if necessary.
12. Email access will be terminated when the employee or third party terminates their association with City of Coburg, unless other arrangements are made. City of Coburg is under no obligation to store or forward the contents of an individual's email inbox/outbox after the term of their employment has ceased.
13. Users shall not send sensitive information that is not appropriately protected (encrypted). (Appropriate means of protection include but are not limited to OneDrive or encrypted attachments through email.)
  - a) Users shall take extra precautions when transmitting City of Coburg, client, and/or other regulated information via electronic communications. Sensitive material should be marked and encrypted appropriately. Keep in mind that all email messages sent outside of City of Coburg become the property of the receiver.
14. Users are not permitted to automatically forward emails received by their City of Coburg account to an external email address or other messaging system.
15. City of Coburg assumes no liability for direct and/or indirect damages arising from the user's use of City of Coburg's email system and services when intentional violations in policy have been discovered. Users are solely responsible for the content they disseminate. City of Coburg is not responsible for any third-party claim, demand, or damage arising out of use City of Coburg's email systems or services when intentional violations have been discovered.
  - a) Email users are expected to remember that email sent from the company's email accounts reflects on the City of Coburg. Please comply with normal standards of professional and personal courtesy and conduct.



16. City of Coburg may monitor any/all internet activity originating from company-owned equipment or accounts or taking place over City networks. If City of Coburg discovers activities that do not comply with applicable law or City policy, records retrieved may be used to document the wrongful content in accordance with due process.
17. Users are permitted to remotely access the City network while offsite. Users must use the approved VPN service(s). Users will be required to authenticate using multifactor authentication (MFA). Only authorized users are permitted to access the network through VPN.
18. City of Coburg social media accounts are permitted to be used for business purposes only. These purposes include building positive brand image, providing customer support, monitoring public opinion, professional networking, and more. The following requirements are imposed for appropriate use of social media:
  - a) Access to social media will be open to staff who have been assigned to such duties. All employees who wish to have social media items posted must follow internal policy and procedures for making a request.
  - b) All actions and communications through social media must adhere to all previously defined acceptable use of electronic communications. Staff representing City of Coburg on social media must participate in mandatory training and adhere to all policy as set forth in this document.
  - c) The use of personal social media accounts and user IDs for company use is prohibited.
  - d) The use of City of Coburg social media user IDs for personal use is prohibited.

### **Data Security**

Maintaining the confidentiality, integrity, and availability of City of Coburg data is paramount to the security and success of the City of Coburg. The following requirements are defined to keep data secure and handled appropriately.

1. All City of Coburg data is owned by City of Coburg and, as such, all users are responsible for appropriately respecting and protecting all data assets.
2. Users must keep all data secure by taking sensible precautions and following requirement standards as defined in this policy. This standard outlines the requirements for creating, using, storing, transmitting, archiving, and destroying data.

3. Users may not view, copy, alter, or destroy data, software, documentation, or data communications belonging to City of Coburg or another individual without authorized permission.
4. Users will only access data provided to them for duties in connection with their employment or engagement and in accordance with their terms and conditions of employment or equivalent. Access to some applications and information sources will be routinely recorded and/or monitored for this purpose.
5. Extraction, manipulation, and reporting of City of Coburg data must be done for business purposes only.
  - a) Personal use of City of Coburg data, including derived data, in any format and at any location, is prohibited.
6. Users will follow all company-sanctioned data removal procedures to permanently erase data from devices once its use is no longer required, as defined in the. Data must be retained for the length of time defined in the Oregon Records Retention Law.

### **Mobile Device Use**

City of Coburg employees are permitted to use their own personal devices to access the internet over the corporate guest wireless network and to send/receive email. The use of personal mobile devices is a privilege, not a right, and therefore must be used with respect, common sense, and in accordance with the following requirements:

1. It is the responsibility of any employee of City of Coburg who uses a mobile device to access corporate resources to ensure that all security protocols normally used in the management of data on conventional storage infrastructure are also applied here. It is imperative that any mobile device that is used to conduct City of Coburg business be used appropriately, responsibly, and ethically. Failure to do so will result in immediate suspension of that user's account.
2. IT reserves the right to refuse, by physical and non-physical means, the ability to connect mobile devices to corporate and corporate-connected infrastructure. IT will engage in such action if such equipment is being used in a way that puts the City of Coburg's systems, data, users, and clients at risk.
3. All mobile devices used for access to City of Coburg systems and/or data (such as email) must be protected by a strong access control (e.g. alphanumeric password or biometric authentication). Employees are encouraged to never disclose their passwords to anyone, even to family members, if business work is conducted from the mobile device.

4. All users of mobile devices must employ reasonable physical security measures. End users are expected to secure all such devices whether or not they are actually in use and/or being carried.
5. Any non-corporate computers used to synchronize or back up data on mobile devices will have installed up-to-date antivirus and anti-malware software.
6. Sensitive data (e.g. client data) and passwords must not be stored on mobile devices.
7. In the event of a lost or stolen mobile device that has access to City of Coburg resources (e.g. email, OneDrive, Authenticator), it is incumbent on the user to report the incident to Service Desk immediately.
8. All personal mobile devices attempting to connect to the corporate network through the internet will be inspected using technology centrally managed by the City of Coburg IT Department. Devices that are not approved by IT, are not in compliance with IT's security policies, or represent any threat to the City network or data will not be allowed to connect. Devices may only access the City network and data through the internet using a Secure Private Network (VPN) connection. The portal web address will be provided to users who are approved as required. Smart mobile devices such as smartphones, tablets, and laptops will access the corporate network and data using mobile VPN software installed on the device by IT.

### **Clean Desk and Printing**

A clean desk policy is an important tool to ensure that all sensitive materials, such as information about an employee, a customer, or intellectual property, are removed from an end-user workspace and locked away when the items are not in use or an employee leaves his/her workstation. This will reduce the risk of security breaches in the workplace and is part of standard basic privacy controls.

1. Employees are required to ensure that all sensitive information in hardcopy or electronic form is secure in their work area at the end of the day and when they expect to be gone for an extended period.
  - a) Computer workstations must be locked (screen/keyboard) when workspace is unoccupied.
2. Any sensitive information (e.g. client data) must be removed from the desk and locked in a drawer when the desk is unoccupied and at the end of the work day.
3. Passwords are not to be written down anywhere or under any circumstances.

4. File cabinets containing sensitive information must be kept closed and locked when not in use or when not attended.
5. Keys/badges used for access to building must not be left at an unattended desk.
6. Printouts containing sensitive information should be immediately removed from the printer.
7. Upon disposal, sensitive documents should be shredded.
8. Whiteboards containing sensitive information should be erased.

### **Password Standards**

Access to City of Coburg systems and devices is controlled through individual accounts and passwords. The following requirements are in place to protect those passwords and access to sensitive data and systems:

1. Users may not share account or password information with another person. Accounts are to be used only by the assigned user of the account and only for authorized purposes. Attempting to obtain another user's account password is strictly prohibited.
2. A user must contact IT to obtain a password reset if they have reason to believe any unauthorized person has learned their password. Users must take all necessary precautions to prevent unauthorized access to City of Coburg services and data.
3. Users must not use corporate passwords for other services. In the event that other services are compromised, it could leave corporate accounts compromised as well.
4. Password complexity will be enforced by IT through system-enforced policies to ensure strong passwords and proper password hygiene:
  - a) Passwords will expire periodically and users will be forced to change them. Users are encouraged to reset their passwords prior to the expiry date to minimize any interruption to network access.
  - b) Password complexity requirements will enforce the use of a minimum password design.
  - c) Upon multiple failed login attempts, accounts will be locked. Accounts can be unlocked and/or reset by contacting IT through the City established procedure.

### **Incident Response and Reporting**

City of Coburg has an incident response program for efficient remediation of information security incidents. Employees are expected to comply with the following requirements in order to ensure effective and efficient incident remediation:

1. Users must report any suspected security incident to IT, including but not limited to lost/stolen equipment, suspected malware infection, compromised credentials, and any other possible compromises of City of Coburg systems and/or data.
2. Users must cooperate with incident response processes, such as forfeiting their equipment to IT for investigation if it is potentially compromised.

### **Security Awareness and Training**

Human error and negligence are common sources of security issues. City of Coburg takes a proactive approach by requiring security awareness and training:

1. During onboarding, all users will be required to undergo information security awareness and training. Users will be required to sign a declaration that this policy manual has been received and they have read the security policies, understand them and intend to abide by the policies and procedures established.
2. Users must complete ongoing security awareness and training as scheduled at least annually. Employees will be kept up to date on new improvements and emerging threats.

### **Security Unacceptable Uses**

IT will manage security policies, network, application, and data access centrally using whatever technology solutions are deemed suitable. Any attempt to contravene or bypass security will be deemed an intrusion attempt and will be subject to disciplinary action. The following restrictions and requirements are enforced at City of Coburg to establish and maintain the confidentiality, integrity, and availability of systems and data:

1. Users must not introduce malicious programs into the network or a system (e.g. viruses, worms, Trojan horses, email bombs, etc.).
2. Users must not introduce or contribute to security breaches or disruptions of network communication.
  - a) Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a system or account that the employee is not expressly authorized to access, unless these actions are within the scope of regular duties. For the purposes of this section, "disruption"

includes, but is not limited to, network sniffing, ping floods, packet spoofing, denial of service, and forged routing information for malicious purposes.

3. Port scanning or security scanning is expressly prohibited unless prior authorization is granted in writing by IT.
4. Users must not execute any form of network monitoring that will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty.
5. Users must not circumvent user authentication or security of any host, network, or account.
6. Users must not introduce honeypots, honeynets, or similar technology on the City network.
7. No servers (i.e. running web or FTP services from user workstations) or devices that actively listen for network traffic are allowed to be put on the City network without prior written authorization of IT.
8. Users must not interfere with or deny service to any user (for example, denial of service attack).

### **Ownership and Privacy Issues**

The systems are the City of Coburg's property as well as, for access and security purposes, the information they contain. We respect our employees' right to privacy; however, we grant access to our systems for business use. Employees must not expect that information contained in these systems is private. The City of Coburg reserves the right, from time to time, for legal, or otherwise valid reasons, to read, monitor, control, and access user files and messages created, saved, transmitted, or received. In the event of intercepted illegal activity, we will bring them to the attention of the appropriate authority without prior notification to the sender or receiver.

### **Noncompliance**

Violations of this policy will be treated like other allegations of wrongdoing at City of Coburg and will be investigated per established procedures. Sanctions may include, but are not limited to, one or more of the following:

1. Oral and/or written warning
2. Probation, suspension, or termination of employment
3. Legal action per applicable laws and contractual agreements

## **Other**

### **D. 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.

### **E. 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.

### **F. 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.

### **G. 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.

### **H. 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.

### **I. 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.

#### **J. 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.

#### **K. 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."

#### **L. 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.

#### **M. 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.

#### **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. Rehire of Retired Employees**

Employees who have retired and are rehired by the City will be eligible for employee benefits based upon the break in service from the last day of work to the return to work date as follows:

- For retirees rehired within 1 month (whether the same month or the next), coverage is continuous and all coverage (i.e., medical/vision, dental, life/disability, FSA) must continue. No termination/retirement should be processed in the enrollment system.

- For retirees who will be rehired after at least 1 month (break in coverage), a termination/retirement will be processed in the enrollment system. He/she will receive COBRA/retiree continuation options.
- For retirees who are rehired after 1 month, but within 6 coverage months, coverage should be effective the first of the month following the date of return - no waiting period applies. All previous coverage must be reinstated.
  - For those enrolled in the Healthcare and/or Dependent Care FSA, previous per pay period amounts will automatically be reinstated. The employee will have 30 days to make a change to the elected amount.
- If rehired within 6 coverage months, but in a new plan year, all previous coverage, excluding the Healthcare and/or Dependent Care FSAs will be reinstated. If plan or carrier changes were made, the retiree will be returned to the closest comparable coverage. The retiree will have 30 days to make election changes.
- If rehired after 6 coverage months, the retiree is a new hire and all new hire requirements apply.

If working less hours upon return, the following guidelines apply:

- If benefit eligible, the rules above apply
  - If the contribution for medical/vision/dental changes, the employee will have 30 days to make election changes.

Employees requesting to retire from PERS but remain in their position at the City may be considered on a case by case basis if they are in a management position. The requesting employee must have reached the PERS retirement age for their work category in the PERS system. Employees retiring from PERS but remaining employed by the City will retain all benefits as provided for in employee benefits policy except the 6% IAP PERS deposit which will no longer be paid on their behalf.

Retired employees may be available for rehire based upon the needs and available budget of the City, as well as the employee’s status for rehire based upon performance. Rehire may not be assumed automatic and will be determined by the City Administrator.

**E. 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 2020 Personnel Policies

**Please initial at the beginning of each paragraph after you have read it.**

\_\_\_\_\_ 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 acknowledge that Coburg has a stringent security policy and I have read and understand my responsibilities as they pertain to this policy. \_\_\_\_\_ 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 not all incidents that arise may be addressed in this policy and I acknowledge that administrative decisions may be made by the City Administrator or Mayor in the event that a decision must be made.

\_\_\_\_\_ 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 polices 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.