

EXHIBIT A

City of Sandy Personnel Policies



Effective November 1, 2025



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

This employee handbook describes, in summary, the personnel policies and procedures that govern the employment relationship between the City of Sandy and its employees, other than those found in applicable collective bargaining agreements. The policies stated in this handbook are subject to change at any time at the sole discretion of the City of Sandy with or without prior notice. This handbook supersedes any prior handbooks or written policies of the City of Sandy that are inconsistent with its provisions. It does not, however, substitute for collective bargaining agreement provisions. To the extent that a provision in a valid collective bargaining agreement contradicts or is inconsistent with what is in this Employee Handbook, the collective bargaining agreement provision controls.

This handbook does not create a contract of employment between the City of Sandy and its employees. With the exception of employees subject to a collective bargaining agreement, all employment at City of Sandy is "at will." That means that either you or the City of Sandy may terminate this relationship at any time, for any reason, with or without cause or notice (unless you are subject to a collective bargaining agreement or written contract of employment). No supervisor, manager, or representative of City of Sandy other than the City Manager 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 the City Manager (or that is included in a collective bargaining agreement).

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 the Human Resources Director.

Sincerely,

Tyler Deems
City Manager

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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 Human Resources at any time if they have questions relating to the issues of harassment, discrimination, or bullying or what it means to work in a respectful workplace.

A. No-Discrimination, No-Retaliation Policy

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

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

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

B. Diversity Equity and Inclusion (DEI) Statement

The City of Sandy is committed to integrating equity into the fabric of our organization and the delivery of public services, in pursuit of equal, fair, and just outcomes for all. The City of Sandy will work intentionally and collaboratively to eliminate racial disparities and address the long-term, systemic root causes of inequality and racial injustice.

C. Statement Regarding Pay Equity

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

D. No-Harassment Policy

The City of Sandy prohibits harassment and sexual assault in the workplace, or harassment and sexual assault outside the workplace that violates its employees, volunteers, and interns' right to work in a harassment-free workplace. Specifically, the City of Sandy prohibits harassment or conduct related to an individual's race, color, religion, sex, pregnancy, sexual orientation, gender identity, national origin, age, disability, genetic information, veteran status, domestic violence victim status, or any other protected status or activity recognized under Oregon, federal, or local law.

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

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

Some examples of conduct that could give rise to sexual harassment are unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; sexual jokes; flirtations; advances or propositions; verbal abuse of a sexual nature; comments about an individual's body, sexual prowess, or deficiency; talking about your sex life or asking others questions about theirs; leering or whistling; unwelcoming touching or assault; sexually suggestive, insulting, or obscene comments or gestures; displays of sexually suggestive objects or pictures; or making derogatory remarks about individuals who are gay, lesbian, bisexual or transgender; or discriminatory treatment based on sex. This is not a complete list.

Other Forms of Prohibited Harassment

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

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

- Jokes, pictures (including drawings), epithets, or slurs;
- Negative stereotyping;
- Displaying racist symbols anywhere on City of Sandy property;
- "Teasing" or mimicking the characteristics of someone with a physical or mental impairment or 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 speaks badly or shows hatred toward an individual or group because of one or more protected statuses;
- Negative comments or teasing a person about their natural hair, hair texture, hair type or hair style (see definition of "race" on page 1). Employees may not touch another employee's hair without permission to do so, even if the touch is extended out of curiosity or as a compliment.

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

Complaint Procedure

Employees, volunteers, or interns who have experienced a sexual assault, any harassment or discrimination in violation of this policy, who have witnessed such behavior or who have information about such behavior occurring, are expected and should bring the matter to the attention of Human Resources or a supervisor or member of management as soon as possible. Employees are strongly encouraged to document the information or incident in any written or electronic form, or with a voice mail message (or phone call). An employee who experiences or witnesses harassment is encouraged but not required, to tell the harasser that the behavior is offensive and unwanted, and that they want it to stop.

Investigation and Confidentiality

All complaints and reports will be promptly and impartially investigated and will be kept confidential to the extent possible, consistent with City of Sandy's need to investigate the complaint and address the situation. If conduct in violation of this policy is found to have occurred, City of Sandy 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.

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

Protection Against Retaliation

City of Sandy prohibits retaliation in any way against any employee because the employee has made a good-faith complaint pursuant to this policy or the law, has reported (in good faith) sexual assault, harassing, or discriminatory conduct, or has participated in an investigation of such conduct.

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

See also the No-Discrimination, No-Retaliation Policy, above, and the Reporting Improper and Unlawful Activity Policy, below.

Other Resources Available to Employees

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

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

Other Employee Rights

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

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

E. No-Bullying Policy

City of Sandy strives to promote a positive, professional work environment free of physical or verbal harassment, "bullying," or discriminatory conduct of any kind. The City of Sandy, 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 their family; persistent name calling that 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, managers or supervisors or elected officials.

This is not a complete list.

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

F. Disability Accommodation Policy

City of Sandy 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.

Accommodation

City of Sandy 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 City of Sandy.

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, City of Sandy) 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 training materials provided by the City of Sandy, providing readers and interpreters, or making the workplace readily accessible to and usable by people with disabilities.

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

G. Pregnancy Accommodation Policy

Employees who are concerned that their pregnancy, childbirth, or a related medical condition (including lactation) will impact their ability to work should contact Human Resources to discuss

their options for continuing to work and, if necessary, leave of absence options. The City of Sandy will provide one or more reasonable accommodations for employees with known limitations unless such accommodations impose an undue hardship on the City of Sandy's operations.

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

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 Human Resources and should specify which essential functions of the employee's job cannot be performed without a reasonable accommodation. In most cases, information from the employee's doctor may be needed to assist the City of Sandy and the employee find an effective accommodation, or to verify the employee's need for an accommodation. Both the City of Sandy and employee must monitor the employee's accommodation situation and make adjustments as needed.

No Discrimination, No Retaliation

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

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

Leave of Absence Options for Pregnant Employees

Employees who are pregnant or experiencing pregnancy-related medical conditions should also be aware of their leave of absence options under Paid Leave Oregon, Oregon's sick leave law, (The Oregon Family Leave Act) (and the Family Medical Leave Act. See policies later in this document or speak with Human Resources.

H. Reporting Improper or Unlawful Conduct – No Retaliation

Employees may report concerns about the City of Sandy's compliance with any law, regulation, or policy, using one of the methods identified in this policy. The City of Sandy 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 the City of Sandy;
- A violation of law, regulation, or standard pertaining to safety and health in the place of employment;
- Mismanagement, gross waste of funds, abuse of authority,
- A substantial and specific danger to public health resulting from action of the City of Sandy or one of its employees; or

- The fact that a recipient of government services is subject to a felony or misdemeanor arrest warrant.

Further, in accordance with Oregon law, the City of Sandy 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

In addition to the City of Sandy's Open-Door Policy (see section I), employees who wish to report potential improper or unlawful conduct should first talk to their 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 Human Resources. Supervisors and managers are required to inform Human Resources about reports of improper or unlawful conduct they receive from employees.

City of Sandy will not disclose the identity of any employee who reports any of the information described in this policy during an investigation without the written consent of the employee. 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 the City of Sandy 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 Sandy's violation of law will have an "affirmative defense" to any civil or criminal charges related to the disclosure. For this defense to apply, the employee's disclosure must relate to the conduct of their coworker or supervisor acting within the course and scope of their employment. The disclosure must have been made to: (1) a state or federal regulatory agency; (2) a law enforcement agency; (3) a manager with the City of Sandy; 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

The City of Sandy will not retaliate against employees who make reports or disclosures of information of the type described above when the employee reasonably believes they are 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 City of Sandy).

In addition, the City of Sandy prohibits retaliation against an employee for participating in any good faith in any investigation or proceeding resulting from a report made pursuant to this policy. Further, no City of Sandy employee will be adversely affected because they refused to carry out a directive that constitutes fraud or is a violation of local, Oregon, federal or other applicable laws and regulations. The City of Sandy 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 their own misconduct or inadequate performance simply by reporting the misconduct or inadequate performance. Furthermore, an employee is not entitled to protections under this policy if the City of Sandy 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. Classification and Compensation

A. Probationary Period of Employment

All new employees, including current employees who are promoted or transferred within the City of Sandy, are hired into a probationary period that generally lasts no less than six months. 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 manager. 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 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 the City of Sandy meets your expectations of an employer.

At or before the end of the probationary period, a decision about your employment status will be made. The City of Sandy 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 City of Sandy 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 City of Sandy for any definite period of time. Both you and City of Sandy 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

City of Sandy classifies employees as follows:

- Regular Full-time: Employment in an established position requiring 35 - 40 hours or more of work per week. Full-time employees are eligible to participate in City of Sandy's benefit programs. Vacation is accrued based on scheduled hours.
- Regular Part-time (Benefit Eligible): Employment requiring 30 - 34.99 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. ***Regular, part-time employees working 30-34.99 hours are eligible to participate in City of Sandy benefit programs.*** They will accrue vacation and Holiday based on their pro-rated schedule.
- Regular Part-time (Not Benefit Eligible): Employment requiring 20-29.99 hours per week. Normally a part-time schedule, such as portions of days or weeks, will be established. Occasional workweeks of over 20 -29.99 hours will not constitute a change in benefit status. Regular, part-time employees working 20-29.99 hours or less per week are not eligible for benefits except those mandated by applicable law, (for example sick leave). They will accrue vacation and Holiday based on their pro-rated schedule.
- On-Call: Employment which varies in nature and does not have a predetermined or predictable schedule. Occasional workweeks with a predetermined schedule will not constitute a change in status from on-call to part-time or full-time. On-call employees are not eligible for benefits other than those mandated by applicable law (for example, sick leave)
- Temporary/Seasonal/Interns: Employment in a job established for a specific purpose or project, for a specific period (typically less than six months), or for the duration of a specific project or group of assignments. This category of employment can either be full-time or part-time. These employees are not eligible for benefits other than those mandated by applicable law (for example, sick leave).

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 City of Sandy rules and procedures.

C. Employment Changes

Transfers

Requests from employees for transfers from one department to another shall be made in writing and shall be directed to the employee's present department director and referred to the appropriate department director and Human Resources. Such requests shall be given consideration when a suitable vacancy occurs; however, no employee shall be transferred to a position for which they do not possess the minimum qualifications.

Promotions

All qualified vacancies shall, whenever possible, be filled by promoting qualified employees within City service. Notification of open positions will be made via email to all staff. Nevertheless, the City Manager may recruit from outside City as they deem appropriate if it is believed that

better qualified candidates are available outside current employees. The appointment to fill the vacancy shall be made on a competitive basis.

Layoffs

If there are changes of duties in the organization, lack of work, or lack of funds, the City Manager may lay off employees; however, the City Manager shall first make every reasonable effort to integrate those employees into another department by transfer. When layoffs are required, the City Manager shall base the decision on relative merit and shall give due consideration to seniority in City service only where the employee's qualification and ability are relatively equal. Layoffs shall be for a period not to exceed six months. After six months, employees not reinstated will be terminated (see section VI, Termination of Employment).

Rehires

Temporary/Seasonal/Intern employees are eligible for rehire to the same or substantially similar position within twelve months of separating from service of City of Sandy. The employee must have separated from service in good standing to be eligible for rehire. The employee must express interest in the position in writing to Human Resources. The employee will be subject to all the same requirements of a newly hired employee, including but not limited to, background check, driving record check, and drug test, if required for the position. The employee will not need to re-start the probationary period if rehired in the same position.

D. The Workweek

The normal workday is eight (8) hours and the normal work week is 40 hours. If you are a non-exempt employee, you should not begin work before your normal starting time nor continue to work beyond the normal quitting time without advance approval from your direct supervisor.

The direct supervisor may schedule specific work hours for individual employees. Changes to works schedules may be made on an individual basis based on business necessity, at the discretion of the direct supervisor with approval from their director or City Manager. Management reserves the right to modify schedules consistent with the needs of the City.

The workweek is a seven-day work period beginning Monday at 12:00 a.m. through Sunday at 11:59 p.m.

E. 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 their

supervisor before the end of the shift so that the City of Sandy 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 should contact Human Resources.

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

F. Rest Breaks for Expression of Breast Milk

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

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

Rest breaks needed to express milk for children one (1) year or younger will be considered paid time if the employee is also working. The City of Sandy will treat the rest breaks used by the employee for expressing milk for children over one (1) year of age to eighteen (18) months as paid rest breaks up to the amount of time the City of Sandy is required to provide as paid rest breaks and/or meal periods under applicable personnel rules or collective bargaining agreements. Additional time needed during an employee's scheduled working hours beyond the paid rest breaks and/or meal periods for children one (1) year to eighteen (18) months will be unpaid. The City of Sandy will make a reasonable effort to provide the employee with a private location within close proximity to the employee's work area to express milk. For purposes of this policy, "close proximity" means within walking distance from the employee's work area that does not appreciably shorten the rest or meal period. A "private location" is a place, other than a public

restroom or toilet stall, in close proximity to the employee's work area for the employee to express milk concealed from view and without intrusion by other employees or the public.

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

Notice

An employee who intends to express milk during work hours must give their supervisor or Human Resources reasonable oral or written notice of her intention to do so in order to allow the City of Sandy time to make any preparations necessary for compliance with this rule.

Storage

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

G. Overtime

Time-and-a-Half

The City of Sandy 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. Compensatory time cannot be used towards calculating hours worked.

Assignment of Overtime Work

You may be required to work overtime. When overtime work is required by City of Sandy 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 their straight-time hours will normally be expected to continue to perform the job on an overtime basis.

When overtime is required by the City of Sandy on a Sunday or on a holiday, City of Sandy 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 City of Sandy approval, accumulated at time and one-half up to a maximum of 80 hours and taken as comp time off. When an employee is separated from employment with the City of Sandy, any remaining comp time will be paid to the employee, regardless of separation reason. Comp pay cannot be earned and then taken in the same pay period.

H. Standby Pay

Public Works and SandyNet

At the discretion of the respective Director, the staff may be assigned to standby duty on weekends and after normal working hours on weekdays. Compensation for standby duty for a one-week period will be equivalent to ten (10) hours worked. Standby duty that falls on an observed holiday will be compensated at the equivalent to an additional 2.5 hours. Employees on standby duty will have no restrictions on their activities other than:

- Remaining within the metro area;
- Being reachable at all times; and
- Refraining from use of alcohol or other substances that would impair judgement or ability to perform work.

Employees assigned to standby duty will, when called out, be compensated based on the actual time worked, including travel time, with two hours minimum time credited. Employees called out who are not on standby duty (and, therefore, not receiving standby pay) will be credited for actual time worked, including travel time, with a minimum of two hours.

I. Flexible and Telecommuting Work Schedules

At the discretion of an employee's supervisor, regular full-time employees may request flexible or telecommuting work scheduling of their work hours on a case-by-case basis. **Flexible schedules** allow for employees to work more hours than scheduled one day in exchange for working a lesser number of hours another day during a given seven- or fourteen-day work period. **Telecommuting** is defined as a process for eligible employees to establish a schedule that includes working from an alternative location other than the normal work location (typically a city facility). Employees must enter into a written agreement with the employee's supervisor stating the flexible schedule or telecommuting agreement. Some departments may be unable to offer flexible or telecommuting schedules for certain positions and/or during certain times of the year.

J. Bilingual Pay

Bilingual pay equal to 3% of an employee's base salary will be granted to employees who are bilingual. This pay incentive is only applicable to employees who are bilingual in a language that is used to serve the population in which their position works with. Competency, usage, and job requirements will be determined by the department director, who will recommend the pay increase in an email to Human Resources for final approval.

K. Timekeeping Requirements

All non-exempt employees must accurately record time worked via electronic timecard for payroll purposes. Your manager may determine the frequency in which they want the timecard entries to occur. Filling out another employee's timecard, allowing another employee to fill out your timecard, or altering any timecard will be grounds for discipline up to and including termination. An employee who fails to record their time may be subjected to discipline as well.

Salaried exempt employees are required to record their time away from the office (for example, sick, vacation, and holiday) via electronic timecard. If salaried employees have no time to report, they are required to send an email of that nature to Human Resources.

L. Employee-Incurred Expenses and Reimbursements

The City of Sandy will pay actual and reasonable business-related expenses incurred by employees during the performance of their job responsibilities if they are: (1) listed below or elsewhere in this handbook; and (2) pre-approved by the employee's supervisor/manager before they are incurred. The City of Sandy will not pay for or reimburse the costs incurred by a spouse, registered domestic partner or travel companion who accompanies the employee on City of Sandy approved travel. Alcohol is not an eligible expense.

Employees must provide a completed and signed 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. All reimbursements will be processed via monthly payroll as a non-taxable item.

Some examples of actual and reasonable business-related expenses that the City of Sandy will reimburse/pay for:

- *Conferences or Workshops:* Employees will be reimbursed for authorized conferences or workshops directly related to their position with City of Sandy.
- *Education:* Employees will be reimbursed for authorized educational expenses directly related to their position with City of Sandy.
- *Meals:* Employees will be reimbursed for reasonable meal expenses incurred while conducting official City of Sandy business; and
- *Mileage, Ride-Share and Parking:* Employees will be reimbursed for authorized use of their personal vehicles at a rate established by the Internal Revenue Service for travel **outside** of City limits only. Reasonable parking costs are also reimbursed upon submission of receipts on an expense report. Finally, employees using a ride-share service to travel to or from an airport or in connection with work-related travel may also be reimbursed upon submission of receipts on an expense report (the least expensive but private, option must be selected). 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 City of Sandy.

As part of each employee's official compensation package, employees may retain any travel benefit program rewards such as frequent flier miles for employee's own personal use. If the employee receives such travel benefit awards for their personal use, the employee may need to report the value of such rewards for income tax purposes. If an employee receives compensation from a carrier for delay or cancellation of travel, or similar situation, the employee may retain such compensation for delay or cancellation provided there was no increased cost to the City of Sandy. Any vouchers for unused transportation or lodging paid for by the City of Sandy are the property of the City of Sandy.

M. Payroll Policies

All employees will be paid monthly. The pay period is defined as the 24th – 23rd. Payday is the last working day of each month for all employees. The City of Sandy does not provide advance payments of salary or loans from salary to be earned.

Employees are eligible for a step increase annually, dependent upon the availability of such an increase in the current salary schedule. Step increases will take effect the first day of the pay period following their anniversary date.

Net pay will be directly deposited into the employee's bank account unless an employee requests otherwise. Checks are available for pick up at City Hall. If an employee requests to pick up their paycheck from City of Sandy, only the employee named on the paycheck will be allowed to do so unless the employee provides written permission to City of Sandy for someone else to receive the check.

N. Statement Regarding Pay Practices

The City of Sandy makes all efforts to comply with applicable Oregon and federal wage and hour laws. In the event you believe that the City of Sandy has made any improper deductions, has failed to pay you for all hours worked or for overtime, has failed to pay you in accordance with the law, or has failed to properly calculate your wages in any way, you must immediately report the error to Human Resources. City of Sandy will investigate all reports of improper pay practices and will reimburse employees for any improper deductions or omissions. No employee will suffer retaliation or discrimination for reporting an error or complaint- regarding the City of Sandy's pay practices.

See also "Statement Regarding Pay Equity" policy.

O. Position Classification Policies

The City Council is responsible for adopting and amending a position classification and compensation plan for all employees. This classification plan shall consist of all positions in City service defined by range specifications and identified by position title. The classification plan shall be so developed and maintained that all positions substantially similar with respect to duties, responsibilities, authority, and character of work are included within the same range and that the same schedules of compensation may be made to apply with equity under like working conditions to all positions in the same range. Copies of this plan are available in Human Resources.

Positions may be reclassified whenever the duties of the position change materially, provided that the reclassification can be accomplished within the limitations of the current budget cycle. Reclassification of a position shall not be used to circumvent the effects of disciplinary action or to avoid restrictions concerning compensation.

Human Resources shall be responsible for keeping the classification current through periodic studies of positions within City service. Neighboring communities, as well communities of similar population size shall be used as comparators for salary and benefit purposes. The City Manager, with the help of Human Resources, shall examine the salary range for each class of position and

determine whether the current minimum and maximum salaries should be maintained, increased, or decreased for the following year. Changes in cost of living, utilizing the CPI (Consumer Price Index) shall be considered during this evaluation.

Except in extenuating circumstances, all appointments will be made at the first step of the class for the position.

P. 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 with regards to pay, deductions, benefits and other matters is important. If you have changes in any of the following items, please notify Human Resources to ensure that the proper updates are 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 the City of Sandy about the items listed above in order to continue to receive benefits or anything of value for themselves or anyone else. Upon request, the City of Sandy 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.

Q. Relatives in City Service

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

All employees shall avoid being in a position where they are subject to supervisory or oversight authority by a family member, member of their household, or a person with whom they have an intimate personal or financial relationship. If the relative relationship is established after employment as a result of organizational restructure, marriage, or a development of an intimate personal or financial relationship, the employees involved have an obligation to immediately inform their supervisor, or Human Resources. The employees and the City of Sandy will jointly make a good faith effort to find an alternative assignment for one of the two employees. Depending on business need, this may include, but is not limited to restructuring duties,

assignment to another position, and assignment to another shift or change in supervision. If no alternative assignment is available, the two employees will have 30 days to decide who will resign. If a decision is not made within 30 days, the City of Sandy will make the final decision, based on the City of Sandy's operational and financial needs.

Policy violations including, but not limited to, failure to disclose a family relation, or an intimate personal or financial relationship, will be investigated by the City of Sandy. Policy violations may result in progressive discipline of employees, up to and including termination of employment. Supervisors and lead workers may be disciplined for taking employment actions based upon the relationship.

R. Performance Reviews

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

The City of Sandy's goal is to provide an employee with their first formal performance evaluation within six months to one year after hire or promotion. After the initial evaluation, the City of Sandy will strive to provide a formal performance review on an annual basis.

Reviews will generally include the following:

- An evaluation of the employee's quality and quantity of work
- A review of exceptional employee accomplishments
- Establishment of goals for career development and job enrichment
- A review of areas needing improvement
- Setting of performance goals for the employee for the following year.

Employees who disagree with a performance evaluation may submit a written response with reasons for disagreement. The employee's response shall be filed with the employee's performance evaluation in the employee's personnel file. Such response must be filed no later than 30 days following the date the performance evaluation was received.

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

S. Reimbursement Pay for Public Works Education

Examinations must be taken during regular work hours and employees will be paid straight time for the examination and travel to and from the examination site. Employees using a personal vehicle to travel to and from the examination site may apply for mileage reimbursement per the City's standard policy.

The City of Sandy will pay application and examination fees for eligible employees with the following exceptions: The City of Sandy will pay for one application and examination fee and one certification preparatory class per employee per program (water, wastewater). After two failed attempts the City of Sandy will pay for the examination fee but will not pay for further

preparatory classes. If the employee does not pass the exam(s) any additional attempts to apply for certification preparatory classes in the same calendar year or after two failed attempts will be at the employee's expense.

The City of Sandy will continue to pay certification renewal fees and relevant, required continuing education in order to maintain certification for employees.

III. Time Off and Leaves of Absence

A. Attendance, Punctuality, and Reporting Absences

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

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

B. Vacation

It is the policy of the City of Sandy to provide Regular employees accrue vacation leave monthly. The amount of vacation to which an employee becomes entitled to is determined by the employee's length of service from their hire date. For Regular employees, vacation accrues as follows:

Length of Service (years)	Accrual
1 st - 3 rd year (0 - 36 months)	88 per year / 7.33 per month
3 rd - 5 th year (37 - 60 months)	108 per year / 9.00 per month
5 th - 10 th year (61 - 120 months)	128 per year / 10.67 per month
10 th - 15 th year (121 - 180 months)	168 per year / 14.00 per month
15 th year (181 - 192 months)	176 per year / 14.66 per month
16 th year (193 - 204 months)	184 per year / 15.33 per month
17 th year (205 - 216 months)	192 per year / 16.00 per month
18 th year (217 - 228 months)	200 per year / 16.66 per month
19 th year (229 - 240 months)	208 per year / 17.33 per month

20 th year (241 - 252 months)	216 per year / 18.00 per month
21 st year (253 - 264 months)	224 per year / 18.66 per month
22 nd year (265 - 276 months)	232 per year / 19.33 per month
23 rd year (277 months; maximum accrual)	240 per year / 20.00 per month

Note: Employee must complete full month of service to get to the next accrual.

The maximum annual accrual of vacation leave is not to exceed 240 hours (six weeks).

Regular, part-time employees accrue vacation monthly in the proportion that their normally scheduled number of hours bears to 40 per week. For example, a regular, part-time employee who usually works 20 hours per week would earn 44 hours of vacation during his or her first year of service.

Department Directors will accrue an additional 40 hours of vacation leave annually; the maximum annual accrual of vacation leave is not to exceed 280 hours (seven weeks).

Vacation may not be taken until it is earned. Vacation leave is not to be banked and then never used. Therefore, the total vacation accrual cannot exceed a maximum of 320 hours (eight weeks). Once this limit is reached, vacation leave will no longer accrue, until the balance is brought below the maximum. Vacation must be scheduled with one's supervisor at least two weeks in advance of the date(s) the employee wishes to take as vacation.

Employees may sell back to City of Sandy up to 80 hours of accrued vacation annually, limited to the following conditions:

- A minimum of a like number of vacation hours are being taken as vacation within two weeks, and
- Vacation sell backs shall only occur once during any fiscal year, and
- City of Sandy shall receive two weeks' prior written notice from any employee requesting a vacation sell back; and
- The vacation sell back will be processed via the normal payroll process and
- Vacation paid out is paid at the employee's base rate salary and does not include any incentive or premium pay.

Employees who terminate employment during their probationary period shall not be entitled to pay out of their accrued vacation leave. Employees who have successfully completed their probationary period, gained Regular employment status, and separated from service in good standing (meaning not terminated for violation of City of Sandy policies, procedures, or performance issues) shall be entitled to payment of all accrued vacation leave paid out at their base rate salary. In the case of death of an employee, compensation shall be paid to the beneficiary in the same manner that salary due to the decedent is paid.

C. Sick Leave

City of Sandy provides eligible employees with paid sick leave in accordance with Oregon's Paid Sick Leave Law. The City of Sandy's policy is more generous than the law requires. 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 Human Resources. Please also refer to the Oregon Sick Leave Law poster that is posted at City Hall and is incorporated here by reference.

Eligibility and Accrual of Paid Sick Leave

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

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

Full-time, exempt employees will accrue sick leave at a rate of 10 hours per pay period (pro-rated for any partial month worked); Non-exempt employees will accrue at the rate of 2.31 hours for every 40 hours worked. For purposes of calculating sick leave accruals, hours worked include regular, vacation, sick, overtime, comp time (when used, not earned), and worker's compensation leave. Paid sick leave shall be taken in 30-minute increments. Total sick leave accumulation shall not exceed 1,500 hours. Once the limit is reached, sick leave will no longer accrue until the balance is brought below the maximum.

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.

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 90 days, the employee's sick leave balance will be restored. Unused sick leave is reported to PERS upon an employee's separation.

Use of Sick Leave

Paid sick leave may be used each calendar year for any of 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 their covered family member.
 - a. "Family member" means the employee's:
 - Spouse or registered domestic partner;
 - Child or the child's spouse or registered domestic partner;
 - Parent or the parent's spouse or registered domestic partner;
 - Sibling or stepsibling or the sibling's or stepsibling's spouse or registered domestic partner;
 - Grandparent or the grandparent's spouse or registered domestic partner;

- Grandchild or the grandchild's spouse or registered domestic partner; or
 - Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.
2. To care for an infant or newly adopted child under 18 years of age, or for a newly placed foster child under 18 years of age, or an adopted or foster child older than 18 years of age if the child is incapable of self-care because of a mental or physical disability, completed within 12 months after birth or placement of the child.
 3. To recover from or seek treatment for a health condition that renders the employee unable to perform at least one essential function of the position.
 4. Absence associated with the death of a family member (attending funeral, making arrangements, grieving the death).
 5. If the employee, or the employee's minor child or dependent, is a victim of domestic violence, harassment, sexual assault, stalking or bias crime as defined by Oregon law and requires leave for any of the purposes under Oregon's domestic violence leave law (ORS 659A.272).
 6. In the event of certain public health emergencies or other reasons specified under Oregon's sick leave law.
 7. Evacuation, air quality index and other head index orders.
 8. For blood donation that is made in connection with a voluntary program that is approved and accredited by the American Association of Blood Banks or the American Red Cross. Employees are allowed to take up to four hours of blood donation leave per calendar year. (1/1/2026)

Employees absent from work for one or more of the qualifying reasons above 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 City of Sandy notification procedures. Generally, an employee must provide at least 10 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 the City of Sandy. 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 City of Sandy's notification procedures. Generally, an employee should notify their immediate supervisor of unforeseeable sick leave at least one hour prior to the beginning of their shift, unless physically unable to do so, at which time notice should be given as soon as possible.

An employee must contact their 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 their supervisor of any change in the duration of sick leave as soon as practicable.

If an employee fails to provide proper notice or make a reasonable effort to schedule leave in a manner that is only minimally disruptive to the organization and operations, City of Sandy 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, City of Sandy may require reasonable documentation showing that the employee was absent for an approved reason and for future absences. Reasonable documentation includes documentation signed by a healthcare provider, or documentation for victims of domestic violence, harassment, sexual assault, bias crimes, or stalking.

Sick Leave Abuse

If City of Sandy 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, City of Sandy may require documentation from a healthcare provider. Employees found to have abused sick leave as described here may also be subject to discipline, up to and including termination.

D. Holidays

The City of Sandy recognizes eleven holidays each year. All regular full-time employees will receive their regular eight hours of 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:

- New Year's Day
- Martin Luther King, Jr. Day
- Presidents' Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day After Thanksgiving
- 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.

The City Manager has the discretion to authorize additional office closures based on operational needs.

To be eligible for holiday pay, an employee must have worked their 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 City of Sandy 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.

Any hourly, non-exempt employee required to work on a holiday will receive overtime pay for the hours worked, in addition to their regularly entitled holiday compensation.

F. Family Medical Leave

OFLA Leave Policy

The following is a summary of Oregon Family Leave Act (OFLA) policy and procedures. Generally, and as will be discussed, eligible employees are entitled to 12 weeks of unpaid leave for the reasons identified below. Oregon law prohibits retaliation against an employee with respect to hiring or any other term or condition of employment because the employee asked about, requested or used OFLA Leave. In all cases, applicable Oregon laws, rules, policies, and collective bargaining agreements govern the employee's and the City of Sandy's rights and obligations, not this policy.

Employees seeking further information should contact Human Resources. Please also refer to the "Oregon Family Leave Act" notice posted at City Hall or where your mandated posters are located, which is incorporated here by reference.

- Definitions

Family Member - Is defined as a spouse or domestic partner, a child of a covered individual or the child's spouse or domestic partner, a parent of a covered individual or the parent's spouse or domestic partner, a sibling or stepsibling of a covered individual or the sibling's or stepsibling's spouse or domestic partner, a grandparent of a covered individual or the grandparent's spouse or domestic partner, a grandchild of a covered individual or the grandchild's spouse or domestic partner, any individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship.

Child - Includes a biological, adopted, foster or stepchild, the child of a registered domestic partner, or a child with whom the employee is in a relationship of *in loco parentis*, under the age of 18 or over 18 if incapable of self-care because of a mental or physical disability.

Eligible Employee

OFLA - To qualify for OFLA leave an employee must have been employed for at least 180 days and worked an average of at least 25 hours per week.

OMFLA - For purposes of Oregon Military Family Leave Act leave, the employee need have only worked 20 hours per week (no minimum length of employment required). A different calculation method applies for reemployed service members under USERRA who seek OMFLA leave; see [Contact] for more information.

Public Health Emergency Leave - Employees are eligible to take any OFLA leave during a Public Health Emergency if they have worked: (a) more than 30 days immediately before the date on which the leave would begin; or (b) an average of 25 hours per week in the 30 days immediately before the date on which the leave would begin. See definition of “public health emergency” definition below.

Public Health Emergency

A “public health emergency” is a public health emergency declared under ORS 433.441 or an emergency declaration declared under ORS 401.165. An example of this is when the State of Oregon declared a COVID-19 state of emergency in March 2020 and the wildfire state of emergency in June 2021.

- Reasons for Taking Leave

OFLA leave may be taken for any of the following purposes:

1. Pregnancy Disability Leave: For incapacity due to pregnancy, prenatal medical care or birth.
2. Sick Child Leave: To care for a child under the age of 18, or for a child who is substantially limited by a physical or mental impairment, who is experiencing an illness or injury that requires home care or has a serious health condition, or to care for a child whose school or place of care has been closed due to a public health emergency. Employees are required to provide advanced notice of their intent to take leave if the public health emergency is issued at least 30 days in advance. This type of leave does not provide for routine medical and dental appointments or issues surrounding the availability of childcare when the child is not ill or injured
3. Bereavement Leave. To deal with the death of a Family Member by attending the funeral of the Family Member, making arrangements necessitated by the death of the Family Member, or grieving the Family Member’s death. Employees are eligible for two (2) weeks per family member, up to a maximum of four (4) weeks per leave year.
4. Oregon Military Family Leave Act Leave (“OMFLA”): During a period of military conflict, as defined by the statute, eligible employees with a spouse or registered 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.
5. Public Health Emergency Leave - Employees are eligible to take any OFLA leave during a Public Health Emergency if they have worked: (a) more than 30 days immediately before the date on which the leave would begin; or (b) an average of 25 hours per week in the 30 days immediately before the date on which the leave would begin. This is available to employees who are eligible for OFLA only. See the definition of “public health emergency” below.

If applicable, OFLA leave will run concurrently with FMLA when permitted.

- Length of Leave

In any One-Year Period, eligible employees may take up to 12 weeks of unpaid protected time off per leave year. Employees are eligible to take up to two (2) weeks of unpaid Bereavement leave, up to a maximum of four (4) weeks per leave year.

- One-Year Period

For purposes of determining the amount of OFLA leave that an eligible employee may take, "One-Year Period" means a period of 52 consecutive weeks beginning on the Sunday immediately preceding the date on which the employee's OFLA leave begins.

- Intermittent Leave

Intermittent or reduced-schedule leave may be taken when medically necessary. Employees must make reasonable efforts to schedule planned medical treatments to minimize disruption of City of Sandy operations, including consulting management prior to the scheduling of treatment to work out a treatment schedule which best suits the needs of both the City of Sandy and the employee.

- Employee Responsibilities - Notice

Employees must provide at least 30 days' notice before OFLA leave is to begin. If 30 days' notice is not practicable, because of a lack of knowledge of approximately when leave will be required to begin or a change in circumstances, notice must be given as soon as practicable. If the situation giving rise to a Sick Child Leave is unforeseeable, an employee must give verbal or written notice to City of Sandy within 24 hours of commencement of the leave.

Whether leave is to be continuous or is to be taken intermittently or on a reduced schedule basis, notice need only be given one time, but the employee shall advise Human Resources as soon as practicable if dates of scheduled leave change or are extended or were initially unknown.

If circumstances change during the leave and the leave period differs from the original request, the employee must notify Human Resources within three business days, or as soon as possible.

Regardless of the reason for leave, or whether the need for leave is foreseeable, employees will be expected to comply with City of Sandy's normal call-in procedures. Employees who fail to comply with the City of Sandy's call-in procedures may be disciplined or may have their period of OFLA leave reduced.

- Certification

Generally speaking, employees may be required to provide sufficient information for the City of Sandy to determine if the leave may qualify for OFLA protection and the anticipated timing and duration of the leave. An employee will be required to provide a note from a doctor or healthcare provider if the employee has used more than three days (*i.e.*, one, three-day occurrence or three separate instances) of sick child leave within a One-Year Period,

Employees must furnish the City of Sandy's requested medical certification information within 15 calendar days after such information is requested by the City of Sandy.

- Substitution of Paid Leave for Unpaid Leave

Employees are required to use accrued paid leave, including holidays, sick leave, vacation and, compensatory time in that order prior to a period of unpaid leave of absence on OFLA leave.

- Holiday Pay While on Leave

Employees using vacation pay or sick pay during a portion of approved OFLA leave in which a holiday occurs will qualify to receive holiday pay.

- Benefits While on Leave

The City of Sandy will continue the employee's health coverage under any group health plan during a period of approved OFLA leave on the same terms as if the employee had continued to work. The employee must continue to make any regular contributions to the cost of the health insurance premiums during the period of approved OFLA leave. Employees will not accrue vacation, sick leave or other benefits (other than health insurance) while the employee is on an unpaid OFLA leave. The leave period, however, will be treated as continuous service (i.e., no break in service) for purposes of vesting and eligibility to participate in the City of Sandy benefit plans.

- Job Protection

Employees returning to work from OFLA Leave will be reinstated to their former position. If the position has been eliminated, the employee may be reassigned to an available equivalent position. Reinstatement is not guaranteed if the position has been eliminated under circumstances where the law does not require reinstatement.

Employees are expected to promptly return to work when the circumstances requiring OFLA Leave have been resolved, even if leave was originally approved for a longer period. If an employee does not return to work at the end of a designated OFLA Leave period, reinstatement may not be available unless the law requires otherwise.

The use of OFLA Leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

- Restoration of Leave Bank at Time of Re-Employment

An employee who leaves employment with the City of Sandy for any reason may be eligible for OFLA leave if they are re-employed by the City of Sandy within 180 days of the separation and if the employee was eligible for OFLA leave at the time of the separation. Special rules apply to employees who temporarily stop working for the City of Sandy for 180 days or less; please speak with Human Resources for more information.

FMLA Policy

The following is a summary of the policy and procedures under the federal Family Medical Leave Act (FMLA).

Generally, and as will be discussed, eligible employees are entitled to 12 weeks of unpaid leave for the reasons identified below. Federal law prohibits retaliation against an employee with respect to hiring or any other term or condition of employment because the employee asked

about, requested or used FMLA. In all cases, applicable federal laws, rules, policies and collective bargaining agreements govern the employee's and the City of Sandy's rights and obligations, not this policy.

Employees seeking further information should contact Human Resources. Please also refer to the "Employee Rights and Responsibilities Under the Family Medical Leave Act" posted at City Hall or where your mandated posters are located, which are incorporated here by reference.

- Definitions

Child/Son or Daughter

A "son or daughter" is defined as a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis* who is either under 18 years of age or is 18 years of age or older and "incapable of self-care because of a mental or physical disability" at the time FMLA leave is to commence. FMLA military family leave are not restricted by age — see below.

Eligible Employee

Employees are eligible for FMLA leave if they have worked for a covered employer for at least one year (which may be based on separate stints of employment) and for 1,250 hours during the 12 months preceding the date leave is to begin. They must also be employed at a worksite where 50 or more employees are employed by the employer within 75 miles of that worksite.

Leave under FMLA and OFLA will run concurrently when permitted. If applicable, leave under FMLA will also run concurrently with Paid Leave Oregon leave – see Paid Leave Oregon policy below.

Family Medical Leave

This includes all the types of leave identified in the section below, entitled "Reasons for Taking Leave," unless otherwise specified.

Family Member

- A "family member" is defined as a spouse, parent or a "son" or "daughter" (defined above).

Serious Health Condition

"Serious health condition" is defined as an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a healthcare provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a healthcare provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition.

Other conditions may meet the definition of a “serious health condition;” see [Contact] for more information. The common cold, flu, earaches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, and cosmetic treatments (without complications), are examples of conditions that are not generally defined as serious health conditions.

- Reasons for Taking Leave

FMLA may be taken under any of the following circumstances:

1. Call to Active-Duty Leave: Eligible employees with a spouse, son, daughter or parent on active duty or call to active-duty status in the regular Armed Forces, National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain “qualifying exigencies.” “Qualifying exigencies” may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.
2. Employee’s Serious Health Condition Leave: To recover from or seek treatment for an employee’s serious health condition, including pregnancy-related conditions and prenatal care.
3. Family Member’s Serious Health Condition Leave: To care for a family member with a serious health condition.
4. Parental Leave: For the birth of a child or for the placement of a child under 18 years of age for adoption or foster care. Parental leave must be completed within 12 months of the birth of a newborn or placement of an adopted or foster child.
5. Servicemember Family Leave: Eligible employees may take up to 26 weeks of leave to care for a “covered servicemember” during a single 12-month period. A “covered servicemember” is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform their duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. Under some circumstances, a veteran will be considered a “covered servicemember.”

- Length of Leave

In any one-year period, eligible employees may take up to 12 weeks of unpaid protected leave.

When leave is taken for Servicemember Family Leave, an eligible employee may take up to 26 weeks of leave during the One-Year Period to care for the servicemember. During the One-Year Period in which Servicemember Family Leave is taken, an eligible employee is entitled to a combined total of 26 weeks of FMLA Leave (some of which may include other types of FMLA-specific leaves of absence).

- One-Year Period

The “12-month period” during which leave is available (also referred to as the “One-Year Period”) is a period of 52 consecutive weeks beginning on the Sunday immediately preceding the date on which the employee’s FMLA leave begins.

When leave is taken for Servicemember Family Leave, an eligible employee may take up to 26 weeks of leave during the One-Year Calculation Period to care for the servicemember. During the One-Year Calculation Period in which Servicemember Family Leave is taken, an eligible employee is entitled to a combined total of 26 weeks of FMLA Leave (some of which may include other types of FMLA-specific leaves of absence).

- Intermittent Leave

Intermittent or reduced schedule leave may be taken during a period of Family Member or Employee Serious Health Condition Leave or Servicemember Family Leave. Additionally, Call to Active-Duty Leave may be taken on an intermittent or reduced leave schedule basis. An employee may be temporarily reassigned to a position that better accommodates an intermittent or reduced schedule. Employees must make reasonable efforts to schedule planned medical treatments to minimize disruption of City of Sandy operations, including consulting management prior to the scheduling of treatment in order to work out a treatment schedule which best suits the needs of both City of Sandy and the employee. Intermittent leave for Parental Leave is not available.

- Employee Responsibilities - Notice

Employees must provide at least 30 days’ notice before FMLA leave is to begin if the reason for leave is foreseeable based on an expected birth, placement for adoption or foster care, planned medical treatment for a serious health condition of the employee or of a family member, or the planned treatment for a serious injury or illness of a covered servicemember (Servicemember Family Leave). If 30 days’ notice is not practicable, because of a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, notice must be given as soon as practicable.

For Call to Active-Duty Leave, notice must be provided as soon as practicable, regardless of how far in advance such leave is foreseeable.

Whether leave is to be continuous or is to be taken intermittently or on a reduced schedule basis, notice need only be given one time, but the employee must let Human Resources know as soon as practicable if dates of scheduled leave change or are extended or were initially unknown.

If circumstances change during the leave and the leave period differs from the original request, the employee must notify Human Resources within three business days, or as soon as possible. Further, employees must provide written notice within three days of returning to work.

Regardless of the reason for leave, or whether the need for leave is foreseeable, employees will be expected to comply with City of Sandy’s normal call-in procedures. Employees who fail to comply with City of Sandy’s leave procedures may be denied leave, subject to discipline, or the start date of the employee’s FMLA leave may be delayed.

- Certification

Generally speaking, employees must provide sufficient information for City of Sandy to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a healthcare provider, or circumstances supporting the need for either Call to Active Duty or Servicemember Family Leave.

Employees also must inform the City of Sandy if the requested leave is for a reason for which FMLA leave was previously taken or certified. Additionally, Employees requesting serious health condition leave for themselves or to care for a covered family member will be required to provide certification from the healthcare provider of the employee or the covered family member to support the request.

Employees must furnish City of Sandy's requested medical certification information within 15 calendar days after such information is requested by City of Sandy. In some cases, City of Sandy may require a second or third opinion, at City of Sandy's expense. Employees also may be required to submit subsequent medical verification.

Employees will not be asked for, and they should not provide, any genetic information about themselves or a family member in connection with a medical certification.

- Medical Certification Prior to Returning to Work

If FMLA leave is for the employee's own serious health condition, the employee must furnish, prior to returning to work, medical certification from their healthcare provider stating that the employee is able to resume work.

- Substitution of Paid Leave for Unpaid Leave

Employees are required to use accrued paid leave, including holidays, vacation, compensatory time, and sick leave prior to a period of unpaid leave of absence when on a FMLA leave. Use of accrued paid leave will run concurrently with FMLA leave.

- Holiday Pay While on Leave

Employees using vacation pay or sick pay during a portion of approved FMLA leave in which a holiday occurs will qualify to receive holiday pay. Employees who are on unpaid leave during a holiday will not qualify to receive holiday pay.

- On-the-Job Injury or Illness

Periods of employee disability resulting from a compensable on-the-job injury or illness will qualify for FMLA Leave if the injury or illness is a "serious health condition" as defined by applicable law.

If the employee's serious health condition is the result of an on-the-job injury or illness, the employee may qualify for workers' compensation time-loss benefits.

- Benefits While on Leave

If an employee is on approved FMLA Leave, City of Sandy will continue the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to

work. An employee wishing to maintain health insurance during a period of approved FMLA leave will be responsible for bearing the cost of their share of group health plan premiums which had been paid by the employee prior to the FMLA leave. Employees will not accrue vacation, sick leave, or other benefits (other than health insurance) while the employee is on an unpaid FMLA leave. The leave period, however, will be treated as continuous service (i.e., no break in service) for purposes of vesting and eligibility to participate in City of Sandy benefit plans.

- Job Protection

Employees returning to work from FMLA leave will be reinstated to their former position. If the position has been eliminated, the employee may be reassigned to an available equivalent position. Reinstatement is not guaranteed if the position has been eliminated under circumstances where the law does not require reinstatement.

Employees are expected to promptly return to work when the circumstances requiring FMLA leave have been resolved, even if leave was originally approved for a longer period. If an employee does not return to work at the end of a designated FMLA leave period, reinstatement may not be available unless the law requires otherwise.

The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Employees who work for other employers during a "serious health condition" leave may be subject to discipline up to and including termination. Additionally, all employees who use FMLA leave for reasons other than the reason for which leave had been granted may be subject to discipline up to and including termination.

G. Paid Leave Oregon (PLO)

Paid Leave Oregon (PLO) is a state-run program, administered by the Oregon Employment Department (OED), that allows eligible employees to take up to 12-weeks of paid leave in a 52-week period starting the Sunday before the date leave begins, for the following reasons:

- *Family leave* – for an employee to care for an eligible family member with a serious illness or injury, to bond with a new child after birth, adoption, or foster care placement, *or to effectuate the legal process required for placement of a foster child or the adoption of a child.*
- *Medical leave* – for an employee experiencing their own serious health condition or disability due to pregnancy.
- *Safe leave* – for an employee or eligible child dependent experiencing issues related to sexual assault, domestic violence, harassment, bias, or stalking.

The Paid Leave program also allows employees to take an additional two (2) weeks of Paid Leave for pregnancy, childbirth, or related medical conditions.

Notification Requirements

Although the Paid Leave Oregon program is administered by the Oregon Employment Department (OED), employees are required to notify the City of Sandy when they have applied

for leave. The City is allowed during PLO to check in with employees periodically on the employee's status and on the employee's intention to return to work.

Foreseeable Leave: If the need for Paid Leave is foreseeable or planned, the employee is required to provide Human Resources with at least 30 days' written notice before paid leave begins.

Unforeseeable: If the need for Paid Leave is unforeseeable or unplanned, an employee is required to provide oral notice to Human Resources within 24 hours of the start of the leave, and the employee must also provide written notice within three (3) days after the start of the leave.

Written notice must include the employee's first and last name, type of leave, explanation of the need for leave, and anticipated timing and duration of leave. Timing and duration of leave should include the employee's plan for taking leave on an intermittent basis (and the proposed schedule) or in one block of time.

If the employee's dates of scheduled leave change, are extended by the PLO program, or if the reason for leave becomes known and/or, if circumstances change during the leave and the leave period differs from the employee's original notice, the employee must notify Human Resources within three business days, or as soon as possible.

Regardless of the reason for leave, or whether the need for leave is foreseeable, employees are expected to comply with City of Sandy's normal call-in procedures.

Under Oregon law, an employee who fails to follow these notification requirements may receive reduced PLO benefits; specifically, the first weekly benefit amount will be reduced by 25 percent (the penalty calculated for leaves that are taken in increments of less than a full work week differs). See OAR 471-070-1310(9) and (10).

Concurrent use of FMLA Leave

If an employee's Paid Leave is also eligible for protected leave under FMLA, FMLA leave must be taken concurrently with Paid Leave.

Employees must provide sufficient information for the City of Sandy to determine if the Paid Leave qualifies for FMLA leave. Employees who have applied for Paid Leave benefits are required to complete an FMLA Leave Request Form and return it to Human Resources.

If an employee is eligible for FMLA leave due to a serious health condition or has a family member with a serious health condition, employees must furnish medical certification information as required by the City of Sandy leave policy.

Accrued Leave and Holiday Pay While on Leave

Employees using accrued leave in addition to receiving PLO benefits will continue to accrue sick, vacation, or other employer-provided leave, and receive holiday pay. Employees who do not use accrued leave while on a Paid Leave will not accrue sick, vacation, or other employer-provided leave, and will not receive holiday pay.

Benefits While on Leave

If an employee is receiving Paid Leave benefits, the City of Sandy will continue the employee's healthcare, life, disability, and all eligible voluntary coverage, on the same terms as if the

employee had continued to work. An employee wishing to maintain coverage when on Paid Leave is responsible for paying their share of premiums, the same as when premiums were paid by the employee, prior to receiving Paid Leave benefits.

If the City of Sandy chooses to pay the employee's portion of the insurance coverage during the period of Paid Leave, employees are expected to repay the City of Sandy for those premiums. Upon return to work, the City of Sandy will deduct those premiums from an employee's pay, up to 10% of an employee's gross pay, each period, until the City of Sandy has been paid back.

If an employee cannot or will not pay their share of premiums, the City of Sandy may discontinue coverage until the employee returns from leave. Additionally, if an employee fails to return to work from leave under PLO, then the City of Sandy may use any legal means available to collect any amount the employee owes to the City for covering the employee's share of the premiums while the employee was on leave under PLO.

Medical Certification Prior to Returning to Work

If an employee uses more than three consecutive scheduled workdays for their own serious health condition, prior to returning to work the employee must furnish medical certification from their healthcare provider stating that the employee is able to resume work.

Job Protection

Employees who worked for the City of Sandy for more than 90 consecutive calendar days prior to taking Paid Leave may be reinstated to their former position if the position still exists. If the position has been eliminated, the employee may be restored to a similar position with similar job duties with the same employment benefits and pay.

Use of Accrued Leave During Paid Leave

PLO benefits may not provide employees with 100% of their gross regular wages. Employees receiving PLO benefits may choose to use accrued paid leave (sick, vacation, paid time off, etc.), and/or comp time in addition to receiving PLO benefits. Accrued paid leave must be used in the following order: Sick leave, vacation leave, comp time.

Complaint Procedure

The City of Sandy prohibits retaliation against an employee with respect to hiring or any other term or condition of employment because the employee asked about, requested, or used Paid Leave.

Who to Contact for More Information

For more information, or if you have questions about the Paid Leave Oregon policy, contact Human Resources.

For more information about the PLO program, including steps for applying for PLO benefits and contact information, go to <https://paidleave.oregon.gov/>

A poster with Paid Leave Oregon information, including information about how to apply for benefits is located at City Hall and where your mandated posters are located, which are incorporated here by reference.

H. Leave Donations

The City of Sandy has a leave donation program to allow employees to voluntarily donate sick, vacation, or compensatory time off to another employee who exhausts, or is likely to exhaust, accumulated paid leave due to an employee's family medical emergency that would otherwise likely cause the employee to take unpaid leave or terminate employment. A "family medical emergency" is defined as a medical condition of the employee or an immediate family member that will require prolonged/extended absence of the employee from duty and will result in a substantial loss of income to the employee due to the exhaustion of all paid leave available. An immediate family member is defined as a spouse, child, or parent.

Any City of Sandy employee who has worked at least six months in a benefits-eligible position is eligible to participate in the program as a recipient. Any employee who has sick, vacation, or compensatory time available may participate in the program as a donor. Donations may be made between any employee. The City of Sandy will keep donations confidential, and donors will remain anonymous.

Employees seeking donated leave must provide the City of Sandy with medical verification of the need for the time off, which includes a certification of the employee's or family member's medical emergency and need for time off, and an estimated return-to-work date (if any).

An employee who is receiving, or is eligible to receive, any type of retirement disability, short-term or long-term disability, or other supplemental income like PLO, is not eligible to receive donated leave. An eligible employee must apply for the City of Sandy offered short-term disability, if available, and long-term disability benefits.

Employees who receive donated leave may receive no more than 80 hours within a rolling twelve-month period. Any paid sick leave not used by the recipient for the specified incident will be returned to the donor employee.

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

The sick, vacation, and/or compensatory time will be valued at the donating employee's current rate of pay, and then converted to the appropriate amount of leave based on the recipients' rate of pay. Donated hours shall not be processed in an amount greater than that which is approximately necessary to cover the employee's next occurring pay period.

During a qualifying leave event, requests for donations may only be made once. The request shall be in writing to the Human Resources, who will notify City of Sandy employees of the request and provide a specific time period for which donations may occur. Donations will be processed in the order that they are received. No employee shall receive more than 80 hours of donated leave in any rolling twelve-month period. Employees may not donate more than 80 hours or fifty percent (50%) of their current sick leave balance, whichever is less. Employees cannot borrow

against future accruals to donate. Employees who are currently on approved leave cannot donate time to another employee.

If an employee is otherwise eligible for paid health benefits, the employee will continue to receive those benefits while receiving donated leave.

I. Bereavement Leave

Under this policy, “Family Member” means the employee’s:

- Spouse or registered domestic partner;
- Child or the child’s spouse or registered domestic partner;
- Parent of the parent’s spouse or registered domestic partner;
- Sibling or stepsibling or the sibling’s or stepsibling’s spouse or registered domestic partner;
- Grandparent or the grandparent’s spouse or registered domestic partner;
- Grandchild or the grandchild’s spouse or registered domestic partner; or

An individual related by blood or affinity whose close association with an employee taking bereavement leave is the equivalent of a family relationship

Employees who qualify for OFLA may take up to two weeks of unpaid bereavement leave per death of a Family Member up to a maximum of four (4) weeks per leave year. Employees must have worked an average of 25 hours per week for 180 calendar days.

Employees who have worked for City of Sandy for more than 30 days may use up to 40 hours of accrued sick leave for bereavement purposes, and who have experienced the death of a Family Member. Employees who have worked for City of Sandy for fewer than 30 days or less may not be eligible for leave; see Human Resources for more information.

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 two weeks of bereavement leave must be taken in the 60-day period following notice of death of a family member and will be deducted from the employee’s available leave time under OFLA.

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

J. Jury and Witness Duty

Jury Duty

The City of Sandy 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 manager to verify the need for such leave. If an employee is called for jury duty, the employee should be granted leave with pay. Compensation received (except travel reimbursement) shall be remitted to the City. In cases where the compensation does not clearly distinguish the amount for travel, the employee may deduct mileage at the current IRS mileage rate.

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 their supervisor or manager 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 the City of Sandy upon receipt.

Except for employee absences covered under City of Sandy's "Crime Victim Leave Policy" or "Domestic Violence Leave and Accommodation Policy," or PLO Safe Leave, 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 leave will be taken without pay. 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.

K. Religious Observances Leave and Accommodation Policy

The City of Sandy respects the sincerely held religious beliefs and observances of all employees. The City of Sandy will make, upon request, an accommodation for such beliefs and observances when a reasonable accommodation is available that does not create an undue hardship on City of Sandy'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 Human Resources and may require information from the employee in support of the request for accommodation or leave.

L. Crime Victim Leave Policy

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

“Immediate family member” includes a spouse, registered domestic partner, father, mother, sibling, child, stepchild, or grandparent of the employee.

Employees who are eligible for crime victim leave must:

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

In all circumstances, City of Sandy 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.

M. Domestic Violence Leave and Accommodation Policy

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

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

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

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

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

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

Finally, employees who are victims of domestic violence, harassment, sexual assault, bias crimes, or stalking may be entitled to a “reasonable safety accommodation” that will allow the employee

to more safely continue to work, unless such an accommodation would impose an “undue hardship” on City of Sandy. Please contact the Human Resources immediately with requests for reasonable safety accommodations.

N. Military Leave

Employees who wish to serve in the military and take military leave should contact Human Resources for information about their rights before and after such leave. You are entitled to reinstatement upon completion of military service, provided you return or apply for reinstatement within the time allowed by law.

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

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

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

O. Other Leave

Other types of leave without pay will be considered on an individual basis by the City Manager and Human Resources, keeping in mind the individual department and overall City of Sandy’s operational needs.

IV. Employee Benefits

A. Insurance Benefits

Employees who meet the definition of “benefit eligible” under both City of Sandy policy and that of its health insurance provider are entitled to the benefit options offered by City of Sandy. These benefits include medical, dental, and vision coverage in a cost share program. Additional information may be obtained through Human Resources. The City of Sandy will pay its share of health insurance costs to all employees who terminate employment in good standing; for three months after 10 years of service, and six months after 15 years of service.

City of Sandy will provide regular, full-time employees with \$100,000 of term life insurance coverage, as well as \$100,000 of accidental death and dismemberment coverage. These plans are paid for by the City of Sandy in full. Additional life insurance coverage may be purchased at the expense of the employee.

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 City of Sandy. These documents govern all issues relating to employee health insurance. As other employee benefits are offered by the City of Sandy, employees will be advised and provided with copies of relevant plan documents. Copies are available from Human Resources.

Additional insurance benefits and programs are offered to employees, including flexible spending account (FSA) and supplemental insurance. These offerings are at the employee's option. Any additional premium expense is the responsibility of the employee.

B. Employee Assistance Program (EAP)

This free, confidential service is provided to all employees and their covered dependents who may be experiencing life problems. More information regarding this service can be obtained by contacting EAP directly or Human Resources.

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, 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, City of Sandy 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 see 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 the injury.
 - a. If an emergency, seek medical treatment first and then do the following.
Call the Rapid Care Hotline to report your injury. They will assist in completing the required 801 form and assist with any further medical steps; and
2. Promptly complete an Incident Report and return it to Human Resources

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

Return to Work

If you require workers' compensation leave, you will – under most circumstances – be reinstated to the same position that you held at the time your leave began, or to an equivalent position, if available. 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 your 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. The City of Sandy 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 the City of Sandy, 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, City of Sandy 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 the City of Sandy. While you are on modified or transitional work, you are still subject to all other City of Sandy rules and procedures.

Salary Continuation

City of Sandy adopts a policy of providing salary continuation in place of temporary disability for employees who are off work as a result of a compensable workers' compensation claim. Salary continuation will be at the same wage with normal deductions withheld (i.e. taxes, medical, and other voluntary deductions) and same pay interval as the employee received at the time of injury. Additional information regarding this program can be received from Human Resources.

Overlap with Other Laws

The City of Sandy will account for other leave and disability laws that might also apply to your situation, such as the Americans with Disabilities Act (ADA) and FMLA/ OFLA or Paid Leave Oregon. 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 reasonable accommodation, as governed by the ADA and/or applicable Oregon laws covering disabilities in the workplace.

D. Fringe Benefits and Additional Compensation

ORS 244.040 prohibits a public official or a relative or member of the household of the public official from obtaining financial gain or avoidance of financial detriment, if that gain would not otherwise be available but for the public official's holding of the official position or office, except where the gift is part of an official compensation package, as determined by the public body that the public official serves.

Employees of City of Sandy receive certain and de minimis fringe benefits that are not available to the general public. The City of Sandy recognizes these benefits as part of the employee's official compensation package for the purposes of ORS 244.040. These fringe benefits include:

- Occasional, de minimis and infrequent use of City equipment and supplies such as pens, paper, office supplies, telephones, cell phones, copying machines, computers, tablets, software and email systems in a manner consistent with the applicable use policies for such City equipment;
- Employees who use personal credit cards and are reimbursed by the City in a manner consistent with applicable City policies may accept any benefits earned from using a personal credit card that offers incentives such as cash rebates or frequent flyer miles based upon the dollar amount of purchases provided that the value of the benefits earned does not exceed fifty dollars in any calendar year;
- A fitness membership reimbursement (taxable benefit) is available monthly to all benefit eligible employees working a regular schedule of 30 hours or above. This includes on-line streaming program subscriptions, for example, Peloton or Apple Fitness Plus. This applies to only one program. Contact Human Resources for details about the program;
- A clothing allowance is available for certain positions. Talk to your manager directly to see if you qualify;
- City of Sandy has a Sandy Transit Employee Pass Program that offers all City of Sandy employees a complimentary annual bus pass (for those who use it to get to and from work). Please reach out to Human Resources for further details on the program; and
- Occasional, de minimis and infrequent use of City owned vehicles in a manner consistent with applicable policies for the use of City vehicles.

Any financial benefit from the authorized use of such resources and equipment is considered additional compensation, and the employee is solely responsible for any resulting income tax consequences. Notwithstanding this additional benefit, unless expressly authorized otherwise by the City Manager or the Manager's designee, City property including but not limited to vehicles, tools, equipment, furniture, etc. is to remain on-site and should not be borrowed or removed for any non-City function or activity that is not a job-related requirement.

E. Volunteer Time Off Policy

The purpose of the volunteer time off policy is to create community engagement and support volunteer activities that enhance and serve the City of Sandy community and address issues that impact quality of life.

This policy provides regular full-time employees with up to 20 hours of paid time off for volunteering with organizations that provide a service to the City of Sandy community. Paid time off is prorated for regular part-time employees. Employees must have completed their probationary period and be in good standing to be eligible.

Volunteer time off is renewed annually on January 1 of each year. Under no circumstances will volunteer time off be carried forwarded into another calendar year; the paid time will be lost if not used in the appropriate year.

Eligible organizations include non-profit 501(c)(3) organizations, local, state, or federal government agencies. Examples include:

- Volunteering to serve the homeless
- Picking up trash in local parks
- Serving on a non-profit board

Ineligible uses of volunteer time off include:

- Promoting a religious organization/program
- Volunteering for political causes or candidates
- Participating in any behavior that discriminates on the basis of race, color, religion, gender identity, pregnancy (including childbirth and related medical conditions), sexual orientation, national origin, age, disability, genetic information, veteran's status, domestic violence victim status, or any other status protected by applicable federal, Oregon, or local law.

Volunteer time off is optional, and no employee is required to volunteer. Volunteer time off is not considered hours worked, and therefore is not used to calculate overtime or compensatory time.

Employees must request volunteer time off in writing through their supervisor for approval. Employees should make every reasonable attempt to ensure their request does not conflict with peak operational needs and work responsibilities. Supervisors may deny the request based on staffing, business and operational needs, or budgetary constraints.

Employees will not be reimbursed for mileage, or any other expenses incurred in the course of their volunteer activities.

Additional questions related to this policy should be directed to Human Resources.

F. PERS (Public Employees' Retirement System) Benefits

City of Sandy participates in the Public Employees Retirement System (PERS); therefore, your designation as a Tier I, Tier II, or Oregon Public Service Retirement Plan (OPSRP) member will depend on your prior PERS service and PERS rules. An employee's designation and eligibility for participation in PERS or the OPSRP are determined by law. For more information about these

plans, please contact PERS at 1-888-320-7377 or visit their website at www.oregon.gov/PERS. For information about City of Sandy's contributions to employee PERS or OPSRP plans, please see Human Resources. The City of Sandy pays the employees' contribution (6% of subject salary) on behalf of the employee.

The City of Sandy will consider allowing PERS-eligible employees to retire from their employment with the City of Sandy and then rehiring them, as permitted under Oregon law. The City of Sandy will consider, among other factors, the uniqueness of the employee's skills or experience, the needs of the City of Sandy and the ability of existing employees to perform the work of the retiring employee. Please see Human Resources for more information.

G. Educational Opportunities

City of Sandy shall pay the full cost of educational opportunities for courses directly related to the employee's work and conducted outside the employee's regular working hours, provided that:

- Funds for such expenditures are available in the current budget as determined by the City Manager;
- The employee has made application for approval of the course and tuition benefit to their department director at least ten days prior to the registration of such course;
- The employee submits evidence of satisfactory completion of the course; and
- The employee is not receiving reimbursement for tuition from any other source;

The City of Sandy will pay the accredited educational institution upon successful completion of the course. Employees will be required to pay back City paid educational costs if the employee terminates employment with the City of Sandy within one year from the completion of the course.

Courses that are only offered during regular working hours may be approved by the department director, provided time off can be arranged conveniently and reasonable arrangements can be made to make up time off.

The costs of textbooks and technical publications required for such courses shall be the responsibility of the employee unless the course is required by the City.

V. Miscellaneous Policies

A. Alcohol/Drug Use, Abuse and Testing

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

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

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

Prohibited Conduct

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

- Possession, transfer, use or being under the influence of any alcohol while on City of Sandy property, on City of Sandy Time, while driving City of Sandy vehicles (or personal vehicles while on City of Sandy business), or in other circumstances which adversely affect City of Sandy operations or safety of City of Sandy employees or others.
 - 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
- Possession, distribution, dispensing, sale, attempted sale, use, manufacture or being under the influence of any narcotic, hallucinogen, stimulant, sedative, drug or other controlled substance while on City of Sandy property, on City of Sandy time, while driving City of Sandy vehicles (or personal vehicles while on City of Sandy business), or in other circumstances which adversely affect City of Sandy operations or safety of City of Sandy employees. Employees may not have any detectable amount of narcotic, hallucinogen, stimulant, sedative, drug or other controlled substance in system while on City of Sandy property or on City of Sandy time.
 - 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.
 - 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.
- Bringing to City of Sandy property, or possessing, items or objects on City of Sandy property that contain any “controlled substance,” including, for example, “pot brownies,” “edibles,” and candy containing marijuana. No employee, regardless of position held, may knowingly serve items containing marijuana or any other “controlled substance” to coworkers, members of the public, or elected officials while on work time or on/in City of Sandy property.

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

Prescription Drugs and Medical Marijuana

With the exception of medical marijuana, nothing in this rule is intended to prohibit the use of a drug taken under supervision by a licensed healthcare professional, where its use does not present a safety hazard or otherwise adversely impact an employee's performance or City of Sandy 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. Human Resources. If an employee's use of such prescription drugs could adversely affect City of Sandy operations or safety of City of Sandy employee or other person, City of Sandy 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 The City of Sandy 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] will not agree to allow an employee to use medical marijuana as an accommodation. (See “Disability Accommodation Policy,”)

Testing

City of Sandy reserves the right to:

- Subject applicants who are given a conditional offer of employment in a safety-sensitive position to a drug and alcohol test;
- Test employees reasonably suspected of using drugs or alcohol in violation of this policy;
- Discipline or discharge employees who test positive or otherwise violate this policy; and
- Test employees when they: (1) cause or contribute to accidents that seriously damage a City of Sandy vehicle, machinery, equipment or property; (2) result in an injury to themselves or another employee requiring offsite medical attention; or (3) when the City of Sandy 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 than an employee is under the influence of controlled substances or alcohol during work hours or has used drugs or alcohol in violation of this policy. The City of Sandy 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 [Contact] or the [Contact]'s designee.
- "Reasonable cause" as used in this policy means an articulable belief based on specific facts and reasonable inferences drawn from those facts that an employee is more likely than not under the influence of controlled substances or alcohol or has used drugs or alcohol in violation of this policy. Circumstances which can constitute a basis for determining "reasonable cause" may include, but are not limited to:
 - a pattern of abnormal or erratic behavior;
 - information provided by a reliable and credible source;
 - direct observation of drug or alcohol use;
 - presence of the physical symptoms of drug or alcohol use (*i.e.*, glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes);
 - unexplained significant deterioration in individual job performance;
 - unexplained or suspicious absenteeism or tardiness;
 - employee admissions regarding drug or alcohol use; and
 - Unexplained absences from normal work areas where there is reason to suspect drug or alcohol related activity

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

An employee whose initial laboratory screening test for controlled substances yields a positive result shall be given a second test, consistent with the test first given. The second test shall use a portion of the same test sample withdrawn from the employee for use in the initial screening test. If the second test confirms the initial positive test result, the employee shall be notified of the results in writing by Human Resources. The letter of notification shall state the 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 City of Sandy property or has otherwise violated provisions of this rule regarding possession, sale or use of controlled substances or alcohol, City of Sandy may search furniture, equipment or other property provided to the employee by City of Sandy including but not limited

to, clothes (uniforms), locker, toolbox, and desk. Employees should have no expectation of privacy in any property, equipment or supplies provided by the City of Sandy to employees.

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 the following within one business day of the event:

- Any criminal arrest or conviction for drug- or alcohol-related activity
- 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 Sandy 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. City of Sandy is willing to help such employees obtain appropriate treatment.

An employee who believes that he or she has a problem involving the use of alcohol or drugs should ask a supervisor or Human Resources for assistance.

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

Although the City of Sandy recognizes that alcohol and drug abuse can be successfully treated and is willing to work with employees who may suffer from such problems, it is the employee's responsibility to seek assistance *before* drug or alcohol problems lead to disciplinary action. Once a violation of City of Sandy policy is discovered, the employee's willingness to seek City of Sandy 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 their substance abuse issue and/or performance or safety issues. The last-chance agreement will inform the employee of the problems noted with their performance and specify the performance required for the employee to achieve in order to continue to be employed by [Organization]. 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.

Confidentiality

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

B. Mobile Devices Policy

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

Cell phones and Mobile Devices in General (both City of Sandy provided and personal mobile devices)

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

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

Nonexempt employees may not use their personal or City of Sandy provided mobile device for work purposes outside of their normal work schedule without written authorization in advance from the Human Resources. This includes, but is not limited to, reviewing, sending, and responding to emails or text messages, and responding to calls or making calls. Employees who violate this policy may be subject to discipline, up to and including termination. Nothing in this policy removes a non-exempt employee's obligation from recording time for all hours worked.

Employee Use of City of Sandy Provided Mobile Devices

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

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

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

Mobile Devices and Public Records

City of Sandy related business conducted on City of Sandy provided or personal mobile devices, may be subject to disclosure under Oregon's Public Records laws or in connection with litigation filed against City of Sandy or individual employees.

Employee Use of Mobile Devices with Cameras

Cameras of any type, including mobile devices with built-in cameras and video photography options, may not be used by employees during working hours, or at any City of Sandy sponsored function unless authorized to do so by City of Sandy.

Mobile Device Use While Driving

The use of a mobile device while driving may present a hazard to the driver, other employees, and the general public. Subject to a few narrow exceptions for emergency or public safety purposes, Oregon law also prohibits the use of handheld cell phones while driving, even if the driving is for work-related reasons. This policy is meant to ensure the safe operation of City of Sandy 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 the City of Sandy.

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

C. Use of City of Sandy Email and Electronic Equipment and Services

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

Ownership

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

Use

All of City of Sandy's electronic equipment, and services are provided and intended for City of Sandy business purposes only and not for personal matters, communications, or entertainment. Access to the Internet, websites and other electronic services paid for by the City of Sandy are to be used for City of Sandy business. Incidental use is acceptable under specific circumstances. See "Fringe Benefits and Additional Compensation" policy above. This means, for example, that employees may not use the City of Sandy provided Internet, or City of Sandy electronic equipment and services to:

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

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

Inspection and Monitoring – No Right to Privacy

Employee communications, both business and personal, made using City of Sandy electronic equipment, facilities, and services are not private. Any data created, received, or transmitted

using City of Sandy equipment, facilities or services are the property of City of Sandy and usually can be recovered even though deleted by the user.

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

Personal Hardware and Software

Employees may not install personal hardware or software on City of Sandy's computer systems or mobile devices without approval from the department director and IT Director. All software installed on City of Sandy's computer systems must be licensed. Copying or transferring of City of Sandy owned software to a personal device/equipment may be done only for personal devices/equipment used for City of Sandy business and with the written authorization of the City Manager.

Unauthorized Access

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

Security

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

Inappropriate Websites

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

D. Social Media

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

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

Prohibited Postings

Employees will be subject to discipline, up to and including termination, if they create and post any text, images or other media that violate any City of Sandy policies including no-harassment and no-discrimination and workplace violence policies. Similarly, postings that include threats of violence, that are physically threatening or intimidating, bullying or harassing, will not be tolerated and may subject an employee to discipline, up to and including termination.

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

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

Encouraged Conduct

Always be fair and courteous to coworkers, the residents we serve, City of Sandy's employees and elected officials, and suppliers or other third parties who do business with the City of Sandy.

Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our Open-Door Policy, than by posting complaints to a social media outlet. If you decide to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage citizens, co-workers, City of Sandy employees or elected officials, that might constitute harassment or bullying and/or that violate City of Sandy policies. Examples of such conduct might include offensive posts that a reasonable person would perceive as calculated to intentionally and individual's personal or professional reputation, posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or City of Sandy policy.

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

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

Request for Employee Social Media Passwords

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

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

E. External Links

City of Sandy only allows hyperlinks in its website if the links connect to websites that fall into one of the following categories:

- The website is owned by an organization that is parented with, sponsored by, or supported by City of Sandy;
- The website is educational in nature; and
- The website is a governmental website or is sponsored by a state or local government.

City of Sandy will not allow any hyperlinks to any websites that advocate hate, bias, or discrimination, extremism or which contain information or hyperlinks associated with partisan political activity.

The links to websites that are external to the City of Sandy may provide additional information that may be useful or interesting and are being provided consistent with the intended purpose of the City of Sandy website. These external links are not endorsements of the organization, nor do they ensure the accuracy, relevance, timeliness, or completeness of the information. Further, the inclusion of links in hypertext on the City of Sandy web site are not intended to reflect their importance, nor are they intended to endorse any views expressed or products or services offered by the author of the reference or the organization operating the server on which the reference is maintained.

Links may be made to our website from personal and organizational web pages. We request that you link to our website rather than downloading portions of it to another web server, so that viewers will see the most up-to-date information.

Every effort has been made to provide accurate and complete information. However, we cannot guarantee that there will be no errors. City of Sandy does not assume any legal liability for the accuracy, completeness, or usefulness of any information, product, or process disclosed herein, or represents that use of such information, product, or process would not infringe on privately owned rights.

F. Department Rules and Regulations

Each department of the City of Sandy is encouraged to establish departmental rules, regulations, and procedures. Such rules, regulations, and procedures shall be in harmony with the provisions of these personnel rules and regulations and shall be binding on the employees of that department.

G. Confidential City of Sandy Information

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

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

H. Artificial Intelligence in the Workplace

See separate administrative policy.

I. Ethics

City of Sandy believes in treating people with respect and adhering to ethical and fair business practices. Employees must avoid situations that may compromise their reputation or integrity, or that might cause their personal interests to conflict with the interests of the City of Sandy or the City of Sandy's residents.

City of Sandy employees are considered 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. Information on Oregon's ethic laws is available at the Oregon Government Ethics Commission website: <http://www.oregon.gov/OGEC>.

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

J. Open-Door Policy

City of Sandy's Open-Door Policy is based on our belief that open, honest communication between managers and employees should be a common business practice. City of Sandy's managers and supervisors are responsible for creating a work environment where employee input is welcomed, and where issues are identified early and shared without the fear of retaliation (when the employee provides the input in good faith). If you have a complaint, suggestion, or question about your job, working conditions, or the treatment you are receiving from anyone in City of Sandy, 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 Human Resources.

K. Outside Employment

Generally, employees may obtain employment with an employer other than the City of Sandy 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 City of Sandy time (including the employee's work time), City of Sandy facilities, equipment and supplies, or the prestige or influence of the employee's position with City of Sandy. In other words, the employee may not engage in private business interests or other employment activities on the City of Sandy's time or using the City of Sandy'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 the City of Sandy.

The City of Sandy requires employees to report outside employment to their Supervisor and Human Resources before the outside employment begins. Thereafter, an employee must provide an update to their Human Resource 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.

L. Criminal Arrests and Convictions

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

- 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 City of Sandy property, or in a City of Sandy vehicle (see "Alcohol/Drug Use, Abuse and Testing" policy above);

- All arrests, citations, convictions, guilty pleas, or no contest pleas that result from crimes involving the theft or misappropriation of property, including money; or
- 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.

M. 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 City of Sandy 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;
- Prepare or distribute written material, post website information, transmit emails, or make a presentation that advocates a political position;
- Collect funds, prepare filing forms, or correspondence on behalf of candidates or political committee;
- Grant unequal access to public facilities to candidates or political committees;
- Direct other public employees to participate in political activities when in the role of a supervisor

This is not an exhaustive list.

N. Bad Weather /Emergency Closing

Except for regularly scheduled holidays identified by the City of Sandy (see “Holidays” section) City of Sandy 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 Manager (or their designee) will decide whether to and to what extent the City of Sandy will close. In the event of a closure, employees will be notified via email, sent to their City of Sandy provided email address. In addition, closure information will be posted on the City of Sandy website.

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 manager. Essential staff are expected to report to work for the overall safety of the

city and citizens. If nonessential staff cannot reach the office and are able to serve the City of Sandy from home, you should do so subject to approval by your manager or supervisor. If the city is open but a nonessential employee cannot safely report to work, the employee may use vacation or comp leave and notify their supervisor.

O. Driving While on Business

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

The City of Sandy may verify the validity of an employee's driver's license and/or driving record at the time of hire and at any point during your employment if driving is an essential function of their job or if so doing relates to a legitimate business purpose of City of Sandy.

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

Employees who receive a ticket or citation while driving a City of Sandy owned vehicle or while on City of Sandy 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.

P. Workplace Violence

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

All employees have an obligation to report any incidents that pose a real or potential risk of harm to employees or others associated with the City of Sandy, or that threaten the safety, security, or financial interests of City of Sandy. 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 Human Resources.

The City of Sandy 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."

Q. Workplace Inspections – No Right to Privacy or Confidentiality

This policy applies to inspections conducted by City of Sandy 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 established practice or law unless otherwise addressed in a different policy in this Handbook or applicable CBA. An City of Sandy led inspection may include a search of any organization-provided property, such as desks, work areas, file cabinets, voicemail/phone and computer systems assigned to them by the City of Sandy; **These areas are not private.**

R. Workplace Safety

In addition to defined working conditions and physical requirements detailed in each position description, employees are accountable for working safely, following established policies and procedures, utilizing all designated personal protective equipment (PPE) and/or safety equipment assigned for each task, and reporting all injuries and hazards to their supervisor immediately. Employees may be asked to participate in the Safety Committee for a one-year assignment as part of their employment with the City of Sandy. Supervisors and Managers are accountable for ensuring the safety performance of employees, applying consistent practices in compliance with federal, state, and local regulations, and providing guidance to maintain a safe and healthy work environment. Concerns related to workplace safety should be brought to the attention of Human Resources.

S. Fragrances in the Workplace

The City of Sandy strives to ensure the comfort and safety of staff and visitors by encouraging employees to be mindful of the scented products that they use. Many City of Sandy offices are small, enclosed spaces. City of Sandy requests that all scented products be used in a manner which is courteous and respectful of those around you. If you are experiencing issues related to scented products in the workplace, please contact Human Resources for assistance in finding a solution that is mutually agreeable to all employees.

T. Smoke-Free Workplace

City of Sandy 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 City of Sandy property, vehicles, or facilities/buildings.

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

Employees who smoke, must do so outside of City of Sandy’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.

U. Animals in the Workplace

Employees are not allowed to bring pets or other animals into the City of Sandy facilities or City owned vehicles, and any other building, site or vehicle owned, controlled, or operated by the City

of Sandy. City owned parks and greenspaces are excluded from this definition only when the employee is not working for or performing any duties on behalf of the City of Sandy.

In certain circumstances, the City of Sandy may be willing to accommodate service or working animals for employees with known disabilities. Please see Human Resources for further information regarding the City of Sandy policy.

V. Prohibition on Secret Recordings

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

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

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

VI. Termination of Employment

A. Workplace Rules and Prohibited Conduct

Any violation of the rules or prohibited conduct in this policy may result in discipline, up to and including termination. This list of prohibited conduct is illustrative only; other types of conduct injurious to security, personal safety, employee welfare and City of Sandy'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, time or other City of Sandy records.
- Recording time worked of anyone other than yourself; allowing another employee to record your work time.
- Theft or the deliberate or careless damage or destruction of any City of Sandy property, or the property of any other employee, member of the public, vendor or third party.
- Unauthorized use of City of Sandy equipment, materials, or facilities.
- Provoking a fight or fighting during work hours or on City of Sandy property.
- Carry firearms or any other dangerous weapon on City of Sandy premises at any time.
- Engaging in criminal conduct while at work.

- Causing, creating, or participating in a significant or substantial disruption of work during working hours on City of Sandy property.
- Insubordination, including but not limited to failure or refusal to follow the lawful orders or instructions of a supervisor or member of management.
- 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.
- Employees are expected to be at work on time, remain until your workday ends, and perform the work assigned to or requested.
- Sleeping on the job; faking illness or injury to avoid working.
- Excessive personal telephone calls or texting during working hours.
- Failing to attend scheduled work sessions and related activities at conferences, workshops, or educational events that are paid for by the City of Sandy.
- Misrepresentation of City of Sandy policies, practices, procedures, or your status or authority to enter into agreements on behalf of the City of Sandy. Employees may not use the City of Sandy's name, logo, likeness, facilities, assets, or other resources of the City of Sandy for personal gain or private interests.
- Violation of any safety, health, security or City of Sandy policy, rule, or procedure. Employees are expected to act in accordance with all appropriate codes, laws, regulations, and policies, regardless of whether they are set by the City of Sandy or outside regulatory or legislative bodies.
- Failing to timely pay water/sewer/tax accounts with the City of Sandy on time, and/or whose City of Sandy provided services are disconnected. This includes, without limitation, situations where the employee writes a check to the City of Sandy that is refused for payment due to non-sufficient funds.

This statement of prohibited conduct does not alter the City of Sandy's policy of at-will employment. Except for employees subject to a collective bargaining agreement or contract of employment, the City of Sandy 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 always 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 the City of Sandy standards, the City of Sandy 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 employment of an employee for serious violations of City of Sandy policies, procedures, and rules and for other inappropriate behavior or conduct, City of Sandy may choose to provide the employee a final opportunity to continue employment in the form of a last-chance agreement. The City of Sandy may also choose to send the employee to training or an education opportunity.

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

C. Grievance Policy

The City of Sandy shall promptly consider and equitably adjust employee grievances relating to employment conditions and relationships. Furthermore, the City of Sandy desires to adjust the causes of grievances informally; both supervisors and employees are expected to resolve problems as they arise. In the event that problems are not resolvable through an informal process in the course of daily departmental practices, a formal grievance procedure may be initiated by the aggrieved employee(s).

The following steps shall be followed in submitting and processing a grievance:

1. The aggrieved employee(s) shall present their grievance in written form, including any substantiating evidence or documentation, to the department director, or immediate supervisor, if appropriate. The grievance should be signed and dated by all aggrieved parties and presented to the department director or supervisor within ten (10) working days of the occurrence, not including the date of the occurrence. The aggrieved employee(s) shall acknowledge receipt of the response with their signature(s) and date received.
2. If the grievance is not settled in Step One, above, the written grievance shall be presented along with any substantiating evidence or documentations in its original form to the City Manager within ten (10) working days after the department director's or supervisor's response is presented, not including the date of the response. The City Manager may meet with the aggrieved employee(s), the immediate supervisor, if appropriate, and the department director. The City Manager shall reply to the grievance in writing within ten (10) working days of the date of the presentation of the written grievance, not including the date of the presentation. The decision of the City Manager shall be final and binding.

If the aggrieved employee(s) do not initiate and follow the grievance procedures as established by this section, the grievance shall be considered not to have existed.

Any grievance not taken to the next step of the grievance procedure shall be considered settled on the basis of the last reply made and received in accordance with the provisions of this section. Following the settlement of a formally presented written grievance, the department director

shall document the terms of the settlement, including any action to be taken. Both the department director and the aggrieved employee(s) shall sign the written report and include the date of signature.

D. Retirement or Resignation from Employment

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

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

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

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

E. References

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

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



Employee Acknowledgement

Acknowledgement of Receipt of 2025 Personnel Policies

I acknowledge that I have received and will read a copy of the City of Sandy's 2025 Personnel Policies. I also understand that a copy of the Personnel Policies is available to me at any time to review in the Human Resources Department, or on-line via the Employee Intranet.

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

I understand that either the City of Sandy or I may terminate my employment relationship at any time, for any lawful reason, with or without advance notice, unless my employment is covered under a collective bargaining agreement. Other than promises that may be found in that collective bargaining agreement, I acknowledge that no promises have been made to me that are inconsistent with this "at will" statement.

I have reviewed or will review the City of Sandy's policies regarding equal employment opportunity and that the City of Sandy aims to provides a workplace free of harassment, discrimination, and retaliation. I will bring any questions or concerns I have regarding equal employment opportunities, discrimination, retaliation or harassment to Human Resources or any trusted manager or supervisor.

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

I have read this acknowledgement carefully before signing.

Employee Signature

Date

The original of this document will be kept in the Employee's personnel file. A copy will be provided to the Employee upon request.