

2015

# EMPLOYEE HANDBOOK

## Employment Relations and Conduct

This manual is a guide to help you understand our employment provisions and expectations. These rules and regulations shall apply to all employees of the City of Dallas with the exception of volunteer firefighters, reserve police officers, and the City Manager.

City of Dallas  
7/1/2015  
Modified 10/29/2015  
Modified 11/5/2015  
Modified 7/28/2016



## **Welcome to the City of Dallas!**

We're glad you've joined us! We believe 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 during your employment with the City of Dallas you will become a productive and successful member of our team.

This employee handbook describes, in summary form, the personnel policies and procedures that govern the employment relationship between the City of Dallas and its employees. The policies stated in this handbook are subject to change at any time at the sole discretion of the City with or without prior notice. This handbook supersedes any prior handbooks or written policies of the City that are inconsistent with its provisions. 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. These rules and policies shall apply to all employees of the City of Dallas with the exception of volunteer firefighters, reserve police officers, and the City Manager

This handbook does not create a contract of employment between the City and its employees. All employment at the City is "at will." No supervisor, manager, or representative of the City 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 in writing and signed by the City Manager (or that is included in a collective bargaining agreement).

In addition to the policies outlined in this Handbook, the City of Dallas has administrative policies and procedures that are included in the Administrative Rules. You should familiarize yourself with those policies as well.

Our City supports an "open door" policy and encourages you to ask questions if there are any policies or procedures you do not understand. We welcome your ideas and suggestions for ways to improve our operations and/or services or to save unnecessary costs during your employment with us.

Again, welcome to our team. We wish you success in your new position and truly value you and the contributions you will make during your employment with us.

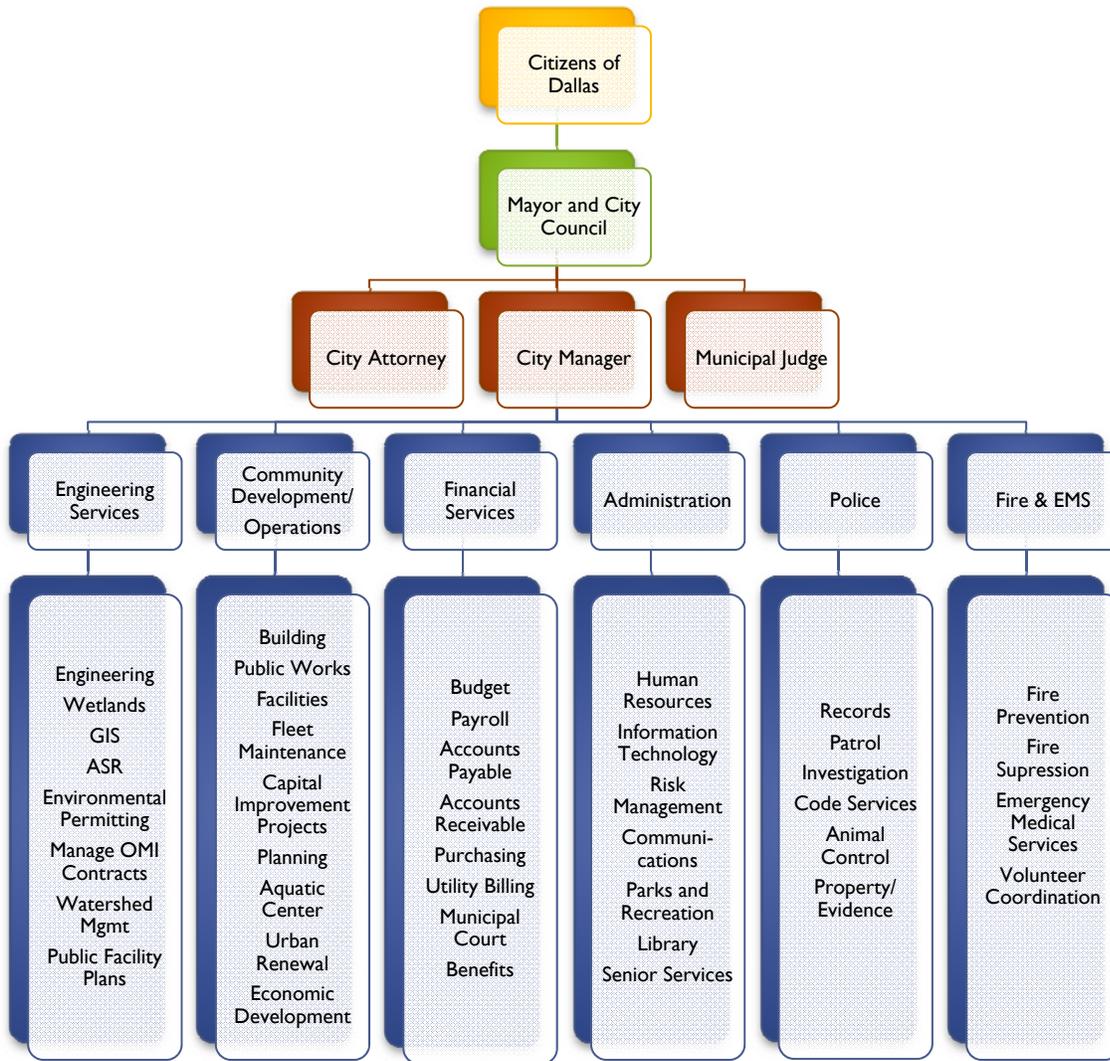
**Emily Gagner**  
**Human Resources Manager**

### ***Note on Labor Contracts***

Currently, the City has two unions, the Dallas Police Employees Association (DPEA) and the Polk County Professional Fire Fighters Association, which each operate under a collective bargaining agreement (CBA). These CBAs cover negotiated conditions of employment, including rates of pay, wages, and hours of work.

To the extent that there is any conflict between any of the provisions of these policies and any provision of the CBA, the labor contract provision alone will control.

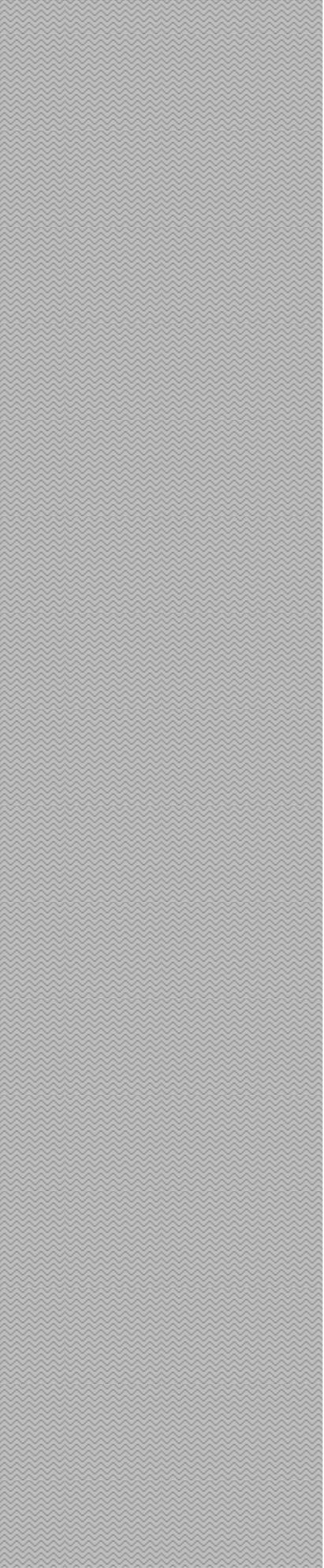
## City's Organizational Structure



## Employee Code of Ethics Statement

We, the employees and volunteers of the City of Dallas, in order to fulfill our City's vision and carry out our mission, will strive to meet public expectations for excellence by providing high quality services, demonstrating sound stewardship of public resources, acting with integrity, and displaying fair treatment and respect for all.

We will conduct ourselves with honesty and trustworthiness, with efficiency and effectiveness, and will demonstrate accountability and compliance with state and federal laws and City policies and procedures.



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I: EQUAL  
EMPLOYMENT  
OPPORTUNITY (EEO)  
POLICIES

## I. Equal Employment Opportunity (EEO) Policies

The following EEO Policies apply to all employees. Members of management 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 their supervisor or the Human Resources Manager at any time if they have questions relating to the issues of harassment, discrimination, or bullying.

### A. No-Discrimination Policy

The City of Dallas is an equal opportunity employer, and as such, considers individuals for employment based upon their abilities and performance. Employment decisions are made without regard to race, color, age, religion, sex, national origin, or physical and mental disabilities, marital or veteran status, sexual orientation, genetics, or any other classification protected by law. We comply with all employment requirements mandated by state and federal regulations.

The City of Dallas has adopted an Affirmative Action Plan which sets out specific steps to be taken on our part to ensure that none of our personnel policies or practices discriminate against any individual on the basis of race, religion, color, gender, sexual orientation, national origin, marital status, age (as to persons 18 years of age or older), mental or physical disability, veteran's status, genetics, or other protected status in accordance with applicable laws unless based upon a bona fide occupational qualification. Furthermore, it specifies steps we should take to actively promote the employment opportunities of minorities and women.

All employees in the City are responsible for following and carrying out this policy according to the spirit and intent of our equal opportunity employment commitment. We provide and support a dispute resolution procedure for complaints alleging discrimination. Employees are expected to bring any questions, issues, or complaints to management's attention. If you believe you have been harassed, or if you witness or suspect any violation of this policy, you should report the matter immediately to your supervisor, department manager, or the Human Resources Manager. We will not retaliate against you for filing a complaint or cooperating in an investigation, and we will not tolerate or permit retaliation by management or co-workers.

If you would like to review our Affirmative Action Plan or if you have any questions about equal employment opportunities, please contact the City Manager's office.

### B. No-Harassment Policy

It is the policy of the City of Dallas to provide equal employment opportunities to all qualified persons without regard to race, religion, color, gender, sexual orientation, national origin, marital status, age (as to persons 18 years of age or older), mental or physical disability, veteran's status, genetics, or other protected status in accordance with applicable laws. The City strives to make employment decisions based on the evaluation of an individual's qualifications, ability and contribution to the success of the City.

It is also our policy that employees have a right to work in an environment where the dignity of each individual is respected. Harassment of employees, regardless of working relationships and supervisory status, is prohibited. Specifically forbidden is harassment related to an individual's race, religion, color, sex, sexual orientation, national origin, marital status, age, mental or physical disability, veteran's status, military status, retaliation for opposing unlawful employment practices, association with members of a protected class, injured worker status, non-supervisory family relationships, or any other protected class regardless of whether that harassment is targeted specifically at the employee. Behavior such as telling ethnic jokes, making religious slurs, using offensive "slang" or other derogatory terms denoting person's speech, accent, or disability, are examples of prohibited conduct and will not be tolerated at the City of Dallas.

For the purposes of this policy, "harassment" includes unwelcome verbal, graphic or physical conduct of such a nature that has the purpose or effect of creating an offensive work environment or reasonably interfering with an employee's work performance.

### ***1. Sexual Harassment***

Sexual harassment may include, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or non-verbal communication or physical conduct of a sexual nature where:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- Submission or rejection of such conduct by an individual influences any employment-related decisions affecting the individual; or
- The conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

The conduct prohibited may be verbal, visual, or physical in nature. It may be directed by a manager to a subordinate, manager-to-manager, or co-worker-to-co-worker. It includes unwelcome sexual advances, requests for sexual favors, physical touching, or the granting or withholding of benefits (e.g., pay, promotions, time-off) in response to sexual conduct. More subtle forms of prohibited behavior, such as offensive posters, cartoons, caricatures, comments and jokes, language or innuendoes, hugging, or kissing may also constitute sexual harassment when they create or contribute to a hostile or offensive work environment.

### ***2. Racial, Ethnic, Age, Religious, Disability-related or Other Prohibited Harassment***

Racial, ethnic, age, religious, disability-related or other prohibited harassment may include, but is not limited to, making racial slurs or ethnic comments, telling racial or ethnic jokes, mimicking someone with physical or mental limitations, pushing one's religious beliefs on others or belittling someone else's religious beliefs, or displaying racist symbols. The conduct prohibited may be verbal, visual, or physical in nature. It may be directed by a manager to a subordinate, manager-to-manager, or co-worker-to-co-worker.

All employees should assume that any conduct of this nature will offend another employee and should refrain from engaging in such conduct. Harassment of employees by citizens, vendors, suppliers, and other non-employees that creates an offensive work environment or interferes with

an employee's ability to perform his/her job is also prohibited and should not be tolerated or permitted.

No one should suggest that an employee's cooperation with, tolerance of, or objections to conduct prohibited by this policy will have any effect on that employee's employment. The City strictly prohibits supervisors or managers from conditioning employment or making employment decisions based on an employee's tolerance of or resistance to harassment. This type of conduct is considered a serious violation of this policy.

### **3. Bullying**

We strive to promote a positive, professional work environment free of physical or verbal harassment, "bullying," or discriminatory conduct of any kind. The City of Dallas, 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 toward an individual or group of employees, which is intended to intimidate and creates a risk to the health and safety of the employee(s). Examples of bullying include:

1. Verbal Bullying: slandering, ridiculing, or maligning a person or his/her family; persistent name calling which is hurtful, insulting, or humiliating; using a person as a 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 that can convey threatening messages.
4. Exclusion: socially or physically excluding or disregarding a person in work-related activities.

### **4. Reporting Harassment or Bullying**

An employee who feels that he or she is being harassed or bullied by another employee, including supervisors and managers, should immediately notify his or her supervisor, department manager or the Human Resources Manager. Employees are welcome and encouraged to report to these individuals conduct they feel is offensive. There is no required "chain of command" for making such reports. The type of conduct prohibited by this policy should be reported whenever it creates an offensive work environment or interferes with an employee's work, even when the offensive conduct occurs off the job.

Likewise, an employee who experiences or becomes aware of harassment or bullying by a non-employee, such as a vendor, customer or supplier, that creates an offensive work environment or interferes with an employee's work, should report the harassment or bullying to a supervisor, department manager or the Human Resources Manager.

All complaints of harassment or bullying will be investigated as promptly as possible and corrective action will be taken as may be determined to be warranted. Complaints of harassment or bullying that are reported to management will be treated with as much confidentiality as is practical, while permitting the complaint to be investigated and corrected. The City's goal will be to restore a pleasant and respectful work environment as soon as possible.

The City's ability to resolve complaints of harassment or bullying is dependent on the cooperation of every employee in reporting violations of this policy. Notification by employees who are affected by or observe harassment or bullying in violation of this policy is critical. Management cannot address and resolve a problem with harassment or bullying that it does not know about. Therefore, it is the responsibility of all employees to bring to the attention of any of the individuals identified above all conduct that violates this policy in sufficient detail so that the problem can be recognized and investigated, and appropriate steps can be taken to restore a safe and comfortable working environment.

Violation of this policy by an employee will result in appropriate disciplinary action, up to and including immediate discharge. The City may also require an employee who has violated this policy to receive appropriate training on harassment or other issues related to the conduct, at the employee's expense.

### **5. Retaliation**

If you believe you have been discriminated against, harassed, or bullied, or if you witness or suspect any violation of our policies, you should report the matter immediately to any member of management or to the Human Resources Manager.

The City respects the rights of its employees to raise concerns and make reports of harassment and other conduct that violates this policy, and to participate in investigations of such reports. We will not tolerate or permit retaliation by management, employees, or co-workers against employees who report harassment or any other conduct in violation of this policy, cooperate with investigations of such conduct, testify in any proceedings related to such conduct or assist in enforcing this policy.

"Retaliation" is broadly construed to mean any adverse action against an employee for opposing harassment or discrimination. It may include any on-duty or off-duty conduct, whether related to employment or not, that could discourage an employee from making a complaint or testifying, assisting or participating in an investigation or hearing under this policy. It may also include such conduct as "cold shoulder" treatment, changing job duties, failing to cooperate, or treating an employee rudely because he or she has made a complaint, or testified, assisted or participated in an investigation or hearing.

Employees should bring complaints of retaliation to the attention of their department manager or the Human Resources Manager.

Violation of this policy by an employee will result in appropriate disciplinary action, up to and including immediate discharge. The City may also require an employee who has violated this policy to receive appropriate training on harassment, retaliation, or other issues related to the conduct, at the employee's expense.

### **6. Confidentiality**

All complaints under this policy will be treated as confidentially as is possible under the circumstances and as is consistent with the City's need to investigate and respond to the complaint.

## C. Disability Accommodation Policy

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

### **1. Accommodations**

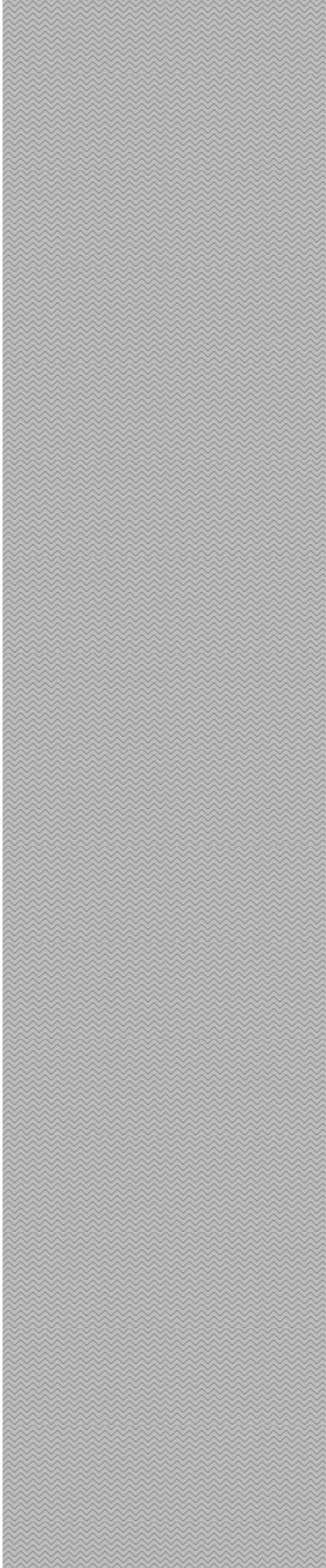
The City of Dallas will make reasonable efforts to accommodate a qualified applicant or employee with a known disability, unless such accommodation creates an undue hardship on the operation of the City.

### **2. Requesting an Accommodation**

The ADA and Oregon's disability discrimination laws provide protections to people with disabilities in employment. In recognition of the barriers to full participation faced by this group, and in compliance with the ADA/Oregon law, accommodations may be implemented to the extent that they are not an undue hardship for the City.

A reasonable accommodation is any change or adjustment to a job or work environment that does not cause an undue hardship on the department or unit (or, in some cases, the City) and which 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.

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 or participate in the employment process. All requests for accommodation should be made to the Human Resources Manager and should specify which essential functions of the employee's job cannot be performed without a reasonable accommodation. In most cases, an employee will need to secure medical verification of his or her need for a reasonable accommodation.



## II: EMPLOYMENT STATUS and TERMS AND CONDITIONS OF EMPLOYMENT

## II. Employment Status and Terms & Conditions of Employment

It is our goal to fill employment vacancies with the most qualified applicants, whether recruiting internally or externally. Job applicants will be considered on an equal basis for all positions without regard to age, disability, race, color, national origin, religion, gender, sexual orientation, veteran status (however, the City will follow the veterans preference policy in hiring), military status, association with members of a protected class, marital status, injured worker status, non-supervisory family relationships, or any other protected class or work relationship.

Our policy is to always try to select the most qualified person for each available job; we recognize current employees' experience and familiarity with the City of Dallas as an important qualification, and we encourage current employees to apply for openings in which they are interested and for which they are qualified. Usually, you must have completed your initial introductory period before transferring to a new position, and to be eligible for transfer you may not be under any disciplinary action.

### A. Employment Requirements

#### I. **Hiring**

- a. All appointments to vacancies shall be made solely on the basis of merit, efficiency and fitness. These qualities shall be determined through careful and impartial evaluation of the following:
  - i. The applicant's level of training relative to the requirements of the position for which the applicant has applied;
  - ii. The applicant's level of education relative to the requirements of the position for which the applicant has applied;
  - iii. The applicant's physical fitness relative to the requirements of the position for which the applicant has applied;
  - iv. The results of an oral interview; and
  - v. Whenever practical, the results of a competitive written examination or demonstration test, which shall be a fair and valid test of the abilities and aptitudes of applicants for the duties to be performed.
- b. No question in any test or interview or in any application form provided by the City shall be so framed as to attempt to elicit information concerning any basis on which the City is prohibited from discriminating in hiring.
- c. Any job applicant or employee may be required to take a physical examination, psychological examination, and/or fitness test if needed to determine the applicant's ability to meet a bona fide occupational requirement. In cases where a physical examination is required as a condition of employment, the City shall pay the cost of the examination. In cases where a fitness test is required, it may be administered by the City. Results of a physical examination shall be provided to the applicant and the applicant's appointing authority. Such results will be treated as confidential information and released only to the appointing authority, and in the cases of medical emergency, to necessary individuals providing medical attention, subject to all requirements of applicable federal and state law.

## **2. Qualified Veterans' Preference**

All job applicants will be provided with a Veterans' Preference Form to determine if they are a "Qualified Veteran" or a "Qualified Disabled Veteran," within the meaning of ORS 408.225. Applicants who are determined to be a Qualified Veteran or Qualified Disabled Veteran shall be eligible for preference in hiring in accordance with the law.

## **3. Qualifications**

To qualify for employment with the City of Dallas, applicants must be citizens of the United States of America, must have filed application for citizenship, or must be otherwise lawfully authorized to be employed in the United States.

## **4. Residence**

Residence of employees within the corporate limits of the City is encouraged but not required, except as provided in the City Charter. Employees living outside the City limits may not live at such a distance from the City as to seriously impair their accessibility in case of emergency need of their services.

## **5. Family and Romantic/Dating Relationships**

No person will be eligible for regular employment with the City of Dallas who is a member of the family (for the purpose of this rule, "family" means mother, father, brother, sister, son, daughter, wife, husband, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent or stepchild) or the domestic partner of, or in a romantic or dating relationship with:

- a. The person's direct appointing authority;
- b. The City Manager; or
- c. The Mayor or a member of the City Council.

No person will be eligible for regular employment in a position in which the person would have direct supervisory, appointment, grievance review, or adjustment authority over a member of his or her family (as defined above) or domestic partner, or a person with whom he or she is in a romantic or dating relationship, or a position in which the person would be subject to the exercise of such direct authority by a member of his or her family or domestic partner, or when he or she has a romantic or dating relationship with the person who would exercise such direct authority.

An employee who, after hire or appointment, becomes ineligible for employment under either of the foregoing paragraphs shall be subject to termination for non-compliance with this policy.

No person in a management or supervisory position shall have a romantic or dating relationship with an employee over whom he or she has direct supervisory, appointment, grievance review, or adjustment authority.

## **B. Probationary Period**

All new employees, including current employees who are transferred or promoted within the City, are hired into a probationary training period which generally lasts no less than 180 days (and may be longer if so defined by a collective bargaining agreement). 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 conducted during this probationary period. This period gives you the opportunity to demonstrate satisfactory performance for the position, and also provides an opportunity to determine if your knowledge, skills, and abilities and the requirements of the position match. It is also a chance to decide if we meet your expectations as an employer.

At or before the end of the probationary period, a decision about your employment status will be made. The City 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 the city may terminate the employment relationship during the probationary period for any or no reason. Further, completion of the probationary period or continuation of employment after the probationary period does not entitle you to remain employed by the City for any definite period of time. Both you and the City are free to terminate the employment relationship, at any time, with or without notice and for any reason not prohibited by law.

New employees while in the probationary period are not entitled to the grievance procedure set forth in this Handbook. All regular employees who are promoted will serve a probationary period. During this probationary period, the promoted employee may be demoted to the employee's previous position without cause, and for any reason not prohibited by law, and without the right to appeal; however the employee may not be terminated from employment from the position to which he or she has been promoted during the probationary period without the rights granted regular employees, including the right to use the grievance procedure as outlined in this Handbook.

## C. [Employee Classifications](#)

### Regular Employee and Officers

An employee who has successfully completed his or her probationary period, either on a monthly salary or hourly wage, exempt or nonexempt, and is properly certified, as the position requires. If a regular employee is terminated for reasons other than good cause and not discreditable to him or her, and is re-employed within six months, the employee shall be reinstated as a regular employee.

### Probationary Employee

An employee who is hired for a regular position, exempt or nonexempt, and who has not completed the probationary period of six months (or longer if defined by a collective bargaining agreement or extended per the probationary period policy) and received proper certification required for the position.

### Temporary Employee

An employee, exempt or nonexempt, who is hired for less than a 12 month period, or for a position of longer duration, but with special conditions. This classification shall include those who work full or part time on non-recurring assignments and those who are hired specifically for temporary positions.

### Flexible Schedule Employee

A flexible schedule employee is a non-exempt employee whose work schedule is flexible and irregular, and who averages less than 40 hours of work per week, determined on a calendar year basis. Flexible schedule employees are not, for the purpose of this manual, deemed regular employees and shall not receive paid sick leave, vacation, casual leave or other paid leaves under the policies set forth in this handbook; nor shall they be eligible for insurance coverage, except as otherwise required by law.

### Nonexempt Employee

Nonexempt employees perform work other than executive, administrative or professional as defined by the Fair Labor Standards Act and must receive overtime or compensatory time for overtime work as legally required.

### Exempt Employee

Exempt employees are not covered by the Fair Labor Standards Act and do not receive overtime pay or compensatory time (comp. time). To be exempt, at least 80% of a person's work must be executive, administrative or professional in nature requiring the regular exercise of discretion and independent judgment. This includes work that is mainly managerial, supervisory, artistic or intellectual in scope.

## ***1. General Policy***

The City uses position classifications as a guide toward "Equal pay for equal work." The classification plan defines the nature of a position with us. Job titles are so defined that equal work can be identified no matter in which department it falls. There are three aspects of position classification:

1. It has been grouped in a class with positions of approximately the same difficulty and responsibility for purposes of pay range development.
2. It has a class title—a descriptive name as an identifier—which is used in all personnel, budgetary, appropriations and financial records
3. It has a class specification or job description, descriptive of responsibilities and duties of the position, with skills, education and experience desired. The specification takes into consideration the requirements of the job, not abilities. The position specification is merely descriptive and explanatory of the work to be performed. It may not include all duties. Unless the nature of the demands of the position significantly changes, the job specification will not change. The City Manager is responsible for keeping the classification up to date through periodic studies of the position and others similar to it. Based on these studies, recommendations are made that a new position be established or that old positions be modified.

## ***2. Reclassification within a Department to an Existing Class***

In the event the duties of a position are indefinitely and materially changed, such that a change in classification may be justified, the department manager shall write the City Manager stating the changes made and give reasons why the change should result in a reallocation of the position from one classification to another. Upon examination of the request, the City Manager shall either deny or grant the request. Employees transferred to higher classifications will receive the minimum salary of the new classification. In the event the employee is presently making more than, or as

much as, the minimum for the new class, the employee shall receive the same amount as his present salary or an increased amount as determined by the department manager and the City Manager. Employees transferred to lower classifications will continue to receive their present salary provided it does not exceed the maximum of the lower classification. If it does, the employee will receive the maximum salary of the lower classification. Employees promoted to a new classification will receive merit increases in the same manner as new employees.

### **3. Promotion/Transfer to an Existing Vacancy**

It is the City's policy to encourage promotion from within the organization. When a vacancy occurs, first opportunity may be given to City employees presently in position classifications requiring less responsibility, provided they are qualified to perform the duties of the vacant position. The City Manager and Human Resources Manager will determine if a position will be opened to internal candidates before being generally published.

Employees transferred to positions with higher classifications will receive the minimum salary of the new classification. In the event the employee is presently making more than, or as much as the minimum for the new classification, he or she shall receive the same amount as his or her present salary or an increased amount as determined by the department manager and the City Manager. Employees transferred to positions with lower classes will continue to receive their current salary, provided it does not exceed the maximum of the lower classification. If it does, the employee will receive the maximum salary of the lower classification.

### **4. Creation of New Positions**

Whenever a new position is proposed to be created in a department, the department manager shall notify the City Manager in writing. Such notice shall contain a detailed description of the duties and responsibilities of the position and a statement of suggested minimum entrance qualifications for the position. After analyzing the statement, the City Manager may allocate the position to an existing classification.

If there is no appropriate classification, the City Manager shall prepare an appropriate classification specification, including minimum and maximum salaries.

### **5. 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 reasonable efforts to integrate those employees into another department by transfer.

When layoffs are required, they shall be made on the basis of relative merit, and shall only take into account consideration of seniority in the City service where the employees' qualifications and abilities are relatively equal.

## **D. [Salary](#)**

### **I. General Policy**

Each classification in the City is allocated to a particular salary range which has a definite minimum, midpoint, and maximum. The salary range has a spread of approximately 20 percent between the minimum and maximum and there is a spread of approximately 4 percent between ranges.

## **2. Starting Salary**

Normally, the minimum of the salary range will be the starting salary for a new employee. In instances where a new employee has experience or skills that are above those required for a starting employee, it is possible to hire above the minimum salary. The department manager and City Manager will examine the credentials of an employee who may be considered for a starting salary above the minimum. In most instances, a new employee will not be hired above the midpoint of the salary range for that position.

## **3. Increases**

Subject to the limitations below, every regular or probationary employee is eligible for a salary increase six months after initial appointment or promotion and thereafter on the anniversary of the hiring or promotion date at one-year intervals until the employee reaches the top of the salary range. The only exception to this is for the training position of Utility Worker Trainee.

A Utility Worker Trainee will have a six-month training and probationary period before being eligible to advance to Utility Worker I. An employee in this category will be eligible for a merit increase within the Utility Worker Trainee range at three months of employment. If the employee advances, they will be deemed a regular employee and his or her salary would advance to the minimum salary in the Utility Worker I range or remain the same, whichever is greater. Thereafter, the employee will be eligible for merit increases the same as a promoted employee.

The salary increases provided for in this paragraph are not automatic, but will be based on merit and as funds are available. Each classification has a pay range that will serve as a guideline for making the final decision on increases. Each department manager is expected to conduct a performance evaluation for all employees and consider each eligible employee for increases in his or her salary. As it is impossible to predict accurately each year the funds that will be available, increases within the ranges may vary throughout the years. Typically, merit increases will range between 0 to 4 percent until an employee reaches the top of his or her salary range. Merit increases may exceed 4 percent for exceptional performance, and if funds are available. In no case will an employee be advanced above the maximum salary for his or her position. Instead, employees who have reached the top of their pay ranges will be encouraged to prepare themselves for higher level work.

## **4. Salary Data Studies**

To ensure that pay is reasonable, salary data studies will be made as often as budget allows. Salary information on comparable positions will be collected from governmental and private employers in this area. The resultant information will be considered with fringe benefits. The collection of data will be by the City Manager or his designated representative. Department managers shall notify the City Manager when conditions warrant a study of special cases.

Where a salary is determined to be within 4% of the median of the comparable salaries, there will be no change made to the existing salary. For salaries over 4% under the median of comparables, the change in salary may be made over time, depending on the amount of change required to align with the comparables and the budget available. The City will also look at the suitability of the comparables, giving more weight to cities within the Willamette Valley and rural communities, as they are more closely aligned to our situation in Dallas.

### E. The Workweek

Each department manager shall establish and submit to the City Manager a schedule of regular working hours for his or her department. The schedule shall normally provide for a workweek of forty hours. Scheduled work in excess of forty hours per week or on another irregular schedule must be approved by the City Manager. Unless otherwise approved by the City Manager, the work week begins at 12:01 a.m. Monday and ends at 12:00 a.m. on Sunday.

### F. Meal Periods and Rest Breaks

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

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

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

<b>Length of Work Period</b>	<b>Number of Rest Breaks Required</b>	<b>Number of Meal Periods Required</b>
2 hours or less	0	0
2 hrs., 1 min. – 5 hrs., 59 min.	1	0
6 hrs.	1	1
6 hrs., 1 min. – 10 hrs.	2	1
10 hrs., 1 min. – 13 hrs., 59 min.	3	1

## G. Rest Breaks for Expression of Breast Milk

We 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 feasible, 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 feasible, the employee is entitled to take reasonable time as needed to express breast milk.

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

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

We 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, we 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 the Human Resources Manager reasonable oral or written notice of her intention to do so in order to allow us 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.

## H. Overtime

The normal workweek for all employees shall be 40 hours. Scheduled work in excess of 40 hours may only occur if specifically approved by the employee's supervisor or management prior to working the overtime. Emergency work which will result in overtime pay shall be approved by the department manager responsible or his designated representative. Managers and employees will

make every effort to keep the hours worked to the regular 40 hour work week. This may be accomplished by flexing the hours worked during the week with the manager's approval. Managers should attempt to avoid accumulated overtime by employees.

Overtime is governed by the Fair Labor Standards Act (FLSA) and is calculated on the basis of hours actually worked in excess of 40 hours in a work week. Sick leave, vacation or birthday leave, compensatory time, and holidays are not counted as hours worked when calculating time worked for overtime pay, unless an employee is called in for an emergency situation (defined as "any incident, whether natural or manmade, that requires responsive action to protect life or property). Employees will be compensated at a rate 1.5 times their base rate for hours worked in excess of 40 hours per week. This will be done either through additional salary or through compensatory time, at the employee's choice, provided there are overtime funds available in the budget to pay overtime. If funds are not available, overtime will be compensated by compensatory (comp) time off. Employees are encouraged to work with their manager/supervisor to schedule and use comp time within 60 days of when it is accrued. When an employee is separated from employment with the City, any remaining comp time will be paid to the employee at the employee's standard rate of pay. If an employee earns more than 140 hours of FLSA compensatory time, the amount over 140 hours will automatically be paid as overtime.

With regard to the 40 hour normal workweek, each department has the option to develop a flexible workweek within the maximum workweek hours applicable to the department. Time worked within the regular maximum workweek hours will be paid as straight time. Departments that adjust their regular schedule must provide 4-hour notice of shift adjustment, or pay overtime for hours worked outside the schedule, unless the affected employee agrees to the schedule change.

If an employee requests payment by overtime pay, the department manager will determine if overtime funds are available and may authorize payment. If no overtime funds are available, and the employee requests payment by overtime pay, the department manager will notify the employee that compensation will be by compensatory time off since no funds are available to pay. The employee may appeal to the City Manager for unbudgeted pay. Special exception requests shall be forwarded to the City Manager.

Certain employees are exempt and not subject to overtime under State or Federal law. The City understands these employees often work more than 40 hours per week and wishes to recognize the additional hours worked. All full-time employees that hold positions classified as exempt under the FLSA will receive 40 hours of exempt vacation leave a year per the Exempt Vacation Leave Policy outlined in the Time of and Leaves of Absence section of this handbook.

Exempt employees who work over 40 hours in a workweek while performing emergency management duties may qualify for overtime at a rate of their normal hourly rate of pay (straight time).

The City will allow its Fire and EMS employees to serve on Incident Management Teams, including but not limited to, US Forest Service, Oregon Department of Forestry, and Oregon State Fire Marshal's Office. Employees will be billed at base wage, plus benefits, including overtime for hours worked over 40 in any one workweek. Reimbursement to exempt employees will be compensated as billed at straight time for their normal 40 hour workweek hours and straight time for all off-duty hours.

## I. Weekend Duty Pay

Public Works employees scheduled for weekend duty will receive pay at one and one half times their base rate for hours worked on weekend duty, regardless of the hours they actually worked during the work week.

## J. Timekeeping Requirements

All non-exempt employees must accurately record time worked on a time card or through the online timekeeping system for payroll purposes. Employees using a time card are required to enter their time at the beginning and end of each work period, including before and after the meal period. Employees also must record their time whenever they leave the building for any reason other than City business. Filling out another employee's timecard, allowing another employee to fill out your time card, or altering any time card, except in the case of a supervisor or manager with a legitimate reason to complete or alter his/her employee's time card, will be grounds for discipline. Employees using an online timekeeping software system such as Tyler to record their time must record their actual hours worked, not including their meal. An employee who fails to record his or her time or who inaccurately records his or her time may be subject to discipline.

Exempt employees will be required to record their time through the online timekeeping system for holidays, vacation, and sick time used.

## K. Employee-Incurred Travel Expenses and Reimbursement

The City of Dallas provides for reimbursement to employees who are required to travel on City business. It is our policy to reimburse employees/officials for the reasonable expenses incurred when attending an authorized meeting, training or conference. Departments must ensure that the Reasonable Cost method is used for approval and reimbursement for these events. Training and conference opportunities offered in the State of Oregon are encouraged, but western, regional, and national opportunities may be considered.

Please view the Travel and Training Policy in Appendix B for more information.

## L. Wage and Salary Policies

### ***1. Pay Periods and Pay Dates***

Employees shall be paid on a monthly basis with the payday being on the last day of the month, unless the last day is on a Saturday, Sunday, or holiday; in which case, pay will be on the last workday preceding the last day of the month. Individual exceptions must be approved by the City Manager. Pay periods run from the 24<sup>th</sup> day of a month through the 23<sup>rd</sup> day of the following month (e.g., January 24 through February 23).

### ***2. Payroll Deductions***

Certain mandatory and elective deductions are made from employee pay, and are noted on the paycheck stub. The only deductions made are those mandated by law or authorized by you, in writing, provided such deductions are not otherwise prohibited by state regulation.

### **3. Salary Advances**

As a matter of policy, the City of Dallas does not provide advance payment of salary.

### **4. Delivery of Paychecks**

Your paycheck or direct deposit notice will be delivered to you each payday. The paycheck/notice will not be delivered to anyone else without your written consent.

### **5. Method of Payment**

A statement showing gross earnings, deductions, and net salary will accompany each paycheck or notice of direct deposit. Employees are normally paid by direct deposit to a checking or savings account at a financial institution, but you may request payment by check. Direct deposit to multiple checking or savings accounts may be arranged.

### **6. Employee Withholding Allowance Certificates (Form W-4)**

You are required under federal law to furnish the City with an Employee Withholding Exemption Certificate (W-4) at the date of hire. You must file a new W-4 form at any time the number of entitled exemptions decreases to fewer than the number being claimed. New W-4 forms may be filed when the number of entitled exemptions increases, if desired, but it is not required. You may increase withholding by claiming fewer exemptions than entitled or by requesting additional withholding be made if you find that insufficient tax has been withheld to meet your year-end tax liability.

### **7. Time Records for Non-Exempt Employees**

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

Your manager, or his/her designee, will review and approve time records each pay period. If an error is to be corrected or time clarified, the employee should notify his/her manager during the review process. You should never allow someone else to make entries on your time record, unless it is your supervisor or manager or someone in payroll and it is with your knowledge. Willfully falsifying a time record will be grounds for corrective action, up to and including termination.

### **8. Time Records for Exempt Employees**

Employees classified as exempt do not fill out complete time records; however, you are required to record holidays, sick, and vacation leave in the same time system as non-exempt employees.

## **9. Improper Deductions**

Improper deductions will be reimbursed. If you feel your pay is inaccurate, please notify the Senior Accountant.

## **10. Final Paycheck**

While we request that you give us at least ten days advance notice prior to departure when resigning or retiring from the City, if you provide us with at least 48 hours notice (excluding holidays and weekends) you will receive your final paycheck on the last day worked unless the last day worked falls on a weekend or holiday, then it will be received by the next business day. If less notice is given, the final paycheck will be provided within five business days or on our next regularly scheduled payday, whichever occurs first. If you are discharged by the City or if your employment is terminated by mutual agreement, you will receive your final paycheck not later than the end of the first business day after the discharge or termination. Final paychecks will include all wages earned through the last workday plus payment for any accrued and vested benefits that are due and payable at separation.

Supervisors must notify payroll and human resources as soon as notice of resignation is given, so we can ensure the final paycheck is delivered as required by law. Please provide payroll with final hours worked ASAP so the final paycheck is accurate.

## **M. 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, beneficiaries, etc. Keeping your personnel records current can be important to you with regard to pay, deductions, benefits, and other matters. If you have changes in any of the following items, please notify the Human Resources Manager to assure the proper updates and paperwork are completed as quickly as possible:

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

All changes in personal information must be made in writing/via email and signed/ dated by the employee who the changes affect.

## **N. Performance Evaluation**

All City employees will receive periodic performance reviews. Performance reviews serve as one factor in decisions related to employment, such as training, merit pay increases, job assignments,

employee development, promotions, retention and termination. Any employee who fails to satisfactorily perform the duties of their position is subject to disciplinary action.

An employee's first formal performance evaluation generally occurs six months following hire or promotion. After the initial evaluation, the City will strive to provide a formal performance review on an annual basis. Once an employee reaches the top of his/her salary range, the date for that employee's review changes from the anniversary of hiring or promotion to June 24.

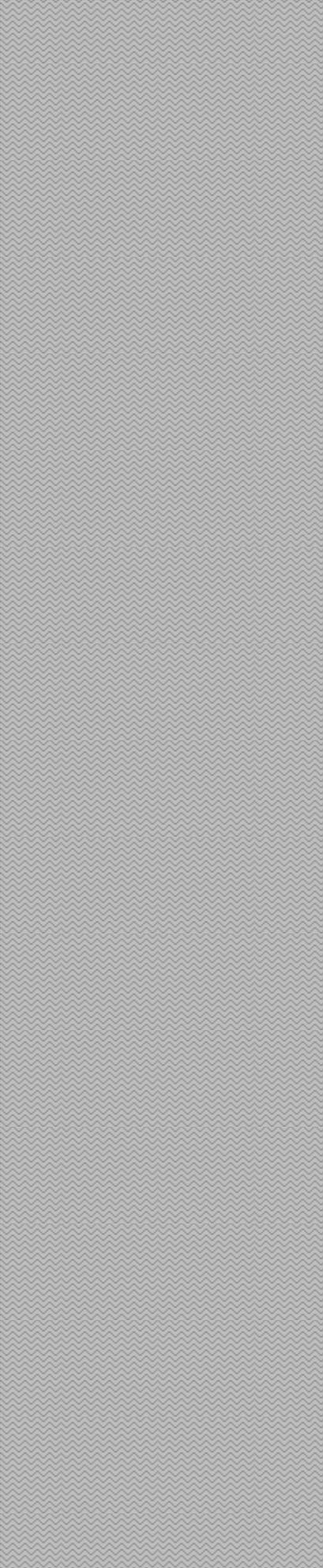
Reviews will generally include the following:

- 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

In every case where an employee's performance evaluation includes ratings which are less than satisfactory, or comments that could be considered negative, the employee shall be given the opportunity to provide written comment on the adverse material.

1. If the employee is not satisfied with his/her evaluation, he/she may make a written request to his/her supervisor for re-evaluation within 5 working days of receiving it, listing objections.
2. If after a thorough re-evaluation of employee's appeal by evaluator, and if applicable the Department Head, employee is still not satisfied, said appeal will be reviewed by the City Manager, whose decision upon review is final.
3. If an employee wishes, he/she may submit a statement that will be attached to the evaluation and become a part of his/her personnel file. Such response must be filed not later than thirty 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.



## III: TIME OFF AND LEAVES OF ABSENCE

### III: Time Off and Leaves of Absence

#### A. Attendance, Punctuality, and Reporting Absences Policy

Employees are expected to be at their workstation at their scheduled starting time and comply with scheduled times for breaks and meal periods. Employees will not leave their scheduled workday early or remain at work past the end of their scheduled workday without authorization by their supervisor.

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 prior to the start of the employee's shift/work day. If that individual cannot be reached, you are expected to contact an alternate managerial representative. Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter.

Any unauthorized absence of an employee from duty shall be deemed to be absence without pay and may be grounds for disciplinary action by the department manager. Any employee who is absent for two consecutive days without authorized leave shall be deemed to have resigned. Such absence may be covered, however, by the department manager by a subsequent grant of leave with or without pay when extenuating circumstances are found to have existed.

#### B. Vacation

It is the policy of the City that all regular, full-time employees shall be entitled to a vacation from duty, with pay, after completing 6 months of continuous work for the City, and that vacation be taken annually. Vacation shall be taken at such time, in the case of department managers, as the City Manager may approve; and in the case of the other regular employees entitled thereto, as the managers of their respective departments may approve. Probationary employees shall not be eligible for vacation, but if later qualified as regular employees, they shall be credited with vacation from the date initially beginning 6 months of continuous service. Temporary employees and regular part-time employees working less than 30 hours per week shall not be eligible for vacation.

If an employee does not have accrued vacation, the city will generally not allow an employee to take unpaid time off. If you have questions about this policy, please speak to the Human Resources Manager.

##### **I. Amount**

Full-time, regular employees will be credited with 40 hours of vacation leave at the completion of their first full 6 months of service, and an additional 40 hours at the completion of their first full year of service. Thereafter, they shall accrue vacation leave on a pro-rata basis each pay period according to the following schedule:

<u>Length of Completed Service</u>	<u>Amount</u>
1-24 months	80 hours per year (10 days)
25-60 months	96 hours per year (12 days)
61-108 months	120 hours per year (15 days)
109-168 months	140 hours per year (17.5 days)

168+ months

160 hours per year (20 days)

Other regular employees working at least 30 hours per week shall earn vacation based on a prorated basis, comparing their regular scheduled workweek to a normal 40-hour workweek. Employees hired prior to April 1, 2014, who work at least 20 hours per week shall earn vacation leave based on a prorated basis, comparing their regular scheduled workweek to a normal 40-hour workweek.

2.

### ***Exempt Employee Vacation Leave***

The City grants an additional 40 hours of vacation leave per year in lieu of compensatory time or overtime for exempt employees. This exempt vacation leave is granted at the beginning of each fiscal year (July 1) and must be used during the fiscal year. Any unused portion of exempt vacation leave remaining at the end of the fiscal year (June 30) is forfeited.

### ***3. Accumulation of Vacation***

Vacation earned at the end of an employee's first 6 months may be used during the employee's second six months of employment or may be carried over, in whole or in part, until the employee has completed the first year of employment. We encourage employees to use their vacation accrual annually, as we understand the importance of time away from work. After an employee's first six months of employment, vacation may be used as soon as it is accrued, however vacation time may accrue only up to a maximum of not more than one and one-half times the allowable annual vacation. Vacation time accrued above the maximum allowable hours on December 31 of each year will be forfeited. All accrued and accumulated vacation time shall be scheduled and used as soon as practicable.

### ***4. Scheduling Vacation***

Any employee wishing to use vacation time should request vacation hours as early as possible so that arrangements for coverage can be made. We encourage all employees to be aware of the critical time for their work groups during the year and avoid taking any routine or expected time off during these periods. Discuss with your supervisor how he/she would like you to request vacation. Every attempt will be made to grant each request; however, no guarantees can be offered.

### ***5. Terminal Vacation Leave***

An employee whose employment is terminated during the initial 6 months of employment shall not be entitled to vacation leave. Those employees who have served an initial 6-month period, and qualified as a regular employee shall be entitled to payment for accrued and unused vacation leave. In case of death, compensation for accrued and unused vacation leave shall be paid to the deceased employee's beneficiary in the same manner that salary due to the decedent is paid.

### ***6. Vacation Time Purchase***

City of Dallas employees may, under hardship conditions, or when the City determines it is within its best interest, request the purchase of accumulated vacation and/or compensatory time. The

conditions under which employees may request to sell vacation or comp. time are 1) when the employee needs financial assistance, and 2) the budgeted funds are available.

When an employee has a hardship or when the City agrees that it is in the City's interest to purchase the vacation and/or comp time, he/she may:

- Request by written memo to his/her supervisor to sell back to the City a given number of vacation hours (up to a maximum of 100 hours once per fiscal year).
- The supervisor will verify the employee has the accumulated vacation time accrued and will then recommend approval or denial to the City Manager.
- The City Manager will be the final approving authority for all requests to sell vacation time.
- The Mayor will be the final approving authority for any City Manager requests to sell vacation time.

## C. Sick Leave

### I. **General Policy**

City of Dallas employees will be granted sick leave with pay at the employees regular rate of pay. Sick leave shall be granted for the following reasons: (1) for an employee's mental or physical illness, injury, or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition, or need for preventive medical care; (2) for care of a family member with a mental or physical illness, injury, or health condition, care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition, or care of a family member who needs preventive medical care; (3) in the event of a public health emergency as defined in SB 454; and (4) for any other reason required by law.

Accrued sick leave with pay may be used during a leave for which the employee qualifies under the Oregon Family Leave Act (OFLA) or the Federal Family Medical Leave Act (FMLA). See "*Family and Medical Leave,*" below.

Sick leave does not accrue during any period of unpaid leave of absence, except as required under Family Medical Leave laws.

An employee qualifying for sick leave that is not a foreseeable absence shall inform his or her immediate superior of the fact and the reason before the beginning of the employee's scheduled work hours or as soon after as possible (according to each department's policy); failure to do so may be cause for denial of sick leave with pay for the period of absence. Absence for a fraction or a part of a day that is chargeable to sick leave in accordance with these provisions shall be charged proportionately. Holidays and other normal days off during the week shall not be charged against sick leave. Normally, sick leave with pay in excess of three consecutive working days for reasons of personal illness or physical incapacity shall be granted only after presentation of a written statement by an appropriate physician certifying that the employee's condition prevented him or her from performing the duties of the employee's position. However, the department manager or City Manager may require a certificate for sick leave taken under three days.

If the reason for sick time is a foreseeable absence (such as a pre-scheduled medical appointment), the employee must provide written notice as soon as practicable in advance of the absence. When an employee uses sick time for a foreseeable absence, the employee shall make a reasonable effort to schedule the leave in a manner that does not unduly disrupt the operations of the City of Dallas. Failure to provide adequate notice may be cause for denial of sick leave with pay for the period of absence.

The City may require a release to return to work from an employee's treating physician before an employee will be allowed to return to work from sick leave.

An employee who is terminated from his or her position for reasons other than good cause and that are not discreditable to the employee, may, if re-appointed within one hundred eighty (180) days, have available for his or her use under this subsection any unused sick leave accrued at the time of his or her termination. Under no circumstances shall any employee who is terminating employment be paid for any accrued sick leave. For employees who qualify under PERS guidelines, accrued sick leave balances will be reported to PERS according to state law. In the case of death while employed by the City, compensation for all accrued sick leave shall be paid to the beneficiary in the same manner as the salary and unused vacation time that would have been due the deceased employee.

## **2. Regular Employees Leave Accrual**

A regular employee shall begin to earn sick leave on the first day of employment with an employer. Sick leave with pay shall accrue at the rate of eight working hours of leave for each full calendar month of the employee's service (12 days per calendar year), for employees who work full 40 hour weeks; other regular employees that work at least 30 hours per week shall earn sick leave based on a prorated basis, comparing their regular scheduled work week to a normal 40 hour work week. Employees who are granted a leave of absence with pay for any purpose shall continue to accrue sick leave at the regular prescribed rate. All sick leave will accrue at the above rate unless otherwise specified in a collective bargaining agreement.

For regular full-time and part-time employees working more than 25 hours per week, the maximum sick leave accrual will be 1,500 hours. For part-time employees working 25 or fewer hours per week, the maximum sick leave accrual will be 750 hours. Sick leave will not continue to accrue once the employee's balance reaches the maximum allowable hours.

## **3. Flexible Schedule Employees (FSE) Leave Accrual**

A FSE shall begin to earn sick leave on the first day of employment with an employer. Sick leave with pay shall accrue at the rate of one working hour of leave for every 30 hours the employee works. All sick leave will accrue at the above rate unless otherwise specified in a collective bargaining agreement.

FSE may earn and use up to forty (40) hours of paid sick time per calendar year. A FSE may carry over up to forty (40) hours of unused sick time from one year to a subsequent year. However, a FSE cannot use more than forty (40) hours of sick leave in a year. A FSE is eligible to use sick time

beginning on the 91<sup>st</sup> calendar day of employment with the City of Dallas and may then use sick time as it is accrued.

For employees who are paid multiple hourly rates of pay, the regular rate of pay means: The wages the employee would have been paid for the period of time in which the sick time is used.

#### D. Holidays

Regular and probationary employees, except volunteer firefighters, reserve police officers, full-time ambulance employees, and members of the Dallas Police Employees Association (DPEA), are granted holiday pay. Full-time, regular employees will receive 8 hours of holiday pay per holiday, regardless of the length of their regular shift. Other regular employees shall earn holiday pay based on a prorated basis, comparing their regular scheduled workweek to a normal 40-hour workweek. Any employee working a shift longer than 8 hours will need to use accrued vacation or compensatory leave for the remainder of their shift or coordinate with his/her supervisor to make up the additional time within the same week.

The following days are paid holidays for regular and probationary employees except volunteer firefighters, reserve police officers, full-time ambulance employees, and members of the DPEA:

- New Year's Day - January 1
- Martin Luther King, Jr.'s Birthday – 3<sup>rd</sup> Monday in January
- Presidents' Day - 3<sup>rd</sup> Monday in February
- Memorial Day - last Monday in May
- Independence Day - July 4
- Labor Day - First Monday in September
- Veterans Day - November 11
- Thanksgiving Day - the 4<sup>th</sup> Thursday in November and the following day
- Christmas Day - December 25
- The afternoon of the last workday before Christmas

In addition, all employees who have been employed with the City as regular, benefitted employees for five consecutive years shall be awarded their birthday as a paid holiday (maximum 8 hours). If the employee and his/her supervisor agree that it is in the best interest of the City for the employee to work on his/her birthday, then compensation time will be awarded and later can be taken off when approved and directed by the supervisor. If a birthday falls on Sunday, the following Monday shall be considered a holiday, except when an employee regularly works Sunday, then Sunday is the holiday. When a birthday falls on Saturday, the preceding Friday shall be considered a holiday, except when an employee regularly works Saturday, then Saturday is the holiday. If the birthday occurs on any other holiday, compensation may be awarded and later can be taken off when approved by the supervisor. Any other exception to this policy must be approved by the City Manager.

When a holiday falls on Saturday, the preceding Friday shall be considered a holiday, except when an employee regularly works Saturday, in which case Saturday is the legal holiday. When a holiday falls on Sunday, the following Monday shall be considered a holiday, except when an employee

regularly works Sunday, in which case Sunday is the legal holiday. Holidays that occur during an employee's vacation or sick leave shall not be charged against such leave.

### **1. Exempt Employees**

If a regular or probationary exempt employee is required to work on a holiday, the employee shall be compensated by time off at a rate of one hour per hour worked. The time off must be taken within the same pay period as the holiday occurs.

### **2. Nonexempt Employees**

If a regular or probationary nonexempt employee is required to work on a holiday, unless otherwise specified as a condition of the employee's position (such as part-time employees) or as otherwise provided in this Handbook, the employee shall be compensated by payment at a rate of one and one-half times the hourly rate of base pay for the employee or by compensatory time at a rate of one and one-half times the hours worked, at the choice of the employee unless budget funds are not available. The compensatory time provided in this paragraph must be taken within six months of the day on which it is earned.

Whenever a holiday falls on an employee's scheduled day off, the employee shall receive one day of compensatory time off, to be taken at a time approved by the department manager, within six months of the day on which the compensatory time off is earned. Temporary employees shall receive no compensation for holidays on which they do not work, but if they work, they shall receive compensation at straight time.

### **3. Police Department Sworn Personnel/Full Time Ambulance Attendants**

Because of the unique situation of Emergency Services (7 days per week, 24 hours per day service) all regular and probationary sworn personnel and full time ambulance attendants shall be entitled to time off in lieu of the above described legal holidays as set forth in their respective collective bargaining agreements.

## **E. Family Medical Leave**

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

FMLA and OFLA are not optional. The law requires the City to provide the leaves of absence under FMLA and OFLA and their respective entitlements, even if an employee would prefer to not take FMLA/OFLA leave.

Employees seeking further information should contact the Human Resources Manager. Please also refer to the "Employee Rights and Responsibilities Under the Family and Medical Leave Act" and

“Oregon Family Leave Act” notices posted in each City facility (usually in the break room), which are incorporated here by reference.

## **I. Definitions**

### *Child/Son or Daughter*

For purposes of OFLA, “child” includes a biological, adopted, foster or stepchild, the child of a registered same-sex domestic partner or a child with whom the employee is in a relationship of *in loco parentis*. For purposes of OFLA Serious Health Condition Leave, the “child” can be any age; for all other types of leave under OFLA, the “child” must be under the age of 18 or over 18 if incapable of self-care.

A “son or daughter” is defined by FMLA 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 also provides separate definitions of “son or daughter” for FMLA military family leave that are not restricted by age – see below.

### *Eligible Employee*

OFLA – To qualify for OFLA leave for a Serious Health Condition or Sick Child Leave, an employee must have been employed for at least 180 days and worked an average of at least 25 hours per week. To qualify for Parental Leave under OFLA, an employee must have been employed for at least 180 days (no per-week hourly minimum is required).

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 the Human Resources Manager for more information.

FMLA – 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 Oregon and federal law will run concurrently when permitted.

### *Family Medical Leave*

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

### *Family Member*

- For purposes of FMLA, “family member” is defined as a spouse, parent or a “son” or “daughter” (defined above).

- For purposes of OFLA, “family member” includes the definitions found under FMLA and also includes a parent-in-law, grandparent, grandchild, registered same-sex domestic partner, and parent or child of a registered same-sex domestic partner.

### *Serious Health Condition*

“Serious health condition” is defined under FMLA and OFLA 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 health care 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 health care 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 the Human Resources Manager 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.

## **2. Reasons for Taking Leave**

Family Medical Leave 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. This type of leave is available under FMLA only; however, under OFLA, specifically under the Oregon Military Family Leave Act, during a period of military conflict, as defined by the statute, eligible employees with a spouse or registered same-sex domestic partner who is a member of the Armed Forces, National Guard, or military reserve forces of the U.S. 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 or registered same-sex domestic partner has been notified of an impending call or order to active duty and before deployment and when the military person is on leave from deployment.
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. Pregnancy Disability Leave: For incapacity due to pregnancy, prenatal medical care or birth.
6. 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 his or her 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.” This type of leave is available under FMLA only.
7. Sick Child Leave: To care for a child who suffers from an illness or injury that does not qualify as a serious health condition but that requires home care. 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. Sick child leave is not available if another family member is able and willing to care for the child. This type of leave is available only to employees who are eligible under OFLA.

### **3. Length of Leave**

In any One-Year Calculation Period, eligible employees may take:

- Up to twelve (12) weeks of Parental Leave, Serious Health Condition Leave (employee’s own or family member), Sick Child Leave, or Call to Active Duty Leave;
- In some cases, an additional twelve (12) weeks of leave may be available to an eligible employee for an illness, injury or condition related to pregnancy or childbirth that disables the employee; and
  - In some cases, employees who take the entire twelve (12) weeks of OFLA Parental Leave will be entitled to an additional twelve (12) weeks of Sick Child Leave.

When leave is taken for Service member Family Leave, an eligible employee may take up to 26 weeks of leave during the One-Year Calculation Period to care for the service member. During the One-Year Calculation Period in which Service member 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).

### **4. One-Year Calculation Period**

The “twelve month period” during which leave is available (also referred to as the “One-Year Calculation Period”) will be determined by a rolling twelve-month period measured backward from the date an employee uses any Family Medical Leave. Each time an employee takes Family Medical Leave, the remaining leave entitlement would be any balance of the twelve weeks which has not been used during the immediately preceding twelve months.

## **5. Intermittent Leave**

Intermittent or reduced schedule leave may be taken during a period of Family Member or Employee Serious Health Condition Leave or Service member 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 covered by OFLA will not be reassigned without their express consent and agreement. Employees must make reasonable efforts to schedule planned medical treatments so as to minimize disruption of City 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 the City and the employee. Intermittent leave for Parental Leave is not available.

## **6. Employee Responsibilities – Notice**

Employees must provide at least 30 days' advance notice before Family Medical 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 service member (Service member Family Leave). If 30 days' notice is not practicable, such as in the case 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 the Human Resources Manager 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 the Human Resources Manager 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 the City's normal call-in procedures. Employees who fail to comply with the City's leave procedures may be denied leave, subject to discipline, or the start date of the employee's Family Medical Leave may be delayed.

## **7. Certification**

Generally speaking, employees must provide sufficient information for the City to determine if the leave may qualify for FMLA or OFLA 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 health care provider, or circumstances supporting the need for either Call to Active Duty or Service member Family Leave.

Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Additionally:

1. Employees requesting serious health condition leave for themselves or to care for a covered family member may be required to provide certification from the health care provider of the employee or the covered family member to support the request.
2. Employees requesting sick child leave under OFLA may be required to submit, at a minimum, a note from a doctor if the employee has requested to use 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's requested medical certification information within 15 calendar days after such information is requested by the City. In some cases (except for leave to care for a sick child), the City may require a second or third opinion, at the City'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 FMLA/OFLA medical certification.

### **8. *Fitness-for-Duty Certification***

If Family Medical Leave is for the employee's own serious health condition, the employee must furnish, prior to returning to work, medical certification (fitness-for-duty certification) from their health care provider stating that the employee is able to resume work.

### **9. *Substitution of Paid Leave for Unpaid Leave***

In most cases, employees will be required to use accrued paid leave, including vacation, FLSA and non-FLSA compensatory time, and sick leave prior to a period of unpaid leave of absence on Family Medical Leave. Use of accrued paid leaves will run concurrently with Family Medical Leave. Represented employees may reserve accrued leave and compensatory time if provided by their collective bargaining agreement. If the employee has no accrued paid leave, vacation, compensatory time or sick leave available to use during a Family Medical Leave, the leave will be unpaid.

### **10. *Holiday Pay While on Leave***

Employees receiving short- or long-term disability will not qualify for holiday pay. Employees using vacation pay or sick pay during a portion of approved Family Medical 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.

### **11. *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.

OFLA leave will not be reduced by and will not run concurrently with any period the employee is unable to work because of a disabling compensable on-the-job injury; however, if the injury or illness is a “serious health condition” as defined by Oregon law and the employee has refused a bona fide offer of light-duty or modified employment, OFLA leave will commence.

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.

## **12. Benefits While on Leave**

If an employee is on approved FMLA Leave, the City will continue the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work.

If an employee is on approved OFLA Leave, the City will continue the employee’s health coverage under any “group health plan” through the end of the month in which the leave began. For employees that chose to use accrued paid leave during their OFLA Leave, the City will continue the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. If an employee chooses to use unpaid OFLA Leave and wishes to maintain health insurance during a period of approved OFLA leave, the employee will be responsible for bearing the cost of coverage.

## **13. Job Protection**

Employees returning to work from Family Medical 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 Family Medical Leave have been resolved, even if leave was originally approved for a longer period. With the exception of employees on leave as the result of an on-the-job injury or illness or otherwise required by law, reinstatement shall not be considered if the leave period exceeds the maximum allowed.

The use of Family Medical 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 Family Medical Leave for reasons other than the reason for which leave had been granted may be subject to discipline up to and including termination.

## **F. [Bereavement and Casual Leave](#)**

### **1. Bereavement Leave**

Employees who have worked for the City for 180 calendar days, and averaged at least 25 hours per week, may take up to two weeks of bereavement leave per death of a family member, up to a

maximum of 12 weeks in a 12-month period (determined by a rolling twelve-month period measured backward from the date an employee uses any bereavement leave) to make arrangements necessitated by the death, to attend the funeral or memorial service, or to grieve. For purposes of this policy, "Family Member" is defined to include the employee's spouse, same-sex domestic partner, child, parent, parent-in-law, grandparent, or grandchild, or the same relations of an employee's same-sex domestic partner or spouse. This bereavement leave is allowed under the Oregon Family Leave Act (OFLA) and is included in an employee's 12 weeks per year allowed under that Act. It is not in addition to the 12-week leave allotment allowed.

Employees who wish to take bereavement leave must inform organization within 60 days of receiving notification of a Family Member's death. Although prior notice is not required, oral notice must be provided within 24 hours of beginning leave. Written notice must be provided to the employer within three days of returning to work. Employees are required to use any available leave during the period of bereavement leave.

## **2. Casual Leave**

A regular, full-time employee may be granted three work days or 48 hours, whichever is less, casual leave *with pay* per calendar year for the following reason only: death in his or her immediate family. For the purpose of taking casual leave, "immediate family" includes: parent, grandparent, sibling, child, grandchild, spouse, sibling-in-law, parent-in-law, son-in-law, daughter-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, same-sex domestic partner or family members who stand in similar family relationships to the employee requesting the leave. Regular employees working less than 40 hours per week will receive casual leave on a pro-rated basis.

Request for such leave must be made in writing to the City Manager (request forms are available in the Human Resources Manager's office) and must establish reasonable justification for approval of the request. Such requests should be made in advance whenever possible. If an emergency arises and prior approval is not possible, the employee should use vacation time and have casual leave approved upon return.

Casual leave will run concurrently with any additional bereavement leave the employee requests.

## **G. Jury and Witness Duty**

Any regular, probationary, flexible schedule, or temporary employee shall be granted a leave of absence with pay for (1) service on a jury; provided that the salary paid to the employee for the period of absence shall be reduced by the amount of money received for jury service; (2) appearance before a court, legislative committee or judicial body as a witness for a matter related to their employment in response to a subpoena or other direction by proper authority, provided that the salary paid shall be reduced by an amount equal to any compensation received from the court. The salary paid to the employee during this time shall be reduced by the amount equal to any compensation earned for his/her participation. It shall be the responsibility of the employee receiving the payment to notify the City of the amount in all the above mentioned cases. Alternately, the employee can sign over their payment for jury duty or witness participation to the City and receive their full salary.

A copy of the court notice or subpoena must be submitted to the employee's supervisor to verify the need for such leave.

## H. [Religious Observances Leave and Accommodation Policy](#)

The City respects the religious beliefs and practices of all employees. We will make, upon request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on the City's business. Employees may use vacation or unpaid time 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.

## I. [Crime Victim Leave Policy](#)

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

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

Employees who are eligible for crime victim leave must:

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

In all circumstances, the City may require certification of the need for leave, such as copies of any notices of scheduled criminal proceedings that the employee receives from a law enforcement agency or district attorney's office, police report, a protective order issued by a court, or similarly reliable sources.

## J. [Domestic Violence Leave and Accommodation Policy](#)

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

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

Leave is generally unpaid, but the employee may use any accrued vacation or similar paid time off while on this type of leave.

When seeking this type of leave, the employee should provide as much advance notice as is practicable of his or her intention to take leave, unless giving advance notice is not feasible. Notice of need to take leave should be provided by submitting a request for leave in writing to the Human Resources Manager as far in advance as possible, indicating the time needed, when the time will be needed, and the reason for the leave. The City will then generally require certification of the need for the leave, such as a police report, protective order or other evidence of a court proceeding, or documentation from a law enforcement officer, attorney, healthcare professional, member of the clergy, or victim services provider.

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

Finally, employees who are victims of domestic violence, harassment, sexual assault or stalking may be entitled to a "reasonable safety accommodation" that will allow the employee to more safely continue to work, unless such an accommodation would impose an "undue hardship" on the City. Please contact the Human Resources Manager immediately with requests for reasonable safety accommodations.

## **K. [Military Leave](#)**

### ***1. Military Leave of Absence without Pay***

Military leave of absence without pay shall be granted to a regular employee during a period of active duty with the Armed Forces of the United States.

During any unpaid leave covered by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), an employee may use his or her accrued paid vacation, upon request, to the extent such leave is available.

An employee on Military Leave shall continue to be covered under the City's employee group health insurance for up to 12 months. An employee on Military Leave for more than 12 months may elect to continue coverage under the City's employee health insurance plan, at the employee's expense, for up to an additional 24 months, as provided in USERRA.

The employee shall, upon honorable discharge from such service, be returned to a position in the same class as his or her last held position, at the salary rate prevailing for such class, without loss of seniority or employment rights. If it is established that the employee is not physically or mentally qualified to perform the duties of his or her former position by reason of such service, the employee shall be reinstated in other work that he or she is able to perform at the nearest appropriate class to his or her former class. Such employees shall make application for reinstatement within 90 days and shall report for duty within six months following separation from active military duty. Failure to comply shall terminate military leave.

If an employee voluntarily re-enlists, his or her military leave shall be deemed canceled.

## **2. Military Leave with Pay**

An employee who has successfully completed the probationary period of employment with the City and who is a member of the National Guard or a reserve component of the Armed Forces of the United States or of the United States Public Health Service shall be entitled, upon application, to a leave of absence from the City service for a period not exceeding 15 calendar days in any one calendar year. Such leave shall be granted without loss of time, pay or other leave, and without impairment of merit ratings or other rights or benefits to which he/she is entitled. Military leave with pay shall be granted only when an employee receives bona fide orders to temporary active or training duty, and shall not be paid if the employee does not return to his or her position immediately following the expiration of the period for which the employee was ordered to duty.

### **L. Volunteer Fire Response**

The City of Dallas shall allow any employee who is a volunteer firefighter to respond to fire calls with pay under the following circumstances:

- a) The response is within their normal workday and will not unduly impair the operation of the department in which they work.
- b) The response is for a fire call within the City of Dallas or the Southwest Polk Rural Fire Protection District.
- c) No more than 50% of the employees in a functional area may respond to a call without prior approval of the department head.

Employees are to return to work as soon as they leave the fire scene and report immediately to his/her supervisor to record time away from work (assuming normal working hours; if not, then earliest possible time).

### **M. Leave Donation Rule**

In the event of a catastrophic medical condition of an employee or an employee's immediate family member (as defined by federal leave regulations), the Leave Donation Program provides a bridge for regular employees until the employee returns to work or qualifies for long-term disability insurance or PERS disability benefits. A catastrophic medical condition is defined as a non-occupational illness or injury to the employee or employee's immediate family member that would cause the employee or employee's immediate family member to go on leave without pay status.

Employees may request to donate accrued vacation or compensatory (comp) time to other regular employees under this program. The donating employee must meet the following criteria:

1. The employee must be a regular employee.
2. The employee must have at least 96 hours of accrued leave (sick, vacation, holiday and/or comp time) **after** the donated hours are removed; part-time employees must have at least 48 hours of accrued leave **after** the donated hours are removed.
3. No donation may exceed more than 40 hours of banked vacation time, even if condition (2) above would be met.

The receiving employee must meet the following criteria:

1. The employee, or the employee's immediate family member, has a catastrophic medical condition that will result in the employee going on leave without pay status;
2. The employee is a regular employee;
3. The employee must have exhausted all accumulated leave (sick, vacation, holiday, and comp time);
4. The employee is not receiving workers' compensation benefits, long-term disability benefits, or PERS disability retirement benefits; and
5. The employee with a catastrophic medical condition must be unable to work in his/her regular position or in a modified work assignment, if made available by the City.
6. The employee cannot use donated leave to extend leave beyond the amount of protected leave guaranteed under the federal Family and Medical Leave Act and/or the Oregon Family Leave Act.

### ***1. Procedure:***

#### ***Receiving employee:***

The employee or the employee's representative requesting a leave donation must complete a Leave Donation Request Form, available from the Human Resources Manager, and should specify the amount of leave being requested. Medical certification of the illness may be required. Leave beyond the necessary amount will not be transferred. If the employee is unable to return to work within the originally anticipated time frame, additional requests for leave donations may be made, as needed.

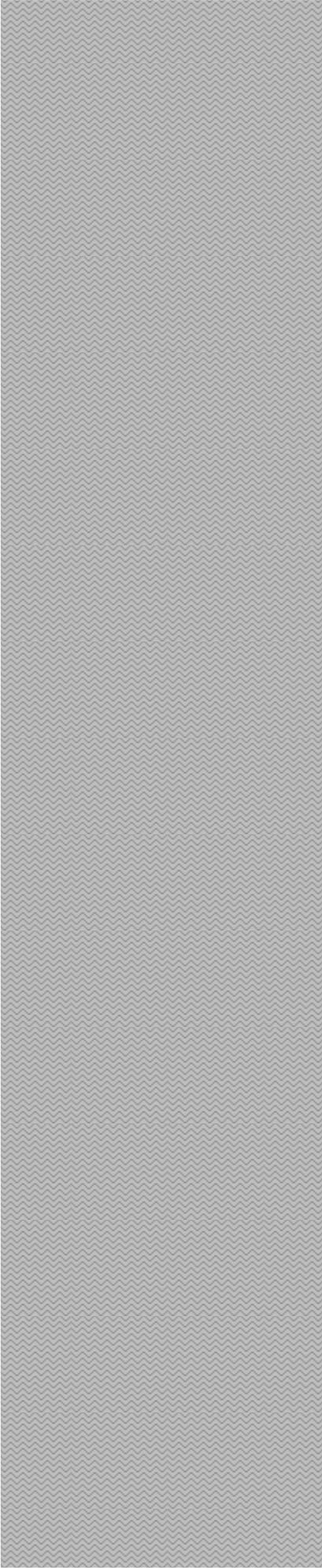
Leave donation requests must be reviewed and approved by the City Manager or City Manager's designee to ensure that they meet the criteria outlined in this policy. Once approved by the City Manager or designee, the request will be communicated to all employees of the employee making the request. Every effort shall be made to protect the confidentiality of medical information throughout this process.

#### ***Donating employees:***

Requests to donate accrued time under this policy must be submitted on a Leave Donation Form, available from the Human Resources Manager, and reviewed by the City Manager. Requests must indicate the employee for whom the donation is intended, and the total hours donated of vacation and/or comp. time so the account may be adjusted. Donating employees may donate a maximum of 40 hours but may not donate more than ½ of their accumulated vacation or comp. time.

Employees may pledge their vacation and/or comp. time to the fund on an hour- for-hour exchange basis, not salary basis. Donated hours are removed from the donating employee's accruals, after being banked for the catastrophic leave. They are then applied to the receiving employee's account when needed. This donated time is applied to the receiving employee's time sheet so as to maintain the employee's regular salary and benefits as if they were on vacation. The City Manager's office will notify Finance of all leave donations that will be processed in each pay period, and based upon a pro rata sharing, charge each employee pledging on an equal basis based upon total pledge.

The donation, once transferred from the pooled bank to the receiving employee, must be made voluntarily and irrevocably, with the understanding that the donated leave is lost to the donor forever. Any vacation remaining in the “bank” will be redistributed to the donating employee(s). The amount of leave donated by individual donors will be kept confidential. If the receiving employee requests the names of donors, those will be released to that employee only, unless a donor has requested that his or her name be kept confidential.



## IV: EMPLOYEE BENEFITS

## IV: Employee Benefits

### A. Healthcare Benefits

The City of Dallas currently provides access to health, dental, vision, and life insurance coverage for employees and their dependents if they are eligible to participate in the plan. You will be provided information about the plan at the time you become eligible to participate. You are asked to review the summary plan description for answers to questions you may have. Any need for further information should be referred to the Human Resources Manager or Finance Director.

#### **1. Eligibility**

Regular and probationary employees working 30 or more hours per week, unless otherwise approved as a condition of employment, are eligible for group health, dental and life insurance coverage through the group insurance plan adopted by the City. Insurance coverage will go into effect on the first day of the month following the date of hire. The City will provide insurance for all full time regular and probationary employees and their dependents as agreed to in its meet and confer negotiations with employees or any union contracts. Regular or probationary part time employees working at least 30 hours but less than 40 hours per week may elect to be covered by the group plan, provided they pay a portion of the premium cost based on the number of hours worked.

The level and type of coverage provided is subject to change as part of the annual salary and benefits discussions with employees.

Employees with non-City of Dallas health coverage may waive coverage with the City of Dallas, provided that at least 75% of benefits-eligible employees are covered. There is no additional compensation in lieu of health coverage except what is allowed by CIS.

#### **2. Plan Enrollment**

Once you become eligible, you must complete your enrollment forms provided. If you choose not to enroll at the time of first eligibility, you then may only enroll during open enrollment or as a result of certain qualifying events.

An eligible employee who chooses not to enroll in the insurance plan is required to sign a written waiver of participation and may qualify for compensation in lieu of coverage up to a limit established by CIS. In order to waive coverage, an employee must be able to show proof of other coverage. All employees, even if they waive health insurance coverage, must enroll in the City's dental plan.

#### **3. Termination of Coverage**

The City's paid contribution toward an employee's group insurance plans will end on the last day of the month in which an employee's job ends, regardless of any lump sum vacation pay-off.

In the event that you or your dependents lose eligibility to participate in the health plan, you may have the health plan coverage extended for a period of time through COBRA. Eligibility can be

lost due to prolonged absence from work or if certain qualifying events occur that would otherwise cause your group health coverage to terminate.

You, your spouse, and/or dependents may continue group health insurance for a certain period of time at your own expense. However, continuation does not occur automatically. You must notify us in writing within 60 days after the date a covered family member will lose coverage or the covered family member will permanently lose the right to continuation coverage. Election of coverage and payment of the premium must then occur within a specified time limit for coverage to continue. You and any covered dependents will receive information about the provisions of the law when you enroll and again if a qualifying event occurs.

#### **4. HSA Contributions by Employer**

The City of Dallas participates in a Health Savings Account (HSA) program for all employees enrolled in a high deductible health plan. City contributions to an employee's HSA depend upon the coverage provided (single or family) and available funds. This is not a guarantee of funds for an employee's HSA. Employees may also opt to make their own contributions to their HSA up to the limits allowed by the IRS.

Contributions to HSAs for mid-year hires will begin at the same time that medical insurance coverage starts which currently is the first of the month following the date of hire. The City will prorate the annual contribution and deposit 1/12 of the employee's annual contribution into the employee's HSA account monthly through the month of December of the calendar year in which the employee is hired, as long as the individual is still a City employee.

If a husband and wife both work for the City of Dallas and both are eligible for insurance benefits, the City will only make one contribution to an HSA for both employees. In other words, both employees would not get an HSA account contribution from the City regardless of whether they both signed up for insurance.

#### **5. Participation in VEBA instead of HSA**

We understand that if employees receive direct employer contributions to a health savings account (HSA) as part of the employees' insurance benefits, some employees are deemed ineligible due to their enrollment in non-optional entitlement programs. In these instances only, the City may contribute an equal amount into a voluntary employee beneficiary association (VEBA).

### **B. Long-Term Disability Insurance**

The City will provide employees who qualify and are currently enrolled in the Health and Dental insurance plan with a Long-Term Disability policy. The plan will include a ninety (90) day elimination period (waiting period), with insured earnings of 66 2/3% of your Pre-disability Earnings, reduced by Deductible Income, with a maximum monthly benefit up to \$5,000, but not less than \$100 per month.

### **C. Employee Assistance Program (EAP)**

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

## **D. Workers' Compensation and Safety on the Job**

You are protected by Workers' Compensation Insurance under Oregon law. This insurance covers you in case of occupational injury or illness by providing, among other things, medical care and compensation and temporary or other disability benefits. Employees are expected to work safely and in a safe environment. Please see Appendix A for more information regarding accident investigation and reporting.

### **1. Steps to Take if You are Injured on the Job**

To ensure that you receive any workers' compensation benefits to which you may be entitled, you must do all of the following:

1. Immediately report any work-related injury to your supervisor. You must report the injury at the time it happens, and no later than 24 hours after injury.
2. Seek medical treatment and follow-up care if required.
3. If you seek medical attention, promptly complete an Employee's Claim Form (Form 801) online if possible, or in written format, and return it to your supervisor or the Human Resources Manager.

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

### **2. 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 an approved medical certificate demonstrating your ability to return to work.

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 guided by the terms of any applicable collective bargaining agreement. We do not discriminate against employees who suffer a workplace injury or illness.

### **3. 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, 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, the City will attempt to provide you with such a job for a reasonable period of time (usually 6 months or less) 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. While you are on modified or transitional work, you are still subject to all other City rules and procedures.

#### **4. *Overlap With Other Laws***

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

#### **5. *Salary Continuation***

In most cases, sickness or injury incurred as a result of employment is compensable under the workers' compensation laws of the State of Oregon. When an employee on leave receives disability compensation under the workers' compensation laws, such employee shall receive, and there shall be paid to such employee, the difference between such workers' compensation disability compensation and the employee's full regular salary, as provided in this subsection.

We have adopted 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 (e.g., taxes, medical, and other voluntary deductions) and same pay interval as the employee received at the time of injury.

The rate of pay for purposes of salary continuation will include overtime if that overtime would have been included in the calculation of temporary disability pursuant to OAR 436-060-0025(5)(f).

Salary continuation is not available when the injured worker is no longer an employee of the City of Dallas or when in a vocational training plan. Salary continuation is also not available when the workers' compensation claim is reopened for an aggravation or under the Workers' Compensation Board's Own Motion jurisdiction.

If the disability results in incapacity for more than 90 days of partial or total disability, the employee's salary continuation ends as of the 91<sup>st</sup> day and the employee's entitlement to temporary disability payments becomes subject to Oregon Workers' Compensation Law.

Salary continuation will only be paid to the employee once a claim is finally found compensable under Oregon Workers' Compensation law.

If the employee would not have been entitled to temporary disability during the first three calendar days after the employee leaves work or loses wages as a result of the compensable injury, then the employee will not receive salary continuation for those three days.

All salary continuation paid after an employee is found medically stationary shall be recovered from the employee's permanent partial disability and future salary in the same fashion as overpaid temporary disability is recovered pursuant to ORS 656.268(13).

An employee will not receive salary continuation after the employee is declared medically stationary by the employee's attending physician. The employee's entitlement to temporary disability after being declared medically stationary shall be determined by Oregon Workers' Compensation law.

Except for independent medical examinations (IMEs) scheduled pursuant to ORS 656.325, salary continuation will not be paid to an employee who attends a physician's appointment unless the employee would be entitled to temporary disability under ORS 656.210(4). When an employee is required to attend an IME, the employee will not receive salary continuation but is entitled to benefits according to Oregon Workers' Compensation law.

The City of Dallas will attempt to recover money paid in salary continuation from any third party as provided in ORS 656.576 through ORS 656.590.

Following a work related injury, an injured worker will continue to receive regular pay at regular pay intervals from the City of Dallas with the following requirements. During the three day wait period, employees must use leave to cover his/her regularly scheduled shifts. After the three day wait period, for each working day a full time (8-hour shift) employee is absent under this provision and the City pays a portion of the full salary, three hours of leave shall be deducted from that employee's accrued leave. Leave amount deductions will be pro-rated for employees working other than an 8-hour shift. When the employee's accrued leave is depleted, the employee shall not be entitled to any compensation from the City in addition to his or her workers' compensation disability compensation. Workers' comp reimbursement from CIS is sent directly to the City. Payroll tax issues related to workers' compensation reimbursement will be handled through payroll.

## E. PERS (Public Employees' Retirement System) Benefits

The City 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](http://www.oregon.gov/PERS). For information about the City's contributions to employee PERS or OPSRP plans, please see the Human Resources Manager or Finance Director.

## F. [ICMA-RC 457 Account](#)

As a public sector employee, you have the opportunity to build your retirement investments – with tax advantage – through an employee-funded 457 deferred compensation plan.

Deferred compensation is a program that allows you to invest today for your retirement. Federal, and in most cases state, income taxes are deferred until your assets are withdrawn, usually during retirement when you may be in a lower tax bracket.

Under Section 457 of the Internal Revenue Code, you may defer each year a maximum of 100% of your “gross compensation” or an annual dollar limit, whichever is less.

The City will provide employees who qualify for a 457 plan through ICMA with an enrollment kit at the time of eligibility.

## G. [ICMA-RC 401a Account](#)

All exempt, senior management employees will be enrolled in a 401a retirement plan. Under the 401a plan, 3% of an employee’s salary is placed in a deferred compensation account and the employee is eligible to use the funds upon retirement or leaving City employment if they are vested, which takes five years of service with the City. Upon eligibility, an employee will receive enrollment forms for this benefit.

## H. [Wellness Policy](#)

We want to ensure our employees are able to keep themselves healthy through physical activity, healthy eating, and lifestyle changes. By helping our employees maintain a healthy lifestyle, we anticipate fewer injuries and illnesses. The management of the City of Dallas fully endorses, supports, and encourages employee well-being and health.

All appropriate benefits and management staff will attend open enrollment meetings and will be available to assist employees with questions or issues.

This policy applies to all full-time and regular, part-time City of Dallas employees and is limited to participation at City-owned facilities or City-sponsored events or programs.

### **1. *Wellness Committee***

The Citywide Safety Committee will also serve as the City’s Wellness Committee. Membership in this committee is made up of one representative from each of the following departments: Fire, Police, Public Works (including Parks), Dallas Aquatic Center, Library, City Hall (including Community Development, Engineering, and Finance), and Administration. The Safety and Wellness Committee will meet at least twice each quarter to discuss and develop wellness programs and evaluate the wellness policy’s effectiveness.

### **2. *City-Sponsored Athletic Leagues***

The City of Dallas will reimburse any full-time employee the amount of the entry fee to join a City-sponsored athletic league (such as adult softball) and will reimburse any regular, part-time

employee on a pro-rated basis. The employee must make the request in writing and include with the request their receipt showing the registration fee paid. The employee is expected to participate fully in the activity.

Employees will have the option of having the reimbursement put into their Health Savings Account (HSA) tax-free (if applicable). Withdrawal from the HSA is subject to IRS Section 213(d) restrictions. Employee may also choose to receive the reimbursement as a taxable benefit. In this case, reimbursement will be included in the employee's paycheck on the next payday following the request.

### **3. Dallas Aquatic Center Membership**

The City of Dallas will reimburse any full-time employee for the cost of an adult annual membership to the Dallas Aquatic Center ) and will reimburse any regular, part-time employee on a pro-rated basis. The employee must make the request in writing and include with the request their receipt showing the membership. If the employee wishes to enroll their family in a family membership, the City will reimburse the employee for the amount of a single membership.

Employees will have the option of having the reimbursement put into their Health Savings Account (HSA) tax-free (if applicable). Withdrawal from the HSA is subject to IRS Section 213(d) restrictions. Employee may also choose to receive the reimbursement as a taxable benefit. In this case, reimbursement will be included in the employee's paycheck on the next payday following the request.

### **4. Quarterly Wellness Challenges**

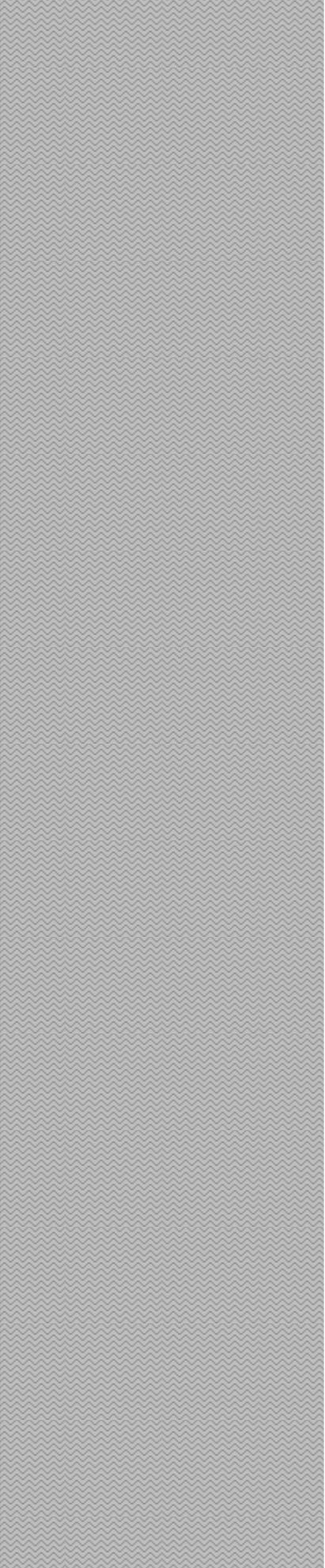
The City of Dallas will launch quarterly wellness challenges to encourage the health and well-being of our employees. As an incentive to participate in these challenges, any employee completing a challenge may receive a small cash incentive.

Employees will have the option of having the incentive amount put into their Health Savings Account (HSA) tax-free (if applicable). Withdrawal from the HSA is subject to IRS Section 213(d) restrictions. Employees may also choose to receive the incentive as a taxable benefit. In this case, the incentive will be included in the employee's paycheck on the next payday following the request.

### **5. Procedure**

Any full-time or regular part-time employee wishing to take advantage of this Wellness Policy will be required to complete a Wellness Reimbursement Form and submit it with a valid receipt (except in the case of the Quarterly Wellness Challenge). Request must include employee's choice to have it added to their HSA (if applicable) or included in their taxable benefits. Regular, part-time employees will receive a pro-rated reimbursement.

Any employee wishing to receive the Quarterly Wellness Challenge incentive need only complete the challenge. Human Resources will notify Payroll of the employees who have completed each challenge and have earned the Wellness Challenge incentive.



# V: MISCELLANEOUS POLICIES

## V: Miscellaneous Policies

### A. Alcohol/Drug Use, Abuse, and Testing

We work to maintain a safe and efficient work environment. Employees who misuse controlled substances, prescription or illegal drugs, marijuana or alcoholic beverages pose a risk both to themselves and to everyone who comes into contact with or depends upon them and risks damage to the City's reputation.

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 principles) and applicants for employment. This policy revises and supersedes all previous drug and alcohol testing policies and practices.

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

1. The use, possession, solicitation for, or sale of narcotics or other illegal drugs, alcohol, marijuana, or prescription medication without a prescription on City property or while performing work-related assignments, while in uniform or in City-provided clothing, while on City or work-related travel;
2. Failure to notify the City of an arrest or conviction under any criminal drug or alcohol statute within two days of the arrest or conviction;
3. Being impaired by or under the influence to any degree, on City property or while performing a work-related assignment, of illegal drugs, alcohol, marijuana, or prescription medicine taken without a prescription; or being impaired by or under the influence of a lawful drug (including over-the-counter drugs and prescription medication taken with a prescription) if such impairment or influence adversely affects the employee's work performance;
4. Refusing to cooperate with any and all tests required by this policy. 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;
5. The presence of any detectable amount of prohibited substances in the employee's system while at work, while on City property, or while performing a work-related assignment. "Prohibited substances" include illegal drugs, alcohol, marijuana, or prescription drugs not taken in accordance with a prescription given to the employee.

**Job-Related Incidents.** At the City's discretion, drug or alcohol testing may occur when an employee has been involved in a job-related incident that results in injury other than a use of force, or property damage or in those circumstances where there is reasonable suspicion based on specific articulated observations about work performance or such items as appearance, behavior, speech or body odor which leads a department manager or supervisor to believe the employee is under the influence of alcohol or drugs while on duty.

An employee who uses prescription or over-the-counter drugs that may impair the employee's ability to safely perform the job, or that may affect the safety or well-being of others, must notify their supervisor of such use immediately before starting or resuming work.

Employees are asked to report when they observe or are informed, and have reasonable grounds to believe, that another employee is under the influence of alcohol or drugs while on duty, on City premises, on City time, while in City-provided clothes, while on City business, or while operating a City vehicle (or while operating a personal vehicle in connection with the performance of City business).

In order to implement this policy, we reserve the right to:

- a) subject applicants who are given a conditional offer of employment in a safety-sensitive position to a drug and/or alcohol test;
- b) test employees reasonably suspected of using drugs or alcohol in violation of this policy;
- c) discipline or discharge employees who test positive or otherwise violate this policy; and
- d) test employees after an accident.

In order to enforce this policy, we reserve the right to conduct searches of City property or employees and/or employees' personal property, and to implement other measures necessary to deter and detect abuse of this policy, provided there is just cause. Any employee who refuses to consent to such searches may be expelled from the property and subjected to discipline, up to and including termination.

Approval Required. No testing may be conducted without the approval of the Human Resources Manager or his/her designee.

Costs; Trained Physicians; Confidentiality. The City will bear the cost of the initial and confirmatory tests.

Testing will be evaluated in a manner to ensure that an employee's legal drug use does not affect the evaluation of the test results. All test results will be evaluated by a suitably trained physician. Test results will be treated with the same confidentiality as other member medical records.

Call Back for Duty. In the event that an employee is contacted in a call-back situation to perform additional duties and the employee has consumed alcohol or drugs in a quantity that would violate the standards of this policy, including impairing the employee's ability to perform his/her duties, the employee must decline the request to report for duty. If the employee reports to work, he/she shall be subject to the provisions of this policy.

Responsibility of Employee; Reporting Use to Manager. It is the responsibility of the employee for whom drugs have been prescribed to ask the treating physician whether the use of the drug may limit or impair the employee's ability to perform employment-related duties safely and efficiently and what restrictions, if any, should be followed. Employees using prescribed medications are

responsible for meeting the obligations of this policy and for reporting to their manager the medications they are taking.

Administrative Searches. For administration of this policy, we may, upon reasonable suspicion, conduct searches on City property of employees and /or assigned City property and/or their personal property excluding personal vehicles parked on City property. This provision is not intended to restrict the City's right to conduct administrative searches of assigned City property for other purposes or to restrict searches related to any criminal investigation.

Interference with Drug and Alcohol Policy. Any activity which purposely interferes with this Policy will be grounds for disciplinary action. Examples include, but are not limited to, the following: tainting, tampering, or substitution of breath or urine samples; falsifying information regarding the use of any prescribed medications or controlled substances; or failure to cooperate with any tests outlined in this policy to determine the presence of drugs or alcohol.

Employee Rights. The employee has the following rights:

- (a) If at any point the results of the laboratory testing procedures specified in this policy are negative, all further testing of the member will be discontinued.
- (b) The employee will be provided with a copy of the results and all documentation of the testing will be sealed and maintained in his/her medical file. All test results will be kept confidential.
- (c) Any employee who tests positive will be given access to all written documentation available from the testing laboratory which verifies the accuracy of the testing equipment used in the testing process, the chain of evidence, and the accuracy rate of the laboratory.

Failure to abide by any provision in this policy will result in disciplinary action up to and including termination.

#### DOT Requirements for Employees with Commercial Driver Licenses

In addition to the requirements stated above, employees who are required to maintain a Commercial Driver License (CDL) as a condition of their employment must follow the Drug and Alcohol Policy for Safety Sensitive Employees subject to Federal drug and alcohol testing as required by US DOT 49 CFR Part 40. A copy of this policy shall be maintained at each work facility where CDL drivers are assigned. A copy may also be obtained from the Human Resources Manager.

## **B. Cell Phone/Smart Phone Usage**

This policy applies to employee use of cell phones, smart phones (including iPhones, Androids, and similar devices), tablets, and similar telecommunication devices, all of which are referred to as "cell phones" in the Cell Phone/Smart Phone Usage Policy.

### **1. Cell Phones in General (both Organization-provided and personal cell phones)**

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

Employees who use personal or City-provided cell phones may not violate the City's policies against harassment and discrimination. Thus, employees who use a personal or City-provided cell phone to send a text or instant message to another employee (or to a citizen or someone not employed by the City) that is harassing or otherwise in violation of the City's no-harassment and no-discrimination policies will be subject to discipline up to and including termination.

Nonexempt employees may not use their personal or City-provided cell phone for work purposes outside of their normal work schedule if it would put them in violation of FLSA regulations. This includes, but is not limited to, reviewing, sending and responding to emails or text messages, and responding to calls or making calls. This does not include responding to calls from the employee's supervisor or manager in an emergency situation, or talking with a co-worker regarding scheduling. Employees who violate this policy may be subject to discipline.

## **2. Employee Use of Organization-Provided Cell Phones**

Cell phones are made available to City employees on a limited basis to conduct City business. Determinations as to which employees receive City-provided cell phones will be made on a case-by-case basis; employees are not guaranteed a cell phone. In some cases, the City may provide a monthly cellular telephone allowance to employees who regularly make calls away from the office on behalf of the City.

Employees who receive a cell phone from the City must agree to not use the cell phone for personal use except in emergency situations and must abide by all aspects of the Cell Phone/Smart Phone Usage Policy (including those policies applicable to personal cell phone use). Further, employees who receive a cell phone from the City must acknowledge and understand that because the cell phone is paid for and provided by the City, or subsidized by the City, any communications (including text messages) received by or sent from the cell phone may be subject to inspection and review if the City has reasonable grounds to believe that the employee's use of the cell phone violates any aspect of the Cell Phone/Smart Phone Usage Policy or any other City policy.

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

## **3. Cell Phone Allowance**

The City recognizes that, due to the nature of some positions, certain employees should have a cellular phone allowance provided. The City Manager or Department Heads may designate employees who will receive a specified amount of additional taxable income per month for the specific purpose of obtaining a personal cell phone plan and cell phone equipment. The employee, department head, and city manager must sign a form authorizing the allowance. This amount will be designated in one of four categories depending on the City's determination of the amount and/or type of usage:

Category 1 (Moderate to high phone usage and/or data plan primarily for sending and receiving email correspondence. This category is limited to department heads and senior management staff) = \$110;

Category 2 (High phone usage) = \$75;

Category 3 (Moderate text and phone usage) = \$55

Category 4 (Low text and phone usage) = \$25

These amounts may be adjusted periodically by the City Manager based on market rates reviewed over time. The value of the stipend will be processed as taxable income to the employee. For equipment that allows data connection to the City computer network or such applications as e-mail or file transfer, all connections, usage, storage, and securing of data must be in accordance with the applicable City policy and practices. An employee using a personal cell phone and calling plan for work related use in lieu of being assigned a City cellular phone will not be subject to ORS restrictions or prohibitions against personal use of City owned equipment.

#### **4. Severability**

Assignment of a City cellular phone or a monthly cell phone allowance for any employee is at the sole discretion of the City and the City reserves the exclusive right to modify or discontinue such assignment, allowance, or practice at any time for any reason.

#### **5. Cell Phone Use While Driving**

The use of a cell phone 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 hand-held cell phones while driving, even if the driving is for work-related reasons. This policy is meant to ensure the safe operation of City vehicles and the operation of private vehicles while an employee is on work time. It applies equally to the usage of employee-owned cell phones and phones provided or subsidized by the City.

Employees are prohibited from using hand-held cell phones for any purpose while driving on City-authorized or City-related business, other than public safety employees with a legitimate business reason to do so. This policy also prohibits employees from using a cell phone or other device to send or receive text or "instant" messages while driving on City business. 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. Employees may use hands-free cell phones or devices to make business calls. 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.

#### **6. Maintenance/Construction Equipment**

DO NOT engage in the use of a cellular phone while operating maintenance/construction type equipment. Even a hands-free cellular phone will not be authorized while operating this type of equipment, unless the equipment has been properly stopped.

## C. Use of City Email and Electronic Equipment, Facilities, and Services

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

### **1. Ownership**

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

### **2. Use**

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

- Display or store any sexually explicit images or documents, or any images or documents that would violate the City's no-harassment and no-discrimination policies;
- Participate in gambling activities of any kind;
- Participate in social media games or technology supported games;
- 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-specific confidential information;
- Engage in any activity that would introduce malicious software purposefully into a workstation or network (e.g., viruses, worms, Trojan horses).
- Download or view streaming video for personal use.

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

### **3. Inspection and Monitoring**

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

All information and communications in any format, stored by any means on the City's electronic equipment, facilities or services, are subject to inspection at any time by authorized personnel

without notice. Personal passwords may be used for purposes of security, but the use of a personal password does not affect the City's ownership of the electronic information, electronic equipment, facilities, or services, or the City's right to inspect such information. The City reserves the right to access and review electronic files, documents, archived material, messages, email, voicemail and other such material to monitor the use of all of the City's electronic equipment, facilities and services, including all communications and internet usage and resources visited.

#### **4. Personal Hardware and Software**

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

#### **5. Security**

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

#### **6. Inappropriate Web Sites**

The City's electronic equipment, facilities or services must not be used to visit Internet sites that contain obscene, hateful or other objectionable materials, or that would otherwise violate the City's policies on harassment and discrimination. City equipment, facilities, and services must also not be used to participate in gambling websites of any kind. The only exception to this policy is when police officers are required to visit such sites when there is a legitimate criminal investigative need.

### **D. [Social Media](#)**

Social Media is an umbrella term that integrates technology, social interaction, and content creation. Social Media allows the City of Dallas to engage with the public in electronic forums where conversations and interactions exist. At the City, Social Media tools are to be used for business purposes in serving the interests of the organization and our citizens.

This policy is intended to guide City employees in their use of Social Media for business purposes. The intention for publishing a Social Media Policy is to help all parties succeed in protecting employees, partners and the organization from illegal or damaging actions by individuals, either knowingly or unknowingly.

Because the nature of Social Media tools is ever changing, this policy reflects a flexible approach. Social Media include, but are not limited to tools and Web sites such as: Facebook, MySpace, YouTube, Flickr, Twitter, wikis, and blogs.

Effective security, public disclosure, records retention, and engagement with residents are a team effort involving the participation and support of every City of Dallas employee and affiliate who deals with information and/or Social Media. It is the responsibility of every employee to know these guidelines and to conduct activities accordingly.

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

### **1. Purpose and Scope**

The purpose of this policy is to outline the acceptable and unacceptable use of Social Media tools at the City of Dallas and the personal use of these tools by employees. This policy is in place to protect all parties at the City. Unacceptable use exposes the City to legal issues and potential loss of trust between local government and its constituents.

This policy applies to all employees, volunteers, and members of City boards, commissions, and committees. The City of Dallas website will remain the City's primary and predominant internet presence.

### **2. For business purposes:**

This section covers the acceptable use of Social Media tools at the City of Dallas for business purposes, which include, but are not limited to, promotion and public outreach.

1. Social Media tools need to be approved by the City Recorder and by the City Manager.
2. The City Recorder and City Manager need to have Administrative rights on all social media accounts established.
3. Publishing must use the approved City of Dallas platform and tools.
4. The approved Social Media tools need to be administered by approved City of Dallas authors and refer to the Use Policy (\*see below).
5. Users and visitors to social media sites should be clear the intended purpose of the site is to serve as a mechanism for communication between City departments and the members of the public.
6. Social Media accounts need to be current and active.
7. Social Media accounts should not link to personal accounts.
8. Wherever possible, content posted to City of Dallas Social Media sites will be available on the City's main Web site.
9. Wherever possible, content posted on behalf of the City of Dallas should contain links directing users back to the City's official Web site.
10. Use of Dallas computer systems for Social Media must be in alignment with the City of Dallas personal computer use policy.

### **3. For personal use:**

1. When an employee clearly identifies his or her association with the City of Dallas and/or discusses his or her work:

- a. He or She is expected to behave appropriately on the Internet and in ways consistent with the City's policies.
- b. It is required that employees make it clear they are speaking for themselves and not on behalf of the City of Dallas by including a disclaimer such as: "The postings on this site are my own and don't necessarily represent the City's positions, strategies, or opinions."
- c. City of Dallas logins or e-mail addresses should not be used as an identifier for personal use or to express personal opinions in Social Media. An employee should use his or her personal e-mail addresses for these purposes.

#### **4. Unacceptable Use of Social Media**

The following list is not exhaustive, but attempts to provide a framework for activities that fall into the category of unacceptable use of Social Media, both for business and personal purposes unless otherwise stated. Personnel should contact the City Recorder for questions about this policy.

The following activities are strictly prohibited, with no exceptions:

1. Engaging in any actions that violate the City of Dallas's ethics code.
2. Engaging in any actions that may harm or tarnish the image, reputation and/or goodwill of the City and/or any of its employees when participating in Social Media.
3. Attributing personal statements, opinions or beliefs to the City when participating in Social Media (as stated above under "for personal use").
4. Engaging in any activity that is illegal under local, state, federal or international law while using City of Dallas-owned resources.
5. Violating laws pertaining to the handling and disclosure of copyrighted material.
6. Violating the rights of any person or organization protected by copyright, trade secret, patent or other intellectual property, or similar laws and regulations.
7. Using City of Dallas trademarks, logos, and any other City of Dallas intellectual property in connection with any personal Social Media activity.
8. Using a City of Dallas Social Media account to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws in the user's local jurisdiction.
9. Making fraudulent offers of products, items, or services originating from any City of Dallas account.
10. Effecting security breaches, including, but not limited to, sharing data that is restricted from public disclosure.

#### **5. Enforcement**

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

#### **\*6. Social Media Use Policy**

City related Social Media provide and open forum for sharing and discussing City activities and events. The comments and opinions expressed by the network (friends, fans and followers) are theirs alone and do not reflect the opinions of the City of Dallas or its employees.

All comments are reviewed after posting. Comments will not be edited by the City or its staff. However, the City of Dallas reserves the right to remove a comment if it:

1. Uses vulgar, offensive, threatening or harassing language.

2. Is not related to the posted topic. The City's Social Media tools are not the proper place to express opinions or beliefs not directly related to that topic.
3. Promotes or opposes any person campaigning for election to a political office or any ballot proposition.
4. Promotes or advertises a business or commercial transaction.

Please note: Communications made through Social Media will in no way constitute a legal or official notice or comment to the City or any official or employee of the City for any purpose. To make a public records request, contact the City Recorder at 503.831.3557.

Comments specific to a City project or program should be submitted directly to that project or program. Contact the City Recorder for assistance, questions or concerns at [emily.gagner@dallasor.gov](mailto:emily.gagner@dallasor.gov) or 503.831.3557.

## **7. Getting Started**

- Set up a meeting with City Recorder to discuss need, expectations and management.
- Get approval from City Recorder and City Manager.
- Review and consent to Public Disclosure section.
- Determine the appropriate Social Media tools for your audience.
- Set up account, include the Use Policy where applicable.
- Review information daily, and update regularly.
- Read and respond to questions/concerns in a timely fashion.
- Evaluate effectiveness on a monthly basis
- If static, work with City Recorder on disabling account.

## **8. Request for Employee Social Media Passwords**

City 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 user name and password, password or other means of authentication that provides access to a personal social media account. This includes, without limitation, a user name and password that would otherwise allow a supervisor/manager to access a private email account not provided by the City.

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

## **E. Use of Personal Electronic Devices**

Personal electronic devices include cellular phones, text messaging devices, still or video cameras, recording devices, personal data units, or gaming systems. Time spent on these devices for personal use should be kept to a minimum during working hours. Phone contact, text messaging, or pager contact on a personal basis should be controlled and especially reserved for urgent or emergency (personal) situations. Constant interruptions from personal contacts are disruptive to the work environment and are not condoned when personnel are engaged in work activities.

The following rules will be in addition to the guidelines:

1. Personnel will refrain from using personal electronic devices during working hours other than on breaks and lunch hour. The exception to this rule would be the case of a personal emergency or family crisis.
2. Personnel wearing city uniforms will need to minimize the use of their personal electronic devices and preferably out of public view.
3. Personal electronic devices shall not be utilized while operating city vehicles or equipment unless otherwise authorized.
4. The City of Dallas will not be responsible for lost or damaged personal electronic devices.
5. At no time shall personal electronic devices be used to record (audio, video, or camera) without City authorization while on duty.
6. The use of cell phones and text messaging devices while driving is governed by the “Driving/Vehicle Policy.”

## F. Workplace Privacy and Confidentiality

Employees must not access, use, or disclose sensitive or confidential information or data except in accordance with City 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 release confidential information contrary to Oregon or federal laws may be subject to civil or criminal penalties under those laws, in addition to appropriate disciplinary action for violating this policy.

No “official copy” of records or information including (without limitation) protected medical data, documents, files, records, computer files or similar materials (except in the ordinary course of performing duties on behalf of the City) may be removed from our premises without permission from the City Manager or Human Resources Manager. Additionally, the contents of records or information otherwise obtained in regard to the City’s business may not be disclosed to anyone, except where required for a business purpose or when required by law.

## G. Ethics

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

We at the City of Dallas are public employees, and as such, are also subject to the State of Oregon’s ethics laws. In some cases, these laws provide additional limitations on employees, such as prohibitions on gifts and strict definitions of conflict of interest. If you are coming to the City from work in the private sector, you may find that some activities that are common business practices in the private sector are prohibited in the public sector. Information on these laws is available at the Oregon Government Ethics Commission website: <http://www.oregon.gov/OGEC>.

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

## H. Open-Door Policy

The City's Open Door Policy is based on our belief that employee suggestions for improving the City of Dallas are welcome at any time. If you have a complaint, suggestion, or question about your job, working conditions, or the treatment you are receiving from anyone in the City, 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, please talk with his or her supervisor, your department manager or request to have the facts/situation reviewed by the Human Resources Manager.

## I. Outside Employment

Outside employment that creates a conflict of interest is prohibited. Employees are prohibited from receiving any income or material gain from individuals or organizations outside the City of Dallas for materials produced or rendered while performing their jobs for the City of Dallas.

### **1. Definition**

Outside employment shall be defined as any work for another employer or self-employment, for which pay is received whether by salary, wages, commission, or by a sale and for which work is carried on in addition to full time City employment; regardless of the number of hours worked.

### **2. General Policy**

It is our policy to discourage employees working for the City on a full time basis from engaging in additional employment with another employer or in a self-employed capacity. However, in certain situations, occasional and part time work outside City employment will be allowed, wherein the hours and days of work do not conflict with City employment, and if prior approval has been received from the City Manager.

Approval may be granted if:

1. It is not incompatible with the employee's City work;
2. It in no way detracts from the efficiency of the employee in his/her City work;
3. There is no conflict of interest between the City work and the outside work;
4. It is not discreditable to employee's City employment;
5. It does not conflict with those persons who are on emergency calls;
6. It is clear to the employee that in any situation wherein extra duty will be necessary in his/her City work, that such extra duty will be in preference to his/her outside work, and that such extra duty hours will not conflict with his/her outside work; and
7. The proposed work will not adversely affect the City's public relations by seriously competing with other taxpayers' employment opportunities.

### **3. Exceptions**

Any employee of the City who is hired on a part time basis will not be subject to the provisions of these rules on outside employment.

#### **J. Criminal Arrests and Convictions**

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

1. All drug- or alcohol-related arrests, citations, convictions, guilty pleas, no contest pleas or diversions that result from conduct which occurred while on duty, on City property, or in a City vehicle;
2. All arrests, citations, convictions, guilty pleas, no contest pleas that result from crimes involving the theft or misappropriation of property, including money; or,
3. Any other violation of laws regulating the use of alcohol and controlled substances that adversely affects an employee's ability to perform major job functions, specifically to include loss or limitation of driving privileges when the employee's job is identified as requiring a valid driver's license.

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 be subject to disciplinary action, including termination.

#### **K. 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 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.

#### **L. Inclement Weather/Emergency Closing**

Except for regularly scheduled holidays, the City of Dallas will be open for business Monday through Friday during normal business hours. The City of Dallas recognizes there may be circumstances beyond its control, such as inclement weather, national crisis, or other emergency, that may make one or more of our office locations inaccessible. On such occasions, one or more of the City of Dallas's locations may be closed for all or part of a regularly scheduled workday. In such an event, the City Manager or his/her designee will make a decision and will endeavor to

notify all managers for the purpose of contacting employees; you may also contact your manager. To access City of Dallas closure information, please go to [www.dallasor.gov](http://www.dallasor.gov) or the City's Facebook page.

In the event of extreme inclement weather conditions, we recognize that each staff member's ability to safely reach the office may be different. Staff who cannot report to work in such circumstances should contact their manager. Safety and a trustworthy approach should be your guide.

If the City Manager closes City facilities due to inclement weather, generally, employees will be allowed to use vacation or compensatory time to make up the hours of missed work unless other arrangements are made by the City Manager.

#### M. [Workplace Violence](#)

The City recognizes the importance of a safe workplace for employees, customers, vendors, contractors, and the general public. A work environment that is safe and comfortable enhances employee satisfaction as well as productivity. Therefore, threats and acts of violence made by an employee or member of the public against another person's life, health, well-being, family, or property will be dealt with in a zero tolerance manner by the City.

All employees have an obligation to report any incidents that pose a real or potential risk of harm to employees or others associated with the City, or that threaten the safety, security or financial interests of the City of Dallas. Employees should make such reports directly to their Department Head or the Human Resources Manager.

The City also may conduct an investigation of a current employee where the employee's behavior raises concerns about work performance, reliability, honesty, or potentially threatens the safety of co-workers or others. An employee investigation may include, but is not limited to, investigation of criminal records; it may also include a search of desks, work areas, file cabinets, voice mail systems and computer systems.

All information related to the reports, including the name of the reporting employee(s), will be kept as confidential as possible under the circumstances. The Human Resources Manager or his/her designee will notify the reporting employee of any action taken in response to the report.

#### N. [Smoke-Free and Tobacco-Free Workplace](#)

The City of Dallas 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, and the use of oral tobacco products or "chew/spit" tobacco. This policy applies to employees, volunteers, and any visitors to City property, vehicles or facilities/buildings.

City buildings and vehicles are tobacco-free areas. Tobacco use is prohibited during working hours, unless employee is on break and in a designated smoking area. Further, the City prohibits tobacco use in or around City vehicles and equipment or machinery. Employees must comply with state laws regarding minimum distance from doorways and windows when smoking.

The use of e-cigarettes will be governed in the same way as any tobacco product and “vaping” is prohibited unless the employee is on break and in a designated smoking area . In no instance will an employee use an e-cigarette to inhale any substance that would violate the City’s drug policy while on duty.

## O. Appearance and Conduct

City employees should be cognizant of the fact that they are dealing with the public and working to serve the citizens of Dallas. The public expects city employees to provide efficient, courteous, and responsive service. Courtesy, efficiency, neatness, and cleanliness are essential to building confidence in public employees. If at any time in dealing with the public you should have difficulty explaining a matter, are being criticized unfairly or treated discourteously, discuss the matter with your supervisor. At no time should you become rude or discourteous in dealing with the public, fellow employees, or supervisors. In accordance with this, your dress, appearance, behavior, and personal conduct should remain at all times highly professional.

Employees are representatives of Dallas City Government. Employees' appearance and dress should be safe, presentable and consistent with responsibilities related to the position. The City Manager has the authority to remove or amend any departmental appearance and dress guidelines at any time.

### **1. Non-Uniformed Personnel**

All non-uniformed employees are expected to dress in attire appropriate with a professional image. Clothing should fit well, not be overly provocative and not include inappropriate content. Employees should direct questions about appropriateness to their supervisor. Unless the department has specific rules, typical professional attire includes:

Men: button-down shirts, polo shirts (including City of Dallas logo shirts), khaki pants, dress slacks, jeans when appropriate, sweaters, loafers, and dress shoes.

Women: skirts, dresses, dress pants, jeans when appropriate, blouses, collared shirts (including City of Dallas logo shirts), dress shoes, dress sandals.

The Department Head and/or City Manager will consider exceptions to the above when reasons related to job requirements, medical reasons, religious purposes, and special events (i.e. fundraisers, picnics) deem it necessary. Department heads and supervisors are responsible for ensuring staff complies with this policy. If a supervisor has questions regarding appropriate attire they should consult Human Resources.

Clothing (including shoes) should be clean, free of stains, neatly pressed and without holes or ragged edges.

### **2. Uniformed Personnel**

All uniformed employees are expected to keep uniforms clean and neat, and wear them in accordance to their respective department regulations.

If the City issues employees any protective clothing and equipment it must meet OSHA standards and be used appropriately. OSHA can require protective footwear for certain tasks, but the City is not mandated to provide them. In addition, all employees working in the field **MUST** wear clothing identifiable as “City of Dallas” or at a minimum the employee must wear a City of Dallas badge that is visible at all times. This ensures that the public can recognize City staff in the field. Employees working an investigative assignment in which identification would be detrimental are not bound by this requirement during the assignment. It is the responsibility of Department Heads and Supervisors to ensure employees are in compliance with these requirements.

### **3. Departmental Policies**

Individual Departments may have different requirements for dress and appearance depending on the tasks to be performed. The City Manager, Department Heads and supervisors will determine these exceptions and which attire is appropriate.

Community Development Department – The Community Development Department has different requirements for each of its divisions – Building, Facilities Maintenance, Aquatic Center, and Planning. The City provides any necessary safety equipment to ensure compliance with OSHA standards. All employees in the field **MUST** wear clothing that can easily be identified as being associated with the “City of Dallas” or at a minimum the employee must wear a City of Dallas badge that is visible at all times.

- **Building & Planning** – Upon hiring, each Building Official, Building Inspector and Planner is issued one waterproof jacket/coat and one waterproof hat. The jacket and hat are expected to last 2-3 years.
- **Facilities Maintenance** – Maintenance personnel are issued five work shirts and one waterproof jacket, which are expected to last between 2-3 years.
- **Aquatic Center** – New staff are issued the appropriate shirt for their duties; Instructors, Leads, Head Guards and Maintenance Staff receive shirts indicating their roles. When shirts are no longer presentable, staff must turn in the old shirt to receive the new one.

Employees not heavily involved with fieldwork, including the Department Administration and, Planning Division must be in compliance with the non-uniform personnel requirements.

Fire Department – The Dallas Fire Department must maintain a professional image of Fire Protection. To ensure this maintenance, the Fire Department has developed Standard Operating Guidelines for both full-time and volunteer personnel. Any employee that does not fall under the conditions specified in these guidelines must be in compliance with non-uniformed personnel requirements as stated above.

Police Department – The Dallas Police Department must maintain high standards of professional law enforcement. This demands that the appearance of officers and staff be maintained at the highest feasible level. The current collective bargaining agreement provides sworn officers with uniform and appearance requirements and identifies which portions of the uniform are provided by the City of Dallas. Any employee that does not fall under the conditions specified in this contract must be in compliance with departmental rules and non-uniformed personnel requirements as stated above.

Public Works Department – Public Works is highly visible and it is required that each employee have employee’s City I.D. displayed or available for display at all times. Employees **MUST** wear the “City of Dallas” issued work shirts at all times. During winter months, employees **MUST** wear the “City of Dallas” engineer vest over winter jackets to ensure public identification. An employee may only wear the “City of Dallas Public Works” hats and winter hats when working in the field. Other PPE, such as hard hats, will be available to employees when and where appropriate.

Employees assigned to the Public Works maintenance shops are issued coveralls to be used on site. Shorts are **NOT** permitted for street and sewer staff.

Each new employee is issued one set of rain gear with pants and jacket; five City of Dallas work shirts/year; and gloves. Hip boots, engineer vests, baseball hats, and winter caps are distributed as needed. Employees must be in compliance with OSHA standards and the City will provide protective equipment where mandated.

The Department Head and/or City Manager will consider exceptions to the above when reasons related to job requirements, medical issues, religious purposes, and special events (i.e. fundraisers, picnics) deem it necessary. Department heads and supervisors are responsible for ensuring staff complies with this policy. If a supervisor has questions regarding appropriate attire he/she should consult Human Resources.

#### **4. Department Rules and Regulations**

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

#### **P. City Tools and Equipment and Work Area Maintenance**

Every tool has its proper use. In the case of City equipment, this use is limited to City purposes. Employees will be responsible for the care of all City equipment and supplies which aid them in the performance of their duties. Employees may not abuse or misuse any City tools or equipment and may not use City tools or equipment for personal use. Any equipment breakage or loss must be reported to the employee’s immediate supervisor at once.

Employees shall keep work areas dust free and appropriate in appearance, reflecting a professional office to the general public and fellow employees. Occasionally other employees may be asked to sit at a work area other than their own, to which we are requesting a neat and orderly work environment be maintained.

#### **Q. Education and Training**

##### **I. Employee Training**

The City encourages employees to keep current on new procedures and equipment and improve upon their level of service while performing their job for the City of Dallas efficiently and effectively.

It is the policy of the City to provide adequate training for all employees. Department Heads will plan training for each employee annually and the City Manager will do so for each Department Head. The City Manager and Department Heads are responsible to ensure all employees are provided the opportunity to attend training annually to improve their job performance with the City of Dallas.

Regardless of the training provided above, the City will provide mandatory training about ethical behavior and appropriate business practices every-other year, by no later than August, to all employees. Additionally, all employees will receive mandatory harassment training annually.

## **2. Personal Educational Opportunities and Educational Assistance**

When an employee voluntarily desires to take courses that are directly related to the employee's work, and the course is conducted outside the employee's regular working hours, the employee may request the City to reimburse a portion of the employee's cost of tuition. All requests must be approved by the City Manager and be conditioned on the following criteria:

1. The course(s) must directly relate to the employee's position and be reasonably expected to increase the employee's knowledge within the duties of his/her current position or qualify the employee for advancement.
2. Funds for such expenditures must have been budgeted and available in the current budget;
3. The employee must make application and receive approval for the course and tuition reimbursement prior to the registration for the course;
4. The employee will be reimbursed one-half the amount of tuition up to a maximum of \$3,000 in a twelve-month period;
5. The employee must submit evidence of successful completion of the course with a grade of "C" or above (2.0 or equivalent);
6. The employee may not receive reimbursement for tuition from any other source.
7. If payment is made in advance, then the employee must sign a reimbursement agreement providing reimbursement of half of the class cost to the City if they do not complete the course or obtain a grade "C" or better, unless otherwise approved by the City Manager. Employees will be informed that they will not be paid during the time of the class.
8. Employees will be expected to demonstrate a commitment to the City by continuing employment for at least twelve months after tuition reimbursement. If employment is terminated, for any reason, within twelve months of tuition reimbursement, employee will reimburse the City.

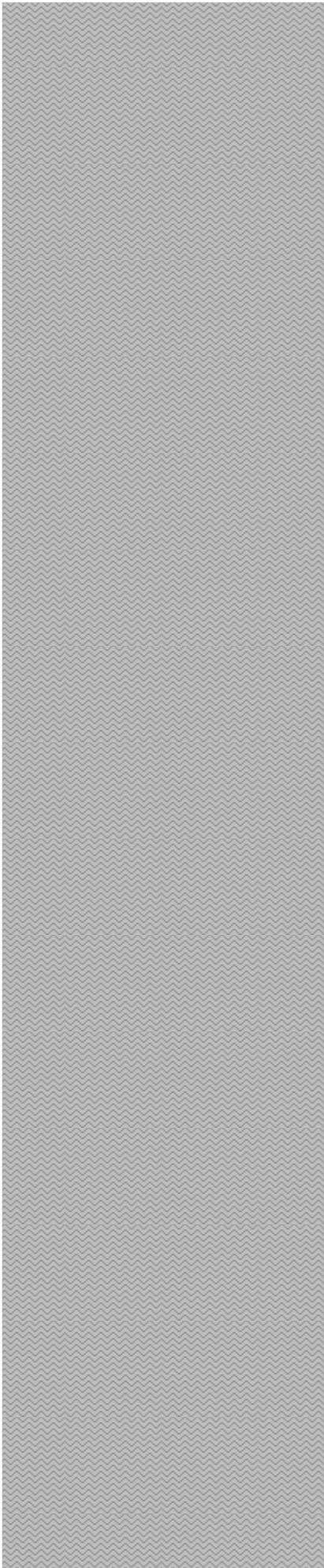
Courses that are only offered during regular working hours may be approved by the Department Head provided time off can be arranged conveniently, and reasonable arrangements can be made to make up time off.

Travel for voluntary education is not reimbursed by the City. Normally, the cost of textbooks and technical publications required for the voluntary education courses will be the responsibility of the employee unless otherwise approved by the City Manager.

### **3. Required Education**

The City shall allow time off with pay and reimburse an employee for the expenses of attending classes, lectures, conferences, or conventions when attendance is on an assignment basis, with prior approval of the employee's Department Head. An exception is paid training that may occur if it is a condition of a hiring employment agreement.

Normally, the cost of textbooks and technical publications required for courses will be the responsibility of the City. If the City purchases any of the textbooks or publications for courses, the textbooks and publications will be the property of the City.



## VI: CONDUCT and DISCIPLINE

## VI: Conduct and Discipline

### A. Workplace Rules and Conduct

The City of Dallas believes policies and procedures are essential for orderly operation and for the protection and fair treatment of all employees. As a result, we have identified performance expectations so that everyone conducts themselves in accordance with our workplace standards. Courtesy and common sense should always prevail. The following work rules are not all-inclusive, but serve as guidelines to demonstrate work behaviors considered important to us.

1. All employees should maintain a positive and cooperative working relationship with co-workers, other staff, citizens and any others who do business with the City. Violence, harassment, horseplay, immoral conduct and use of abusive language are examples of violations of this rule.
2. Employees should work and complete assignments that meet job standards including keeping accurate records. Violations include, but are not limited to: falsifying records, failing to accurately document time worked or recording time on another employee's time sheet without permission.
3. Employees should not neglect their job duties or responsibilities, nor refuse any assigned work, which is within or related to their job responsibilities. Sleeping while on duty, interfering with the work of others, careless behavior, and insubordination are examples of reason for disciplinary action.
4. Employees are expected to fulfill their responsibilities to the City. No willful action which detracts from the quality or quantity of work, service, safety and health or public image, will be acceptable.
5. An employee is expected to be available for work as scheduled. Normally, the schedule will not be changed except in case of emergency.
6. Employees should not gather on work premises to conduct personal business during their working time.
7. Employees will be responsible for all City property that has been placed in their custody. Destruction or abuse of City property or equipment is unacceptable.
8. Employees should immediately report all work-related injuries, accidents, or illnesses to their supervisor or other authorized personnel.
9. Employees are required to promptly notify the appropriate designated person of any changes in personal status, such as name, address, or telephone number. Please see the Change in Personal Data section of this Handbook.

10. Employees are expected to comply with the established personal grooming and appropriate dress code policies. Please refer to the Appearance and Conduct section of this Handbook.
11. Employees are expected to display respectful and tolerant behavior of co-workers and citizens.
12. Employees are prohibited from bringing intoxicating beverages, drugs or chemicals not medically required on to City premises, unless it is for legitimate criminal investigative needs.
13. Use of alcohol or drugs, being under the influence of intoxicants of any type, or criminal activity while at work is prohibited. (Any employee on prescription or over-the-counter medication which may affect performance is required to notify his/her supervisor prior to beginning the work shift).

## B. Corrective Action

Employees are expected to maintain high standards of performance and conduct, and to comply with all federal, state and local laws, rules and regulations governing the conduct of public employees. When an employee's conduct or performance falls below these standards, or violates any applicable law, rule or regulation, the employee may be subject to corrective action.

Particular reasons for which an employee may be disciplined include, but are not limited to the following:

1. Incompetence, inefficiency, inability to perform the job adequately.
2. Conviction of a criminal offense related to the employee's job.
3. Damage to public property, waste of public supplies or taking of public property.
4. Misappropriation of private property over which the employee has control.
5. Conduct that may bring discredit upon the City.
6. Absence without leave from one's position.
7. Consumption of, having in one's possession, or being under the influence of any alcoholic beverages or dangerous or controlled substances on the job.
8. Accepting fees, gifts, or other things of value in the performance of the employee's official duties for the City.
9. Being habitually absent or tardy for any reason.
10. Violation of safe working practices.
11. Violation of the provisions of the City Charter, ordinances, this Employee Handbook or any other rules or regulations prescribed by the City Manager or department manager.
12. The giving of confidential information to any unauthorized person.
13. Making false or misleading statements to anyone, or falsification of City records.
14. Insubordination.

The foregoing list of reasons for corrective action or discipline is a sample only, and not a complete list of reasons for which disciplinary or corrective action may be taken.

You will be informed by your supervisor or department head of any corrective action that is contemplated as soon as possible after any performance problem has been identified. Your supervisor or department head will discuss the situation with you, explaining the policy and necessity of corrective action to avoid other corrective or disciplinary actions.

Although one or more corrective action measures may be taken in connection with a particular performance problem, no formal order or sequence of actions or steps will be followed in all cases. Corrective action may include any of a variety of actions, depending on the circumstances and severity of the particular situation.

Corrective action may be taken by your supervisor or department head. If the corrective action is taken by your supervisor (who is not your department head), you may appeal the supervisor's decision to your department head within 10 days after the effective date of the corrective action. In that case, the department head will meet with you within 10 days of your appeal and will make a decision within 10 days after that. The department head's decision will be final, subject to the grievance procedure provided below. If your department had adopted its own policies and procedures for conduct, discipline, or corrective action, those policies and procedures may supplement the provisions of these rules.

For department heads and employees under the direct supervision of the city manager, the city manager will initiate any corrective action, in which case the employee will have the right to request the city manager to review his or her initial decision using the grievance procedure provided below.

Corrective action may include, but is not limited to, the following examples:

- Verbal counseling with you, which may be confirmed in writing, but will not be included in your personnel file.
- Mandatory participation in training and/or counseling
- Written reprimand, which will be placed in your personnel file.
- Suspension, which will be confirmed in writing for your personnel file. Suspension is normally used to remove an employee from the premises during an investigation, or as a disciplinary action. This may be paid or unpaid.
- Demotion
- Salary reduction
- Discharge

The corrective action process will not always commence with verbal counseling or include a sequence of steps. Some acts, particularly those that are intentional or serious, warrant more severe action on the first or a subsequent offense. Consideration may be given to the seriousness of the offense, your intent and motivation to change the performance, and the environment in which the offense took place. Each case will be judged on its own merits and circumstances.

## ***1. Grievance Procedure***

A regular employee who receives a sanction of written reprimand, suspension, reduction in salary, demotion or termination may appeal the disciplinary action to the City Manager not later than 10 days after the effective date of such action. The appeal shall be in writing, and shall include circumstances and facts the employee believes were misjudged in imposing the discipline, as well as any arguments the employee feels are pertinent to the facts. An appeal of disciplinary action does not stay the imposition of the action, unless a stay is expressly granted by the City Manager. The City Manager may request any information he or she deems necessary to determine the facts and circumstances of the incident.

The employee shall have the right to meet with the City Manager to discuss the disciplinary action. In most cases, the meeting with the City Manager will be scheduled within seven days after receipt of the employee's written appeal.

The City Manager shall make a written decision within 10 days after meeting with the employee, stating his or her decision regarding the facts presented, the grounds for action and the appropriateness of the disciplinary action taken. The City Manager may affirm the action taken, or may amend, modify or withdraw the disciplinary action and restore any lost wages, benefits or other rights.

In the event the City Manager is unable to attend to an appeal under this section, the City Manager may designate the Human Resources Manager to attend to the appeal in the City Manager's place.

## ***2. Probationary and Flexible Schedule Employees***

Probationary and flexible schedule employees serve at the pleasure of the City and, as such, they will not have recourse to this grievance procedure for any City action taken against them. Probationary and flexible schedule employees may be discharged from City employment for any reason not in conflict with existing public policy or law.

## ***C. Separation from Employment***

### ***1. Resignation***

Voluntary resignation must be by written notice to the department manager at least two weeks in advance, stating reasons for leaving. Inadequate notice may affect a person's right to future reinstatement with the City. Improper resignation will become a matter of permanent record.

### ***2. Discharge***

All employees are hired at the City of Dallas for an indefinite period of time and may be discharged at any time, with or without reason or notice. Our philosophy and general practice is to provide employees who have completed the initial introductory period of employment an opportunity to correct minor performance and conduct issues before discharge is implemented. Some of the ways the City of Dallas offers an opportunity to correct performance and conduct problems are outlined

in the Corrective Action section of this Handbook. Nothing in the paragraph precludes the City of Dallas from exercising its options as an “at-will” employer, so employees should not assume the City will progressively work through the methods in the Corrective Action section to help you improve your performance.

Before reaching a final decision to discharge an employee, we typically follow “due process,” which means the affected employee will be told in writing why termination is being considered and the employee will be offered an opportunity to respond to the written notice.

### **3. Separation Policy**

The purpose of this policy is to establish a procedure for City of Dallas employees that choose to retire and then return to employment on a contract basis. The policy will:

- a) Provide formal guidelines for retirement and rehire;
- b) Ensures equitable and consistent application of that policy to eligible individuals;
- c) Ensures balance between support for the individual in transition and the interests of the City; and
- d) Ensures compliance with state and federal laws, including the Worker Adjustment and Retraining Notification Act (WARN), whenever they are applicable.

This policy applies to all City employees as follows:

- a) All non-probationary City of Dallas regular employees are eligible for retirement and rehire, subject to the conditions and requirements contained in this policy.
- b) Probationary, temporary and part-time employees are not subject to this policy.

When a non-probationary, regular employee wishes to retire and wants the City to rehire them on contract, the City Manager will determine if that would be in the best interest of the City. If the City Manager determines it is in the best interest of the City, he/she will have the City Attorney create a contract based upon the information included in this policy.

#### Guidelines

- a) Rehire of a retired employee is at the discretion of the City.
- b) Employee must provide as much advance notice as possible that he or she wishes to retire and be rehired by the City on a contract basis.
- c) A formal, written employment agreement shall be signed by both parties. Agreements shall specify the salary amount and benefits to be given the contract employee as well as define the responsibilities and expectations of the employee and the City.
- d) Unless approved by the City Manager, contract employees will receive the same salary they were making before retirement.
- e) While under contract, the employee must meet and maintain any applicable fitness standards for his/her position.

- f) Regular contract employees will receive 8 hours of administrative leave at the end of each successful full month worked based on a 40 hour workweek. This administrative leave must be taken off during the term of the contract. Any leave accrued but not used during the term of the contract will be forfeited and not subject to any buyout.
- g) Contract employees who are working for the police department and were previously a part of the Dallas Police Employee Association (DPEA) will receive 16 hours of administrative leave at the end of each successful full month. They will not receive any other compensatory time off during the term of the contract.
- h) Regular contract employees will receive paid holidays consistent with the Employee Handbook. Contract employees who were formerly a member of the DPEA or the IAFF Local 4196 will not receive paid holidays. These contract employees will be paid one and a half times their regular hourly rate for any holidays they work.
- i) Any contract employee who is non-exempt and earns overtime will be paid at the overtime rate. They will not earn compensatory time.
- j) Contract employees will be eligible to receive the same health, dental, and life insurance coverage as regular employees at the same rate the regular employees pay (if any). Contract employees who were formerly a member of the DPEA or the IAFF Local 4196 will be eligible for the same health, dental, and life insurance coverage as the general employees, not the coverage provided the union members.

#### **4. Review of Separation Assistance and Compensation**

The City Manager shall have the final decision on the types and amounts of separation assistance that shall be offered.

#### **5. Written Agreement Required**

Any re-hire plan must be memorialized in writing, signed by the City Manager and the employee, and approved by the City Attorney prior to implementation.

#### **6. Compliance with Laws**

This policy will be administered in compliance with all applicable laws and rules, and shall not be interpreted to permit any act that would be in violation of such laws and rules.

#### **7. Return of Organization Property**

An employee must return all City of Dallas property in his/her possession by the last day of employment. City property includes credit cards, keys, ID cards, cellular phones, pagers, tools, uniforms, and any other items belonging to the City of Dallas.

#### **D. Employment References and Confidentiality of Personnel Records**

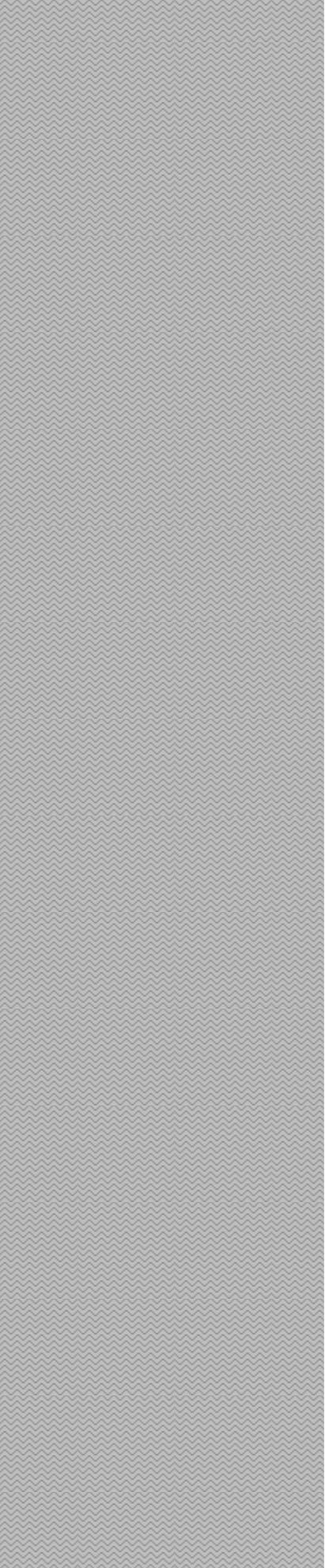
When responding to a request from another agency for background information about a current or former employee, employees shall forward the request to the Human Resources Manager. The

City will only release the following specific information without first obtaining a signed release from the subject employee:

1. The department where the individual was employed
2. The beginning and termination dates of employment with the City of Dallas.
3. Employees who are listed as personal references shall not discuss job-related information.

All requests for a job reference about a present or former employee are to be referred to the Human Resources Manager. He/She will release only the information listed above unless the subject employee has completed and signed a Personnel Information Release Form, in which case only information that is included in the personnel file will be released. Any deviation from this policy will be evaluated by the Human Resources Manager or the City Manager on a case-by-case basis. If the requestor has a signed release from the employee, then a copy of that release must be obtained prior to releasing any information from the personnel file.

Personnel files shall be considered confidential unless release of information is required under the Oregon Public Records Act or the employee has signed a release form.



## VII: EMPLOYEE ACKNOWLEDGEMENT

## Acknowledgment of Receipt of City of Dallas 2015 Employee Handbook

I acknowledge that I have received and will read a copy of the City of Dallas 2014 Employee Handbook. I also understand that a copy of the Employee Handbook is available to me at any time to review in the Human Resources office. I was given an opportunity to ask any questions about this handbook.

I understand that the City has adopted the Employee Handbook only as a general guide about policies, work rules and the work environment, and that they are subject to change at any time in the City's sole discretion. I also understand that this Employee Handbook (and my CBA if applicable) controls over any other contradictory statements. I acknowledge that the Employee Handbook is not an employment contract and is not intended to give me any express or implied right to continued employment or to any other term or condition of employment.

I understand that either the City of Dallas or I may terminate my employment relationship at any time, for any or no reason, with or without cause, and with or without advance notice. I acknowledge that no promises have been made to me that are inconsistent with this "at will" statement.

I understand that the City complies with all applicable laws regarding equal employment opportunity and provides a workplace free of harassment and discrimination. I will bring any questions or concerns I have regarding equal employment opportunities, discrimination, retaliation or harassment to my supervisor, the Human Resources Manager, or any trusted manager or supervisor.

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

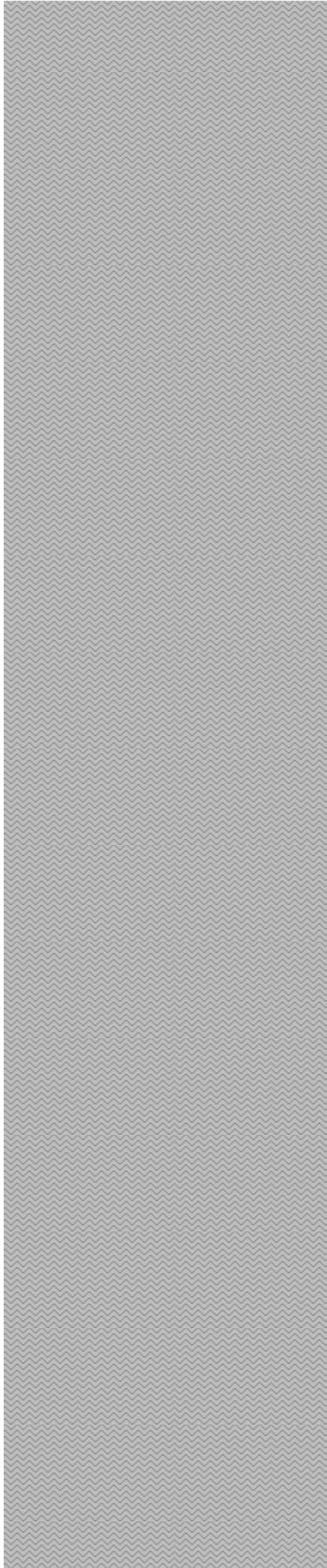
I have read this acknowledgement carefully before signing.

---

Employee Signature

Date

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



# APPENDICES

Appendix A	Accident Investigation and Reporting
Appendix B	Travel & Training Policy
Appendix C	Fraud & Financial Irregularity Policy
Appendix D	Miscellaneous Cash Receipt and Deposit Policy
Appendix E	Driving Policy
Appendix F	Sample Forms

# **APPENDIX A: ACCIDENT INVESTIGATION AND REPORTING**

It is the goal of the City of Dallas to have all work related injuries reported as soon as possible, thereby assuring prompt attention and benefits for the injured employee.

In the event of a reportable injury to a City employee, the employee and employee's supervisor will complete and submit a State of Oregon Worker's and Employer's Report of Occupational Injury or Disease (Form 801) as soon as possible but at most within 48 hours after knowledge of an accident to the Human Resources Manager.

#### Required Reports

The following forms and/or reports are required:

**Injury or Illness Requiring First Aid Treatment (where the Worker is NOT Filing a Claim). Please note first aid treatment without a doctor visit does not require a Form 801 be completed.**

- Supervisor's Accident/Illness Investigation Report
  - If at some later date, an employee does need to see a doctor for the injury or illness, this form serves as a "placeholder" and allows the employee to then fill out an 801

**Injury or Illness Requiring First Aid Treatment/Doctor Visit (where the Worker IS filing a Claim)**

- Supervisor's Accident/Illness Investigation Report
- State of Oregon Report of Occupational Injury or Disease/Illness (Form 801). The employee's section AND employers section must be filled out. In most cases, this form may be filled out online through the CIS website. For more information on this process, contact the Human Resources Manager.

**Non-Injury Accident Reporting**

- Employee completes the "City of Dallas Non-Injury Investigation Form"
- Supervisor investigates the accident
- Final report is given to employee, department head, and Human Resources Manager.

**Vehicle Accident Report**

- In a manner that is safe, the employee surveys the damage to vehicle, provides aid to injured persons (this is not required), and contacts emergency services.
- The employee has witnesses fill out witness cards, completes the accident report summary and provides insurance/information to all related parties. Accident packets are located in all City vehicles and additional packets are available from the Human Resources Manager.
- A DMV report is completed if there is an injury or damage is in excess of \$1,500
- A *Non-Injury Investigation Form* is filled out if there is no injury.

**ATTENTION!** Oregon Safety Rules require that the Employer notify OR-OSHA within eight hours of an accident involving multiple injuries of three or more employees requiring hospitalization or one or more fatalities. Oregon OSHA must also be contacted within 24 hours of an injury that results in hospital admission. The City Manager, Department Head, or Human Resource Officer or their designee will be responsible for notifying the agency by calling OR-OSHA at 503-378-3272

(Salem Central Office) or 800-922-2689. At night or on weekends, call Oregon Emergency Response, 800-452-0311.

NOTE: A new rule requires preservation of the scene of a fatality or catastrophe. It states: "Employers, their representative, or others shall not disturb the scene of fatality or catastrophe other than to conduct the rescue of injured person, until authorized by the Administrator (or designee), or directed by a recognized law enforcement agency." (OAR 437-001-0053)

ADDITIONAL NOTE: The Dallas Police Department should be contacted in all cases of a fatality or serious injury for investigation purposes.

#### Early Return-to-Work Program

If you sustain a work-related injury or illness which requires medical attention and prevents you from returning to your regular job, your medical status will need to be evaluated to determine if you are capable of performing temporary light duty work. Upon notification that a work-related injury or illness has occurred and medical treatment has been sought, the City will promptly contact your treating physician to inform them of the City's return-to-work program and obtain a release for work. The City defines light duty work as temporary modified work assignments that are within the injured employee's physical abilities.

This policy applies to all full-time and regular part-time employees of the City of Dallas.

The City of Dallas encourages our employees to maintain safe work practices. However, should a work-related accident or illness occur, we have established the following guidelines to provide employees the opportunity to continue to work at a reduced capacity in an alternate light duty job.

In no event will the assignment to an alternate light duty job be deemed a permanent assignment to that position, nor will assignment to an alternative light duty job constitute a permanent modification to an employee's regular position, regardless of the duration of assignment to the alternate light job duty.

#### Procedure

When written approval to return to temporary light duty work is given by your treating physician, your Department Manager will try to find a temporary light duty position for you, but is under no obligation to do so. Failure to accept a suitable light duty job may jeopardize your entitlement to workers' compensation benefits.

If you are released, and temporary light duty work is available which meets the medical restrictions established by your treating physician, you could be placed in a light duty job. While assigned to a light duty job, your Department Manager will monitor your medical progress and coordinate communications between all interested parties to enable you to return as quickly as possible to your regular job.

#### Eligibility

Participation is limited to employees who have experienced a job related injury or illness, which temporarily prevents them from performing their regular job duties. If you experience a non-work

related injury or illness, other accommodations may be available as determined by the City on a case-by-case basis.

You may no longer qualify for participation if one of the following occurs:

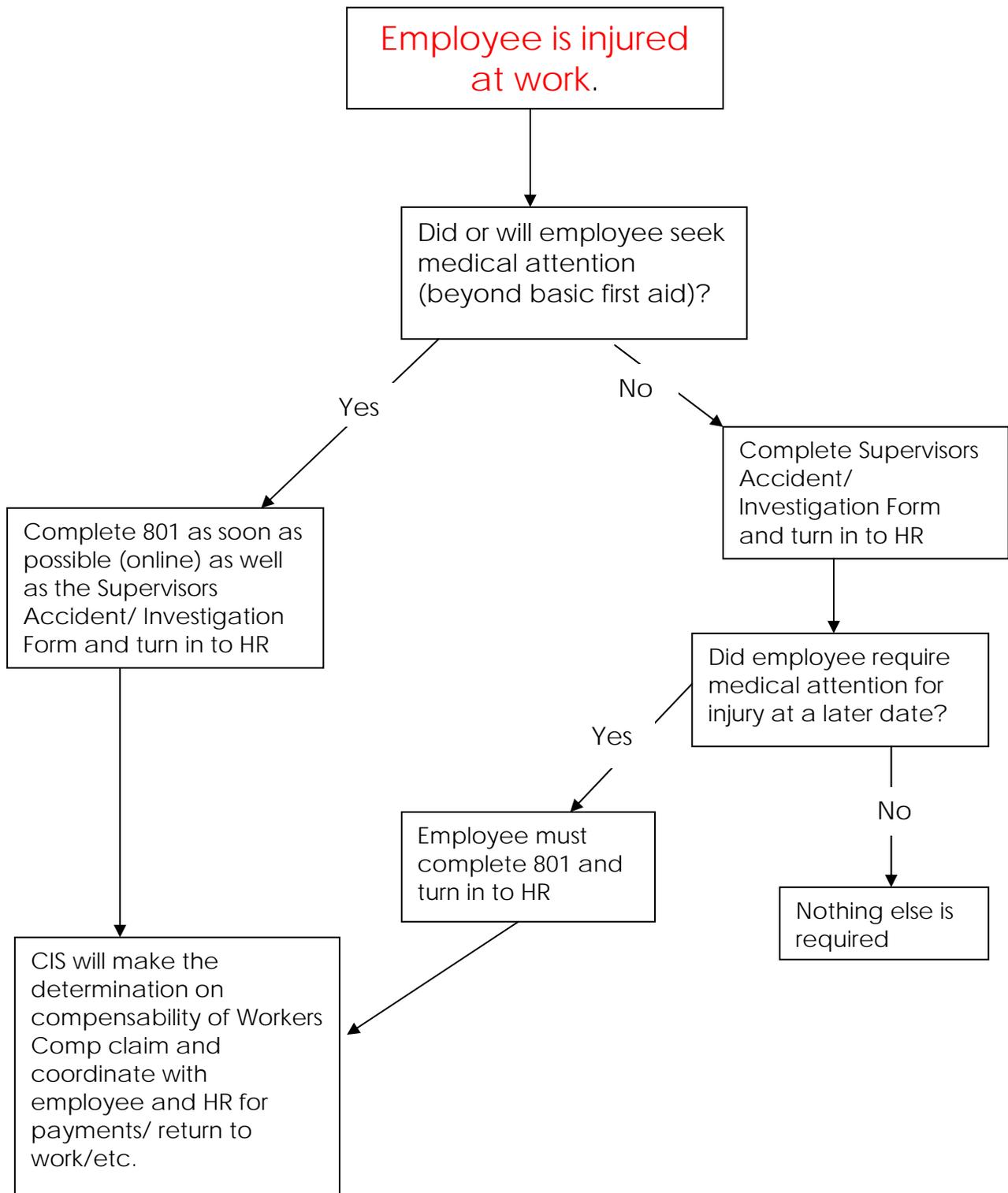
1. Your treating physician determines that you will be unable to return to your regular job duties;
2. There is a determination that your injury or illness is not work-related;
3. You are referred to vocational rehabilitation;
4. There is a determination that you are medically stationary but are still unable to return to your regular job duties;
5. Your workers' compensation claim is settled or closed;
6. You fail to abide by all City rules policies and procedures.

*Employee Responsibilities for Injuries and Accidents*

Report all on-the-job accidents and injuries to your supervisor immediately. This should be done within 24 hours. Your department head or Human Resources will provide a Workers' Compensation Claims Kit for each workers' compensation injury.

All on-the-job injuries and accidents will be investigated by the City's Safety Committee. It is important you contact HR immediately or as soon as possible in the event of any serious injury.

For assistance in determining if you need to complete an 801 form, the decision tree on the following page may help.



# 801 Quick Reference Guide

## Submitting a Workers' Compensation Claim Online

### CIS Can Help

CIS exists in true partnership with our members in resolving their workers' compensation issues with a focus on "people first" and safe, early return to productive work.

Filing a claim has never been easier or quicker with CIS' new online 801 form.

### Online 801 Instructions

#### To be completed by the injured worker\*\*

- Access CIS Website, [www.cisoregon.org](http://www.cisoregon.org)
- Under Quick Links -select "File a Claim"
- On the Claims Notification Process Page in the upper right corner under Claim Forms select "WC 801 Claim Form"
- Complete the "Report of Job Injury or Illness" form (all fields are required). Once the form has been completed select the "Submit" button on the lower left of the screen.
- Once submitted, you will receive an acknowledgement of the online submission and will be prompted for an Important next step: select "Click here" to print out the Injured Worker portion of the completed 801, sign, date and fax (503.763.3901) or scan and email ([claimswc@cisoregon.org](mailto:claimswc@cisoregon.org)) to CIS.
- If a pharmacy prescription is needed, under "First Fill" select "Click here" to print complementary pharmacy card.
- Upon Online completion of the Injured Worker portion of the 801, a claim number will be assigned, your employer and CIS will be notified of the claim.

**\*\*Note:** Employer may complete the form on behalf of the injured worker if necessary.



#### To be completed by the Employer

- The Employer Representative will receive an email notification that a Workers' Compensation claim has been filed, with instructions to log in to the CIS Website to complete the Employer Section of the 801.
- In the employer email notification, select the link provided to complete employer portion of the 801.
- Select the magnify glass to the left of the event date. This will launch the Incident Information page to be completed (all fields are required). The NCCI Code provides a drop down list of codes specific to employers workers' compensation policy. Once form has been completed select submit to complete the claim.
- After submitting the claim, view the completed form with Injured Worker and Employer Information combined. Click on the claim number that is underlined and highlighted in blue.

Upon completion of the on-line 801, the Injured Worker will immediately receive a claim number to provide to his/her medical provider at the time of the initial treatment.



CIS Claims Office  
 PO Box 1469  
 Lake Oswego, OR 97035  
 Phone 1-800-922-2684  
 Fax: 503-763-3901

# Report of Job Injury or Illness

Workers' compensation claim

## Worker

To make a claim for a work-related injury or illness, fill out the worker portion of this form and give to your employer. If you do not intend to file a workers' compensation claim with CIS, do not sign the signature line. Your employer will give you a copy.

1. Date of injury or illness:	2. Date you left work:	3. Shift on day of injury: (from) <input type="checkbox"/> a.m. <input type="checkbox"/> p.m. (to) <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	4. Regularly scheduled days off: <input type="checkbox"/>
5. Time of injury or illness: <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	6. Time you left work: <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	7. Check here if you are employed by more than one employer: <input type="checkbox"/>	
8. What is your illness or injury? What part of the body? Which side? (Example: sprained right foot)		9. Worker's language preference other than English: <input type="checkbox"/> Spanish <input type="checkbox"/> Other (please specify):	
10. What caused it? What were you doing? Include vehicle, machinery, or tool used. (Example: fell ten feet when climbing an extension ladder carrying a 40-lb. box of roofing materials)			
11. Name of witnesses:		12. Have you previously injured this body part? <input type="checkbox"/> Yes <input type="checkbox"/> No	
13. Your legal name:		14. Birthdate:	15. Gender: <input type="checkbox"/> M <input type="checkbox"/> F
16. Mailing address, city, state and zip:			17. Home phone:
18. SSN (See #25 below):	19. Dept. & Job Title:		20. Work phone:
21. Name of physician or health-care professional:		22. If medical treatment was given away from the worksite, print name and address of facility:	
23. Were you hospitalized overnight as an inpatient? <input type="checkbox"/> Yes <input type="checkbox"/> No			
24. Were you treated in the emergency room? <input type="checkbox"/> Yes <input type="checkbox"/> No			
25. By my signature, I am giving notice of a claim for workers' compensation benefits. The above information is true to the best of my knowledge and belief. I authorize health care providers to release relevant medical records to the workers' compensation insurer, self-insured employer, claim administrator, and the Oregon Department of Consumer and Business Services. <b>Notice:</b> Relevant medical records include records of prior treatment for the same conditions or of injuries to the same area of the body. A HIPAA authorization is not required (45 CFR 164.512(I)). Release of HIV/AIDS records, certain drug and alcohol treatment records, and other records protected by state and federal law require separate authorization. I authorize the use of my SSN in the processing of this claim. (Authorizing the use of your SSN will ensure prompt processing of your claim and that your medical records are not released to unauthorized parties. If you do not authorize the use of your SSN, check here <input type="checkbox"/> .)			
26. Worker signature:	27. Completed by (please print):		28. Date:

## Employer

Complete the rest of this form and give a copy of the form to the worker. Notify CIS within five days of knowledge of the claim. Even if the worker does not wish to file a claim, maintain a copy of this form.

29. Employer legal business name:		30. Phone:	31. FEIN:
32. If worker leasing company, list client business name:		33. Client FEIN:	
34. Address of principal place of business (not P.O. box):		35. Insurance policy no.:	
36. Street address from which worker is/was supervised: ZIP:		37. Nature of business in which worker is/was supervised:	
38. Street address, city, and state where event occurred:			
39. Was injury caused by failure of a machine or product, or by a person other than the injured worker? <input type="checkbox"/> Yes <input type="checkbox"/> No		40. NCCI code:	
41. Were other workers injured? <input type="checkbox"/> Yes <input type="checkbox"/> No	42. Did injury occur during course and scope of job? <input type="checkbox"/> Unknown <input type="checkbox"/> Yes <input type="checkbox"/> No	43. OSHA 300 log case #:	
44. Date employer knew of claim:	45. Worker's weekly wage: \$	46. Date worker hired:	47. If fatal, date of death:
48. Return-to-work status: <input type="checkbox"/> Not returned <input type="checkbox"/> Regular Date: <input type="checkbox"/> Modified Date:		49. If returned to modified work, is it at regular hours and wages? <input type="checkbox"/> Yes <input type="checkbox"/> No	
50. Employer signature:	51. Name, title, and phone (please print):		52. Date:

**801**  
 XB01 1/05

**OSHA requirements:** On the job fatalities and catastrophes must be reported to OR-OSHA within eight hours. Report any accident that results in overnight hospitalization within 24 hours to OR-OSHA. Call (800) 922-2689, (503) 378-3272, or Oregon Emergency Response (800) 452-0311, on nights and weekends.

**801**

## Understanding workers' compensation claims

### A guide for workers recently hurt on the job

You have received this information because you are filing a workers' compensation injury or illness claim (Form 801) with your employer. If you have additional questions, please do one or more of the following:

**Contact your employer's workers' compensation insurer** to find out information about your claim.

**Call the Ombudsman for Injured Workers** for help understanding your rights and responsibilities, (503) 378-3351, toll-free, (800) 927-1271, or TTY (503) 947-7189.

**Call the Workers' Compensation Division (WCD)** for general information about benefits, (503) 947-7585, toll-free (800) 452-0288, or TTY (503) 947-7993. Visit the WCD Web site: [www.oregonwcd.org](http://www.oregonwcd.org)

**Contact the insurer or the Workers' Compensation Division** at the phone number above and ask for the brochure "*What happens if I'm hurt on the job?*". The insurer will send this automatically if you are disabled by your injury.

#### What do I do now?

Tell your doctor that you were hurt on the job. Your doctor will ask you to fill out a Form 827 – "*Worker's and Physician's Report for Workers' Compensation Claims.*" Your doctor will send the Form 827 to the insurer for you.

#### May I get treatment from any doctor?

Unless the insurer has enrolled you in a managed care organization (MCO), you may treat with any doctor who qualifies as an attending physician under Oregon law. Your attending physician is the doctor who is primarily responsible for your care. Your doctor will tell you if there are any limits to the services he or she can provide.

#### What are my doctor's responsibilities?

Your doctor is in charge of your medical treatment. Only your doctor can authorize time off work, reduced work hours or duties, or release you to go back to work.

#### Will my employer's insurer pay my medical bills?

If your claim is accepted, the insurer will pay injury-related medical bills. **Save your receipts** for prescription medications, transportation, and other bills you pay for injury-related treatment and **request reimbursement in writing**. Bills are not paid if your claim is denied, with some exceptions. Contact the insurer if you have questions about who will pay your medical bills.

#### If I can't work, will I receive payments from the insurer for lost wages?

You will receive temporary disability payments if your doctor notifies the insurer that you **cannot work** due to your injuries or releases you to modified work that results in a loss of wages. However, Oregon law requires a three-day waiting period for these benefits. You won't be paid for the first three calendar days of lost wages unless your doctor does not release you to do any type of work for at least 14 days from the time you left work or if you were an inpatient in a hospital during your first 14 days of total disability.

If you have additional employer(s), you may be eligible to receive supplemental disability payments. You must notify the insurer about your other job(s) **and** provide proof of wages paid on the other job(s), i.e., check stubs or payroll records, **within 30 days of the insurer's receipt of your initial claim**, or you will lose your eligibility to receive supplemental disability benefits.

#### What can I do to make sure I receive benefits to which I am entitled?

- Find out the legal business name of your employer and the name of its workers' compensation insurer. If you have a problem getting this information, call the Workers' Compensation Division Employer Index, (503) 947-7814.
- Keep all medical appointments and follow your doctor's instructions regarding your medical care.
- Read and keep copies of all letters and forms you receive regarding your claim.
- Keep track of phone calls, including with whom you speak, subject matter, and dates.
- Observe all deadlines. Do not be late to submit information or to file appeals.
- Contact your employer immediately when your doctor releases you for work.
- Contact the insurer if you have questions.
- If you have questions about your claim that are not resolved by your employer or insurer, contact the Ombudsman for Injured Workers or the Workers' Compensation Division.



CITY OF DALLAS  
 ACCIDENT/ILLNESS INVESTIGATION REPORT  
 (Fact Finding, Not Fault Finding)

Please complete ALL of the following information:

Employee: \_\_\_\_\_ Job Title: \_\_\_\_\_  
 801 Filed? YES  NO

**To be completed by Employee:**

When did the incident occur? Date: \_\_\_\_\_ Time: \_\_\_\_\_  AM  PM

Location of Accident/Incident: \_\_\_\_\_

Date Accident/Incident was reported: Date: \_\_\_\_\_ To Whom: \_\_\_\_\_

Witness Information

Witness #1 (Name, Phone): \_\_\_\_\_

Witness #2 (Name, Phone): \_\_\_\_\_

Parts of the body affected (be specific and list which side of the body is affected as well, e.g. left side of neck, or right elbow, etc.):	Have part(s) been injured previously, or is there any pre-existing condition that could affect this injury?
How did the injury/illness occur?	Nature of injury <input type="checkbox"/> Scrape <input type="checkbox"/> Cut <input type="checkbox"/> Bruise <input type="checkbox"/> Amputation <input type="checkbox"/> Skin rash <input type="checkbox"/> Foreign body <input type="checkbox"/> Burn <input type="checkbox"/> Electrical shock <input type="checkbox"/> Pain <input type="checkbox"/> Strain <input type="checkbox"/> Jammed appendage <input type="checkbox"/> Other: _____
Explain what the worker was doing just prior to and at the time of the accident. (Use sequence of events and be specific):	

Was the incident caused by defective equipment, another person, or during training?  Yes  No  
 If yes, equipment info, name of person (suspect), or instructor name: \_\_\_\_\_

What do you think can be done to prevent this from happening again? \_\_\_\_\_  
 \_\_\_\_\_

Describe first aid given (what, when, and by whom): \_\_\_\_\_  
 \_\_\_\_\_

**If seeking medical treatment or you are unable to return to work, complete form 801 (Report of Job Injury or Illness for Workers' Compensation Claim)**

Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Attach additional pages and/or sketches or photos of the incident/accident if necessary.**

**To be completed by Employee's Supervisor:**

What is the root cause of this incident?

Lack of Training  Supervision  Rule Enforcement  Maintenance  Other \_\_\_\_\_

What is the surface cause of this incident?

Unguarded Machine  Broken Tool  Defective PPE  Horseplay  Fail to Enforce  
 Other \_\_\_\_\_

Did the worker report the incident within 24 hours?  Yes  No

What could have been done, or should be done, to prevent this accident/incident? \_\_\_\_\_

\_\_\_\_\_

Is there any reason to question that this is a job related event?  Yes  No  Unknown

If yes, explain (use additional paper if needed): \_\_\_\_\_

\_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Dept. Head's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**SAFETY COMMITTEE EVALUATION OF ACCIDENT/INCIDENT**

Corrective Action Needed:

Committee Recommendations:

Estimated Cost: \$

Safety Committee Chair  
Signature:

Date:

Administrator Signature of  
Approval:

Date:

Comments:

**SAFETY COMMITTEE FOLLOW-UP**

Corrective Action Assigned to (if  
applicable):

Date Completed:



# NON-INJURY INVESTIGATION FORM

## REPORTING ACCIDENT

Employee \_\_\_\_\_ Position \_\_\_\_\_

Date of Incident \_\_\_\_\_ Time of incident \_\_\_\_\_

Where did the incident occur? \_\_\_\_\_

What vehicle, tools, equipment or apparatus was involved? \_\_\_\_\_

Describe how the incident occurred \_\_\_\_\_

## WITNESSES

List of witnesses \_\_\_\_\_

What did the witnesses see or have to do with this particular incident?  
(Please have witnesses statements on separate paper and attach them to this form)

## CIRCUMSTANCES CONCERNING THE INCIDENT

Describe any factors that may have contributed to the incident \_\_\_\_\_

Was the incident a result of equipment failure or human error (explain) \_\_\_\_\_

Were any policies violated? \_\_\_\_\_ If yes, explain \_\_\_\_\_

**SAFETY AND PREVENTION**

Could this incident have been prevented? (explain) \_\_\_\_\_

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What corrective actions have or will be taken to prevent similar incidents from happening?

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**EMPLOYERS COMMENTS**

What steps if any will be required by the employee to continue in their present capacity?

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Note any past incidents that are similar in nature to this incident \_\_\_\_\_

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List any disciplinary action that was taken as a result of this incident \_\_\_\_\_

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Supervisor: \_\_\_\_\_ Title: \_\_\_\_\_

Department: \_\_\_\_\_ Date: \_\_\_\_\_

A copy of this report will be given to the employee, department head, City Manager, and placed in the individuals personnel file.

# **APPENDIX B: TRAVEL AND TRAINING POLICY**

This policy provides guidance to staff, managers, and supervisors to facilitate making travel arrangements that are suitable to the employee and also recognize the need to be good stewards of the public resources being used to pay these costs. This Policy is designed to balance flexibility for employees with a need to treat employees equitably across the organization.

This policy applies to all City of Dallas employees, officials, and volunteers.

### **Policy**

The City of Dallas provides for reimbursement to City employees who are required to travel on City business. It is the policy of the City to reimburse employees/officials for the reasonable expenses incurred when attending an authorized meeting, training or conference. Departments must ensure that the Reasonable Cost method is used for approval and reimbursement for these events. Training and conference opportunities offered in the State of Oregon are encouraged, but western regional and national opportunities may be considered.

The City recognizes that a well trained work force is critical to its success and encourages employee participation in training and conferences in accordance with the adopted annual budget and the availability of funds. The City also recognizes that the City of Dallas employs talented and knowledgeable staff members who are often requested to participate in professional organizations, interest groups, or *ad hoc* groups working on issues that are important to the City of Dallas and other governments. Participation in these meetings often times advances the interest and knowledge base of the employee and the City and is encouraged.

Employees are given some latitude in making travel arrangements but must do so recognizing that the City must work to keep costs within reasonable levels. An employee who seeks flexibility in travel arrangements may bear some of the costs of the trip in order to ensure that the City does not pay more than it would have without allowing the flexibility.

### **Definitions**

#### **Authorized Expenses:**

Expenses to be paid or reimbursed by the City, including training or conference registration, transportation to and from destination, lodging, meals and tips, local transportation at destination, and miscellaneous/incidental expenses related to hosting, attending, or presenting at training or conference events or as otherwise required to transact City business. These expenses must be approved prior to the event by the Department Head and City Manager.

#### **Conference:**

A formal program, event, or equivalent that encourages members of a general or specific profession to gather for purposes of professional networking and the exchange of information, ideas, and/or training.

#### **Day Trip:**

A training or conference event where there is no overnight stay.

#### **Employee:**

For purposes of this Policy, this includes any employee or volunteer who is not defined as an official and the City Manager and Municipal Court Judge.

Event:

For purposes of this Policy, means a training, conference, or meeting.

Meeting:

A gathering with other City departments; intergovernmental agencies; professional associations; or other entities, groups, or individuals to conduct City business or where the City has an interest in the business being conducted (i.e., a City staff member is on a committee working on a legislative issue). Meeting costs incurred by the City are generally *de minimus* and are not specifically budgeted for.

Officials:

For purposes of this Administrative Policy, officials include, Board and Commission members, and the Mayor and City Council members. The Mayor, City Council, and Board and Commission members are included in this Administrative Policy to facilitate the travel and payment processes, although they rarely attend training/conference events or travel for City business.

Overnight Trip:

A training or conference event where an overnight stay occurs.

Reasonable Cost:

A calculation that compares alternatives for attending an event that balances reasonableness, flexibility, and economies for the event, and that has the agreement of the employee, supervisor, and Department Director.

Reasonable Cost Method:

A method for determining the travel costs the City will pay for an employee to attend an event that takes into account the various alternatives for the event (i.e., travel dates/times, hotel selection) to get to a reasonable cost.

Taxable Fringe:

A reimbursement for an expense incurred by an employee that the Internal Revenue Service (IRS) has determined to be a taxable fringe benefit to the employee. As such, the reimbursement must be paid through payroll with appropriate withholding.

Training:

Any program, class, seminar, or equivalent provided by the City or any other authorized or approved entity, firm, or institution of higher education. Training must be intended to impart or teach skills, behaviors, and/or knowledge of benefit in providing City services. City-sponsored training must be related to the general or specific job responsibilities or to potential responsibilities of participating staff.

Trip Costs:

Any transportation, lodging, meal and/or necessary incidental expense related to attendance at a meeting, training, or conference.

### **Budget for Training and Conferences and the Associated Travel**

The City will annually develop conference and training plans and identify the associated travel costs. Each department must include conference and training information in its annual budget. The Finance Department shall budget costs for the Municipal Court Judge, and the City Manager's Office shall budget costs for the Mayor and City Council members. All training, conference, or travel expenditures must be within appropriated and available funds of the City.

The City does not generally budget for meetings; since opportunities tend to be sporadic or unplanned, and costs are usually low for a single meal (employees are encouraged to take a City vehicle). All departments budget a small amount of money for miscellaneous costs for these kinds of events.

### **Authorization**

Any event must be authorized prior to the expenditure of monies or the first day of travel. The beginning of this process for any person's attendance at an event is a review of this Policy, followed by a discussion between the employee and his/her supervisor to determine the likely costs for the event.

Once specific information about costs is obtained, the employee and supervisor will again discuss the plan and associated alternatives for the event, taking into account mode and costs for travel, lodging, meals, miscellaneous costs, and compensation. Once the amount the City will pay is determined, the employee may be allowed to develop plans that diverge from the agreement, recognizing the City will pay nothing more for the trip than was agreed upon.

*For example:*

An employee plans to attend training in Denver. The flight can go from Eugene or Portland, and there are associated costs for mileage, parking, or shuttle. Once the supervisor and employee agree that the City's reasonable costs are for a shuttle ride and to fly from Portland for \$384 total, the employee may choose to fly from Eugene and pay for parking for \$425 total; however, the City's reimbursement will only be for \$384.

Authorization is obtained using the Travel Request Form developed for this purpose, which is designed to capture all costs associated with each event. Travel plans that deviate from the lowest reasonable cost will need to be documented in the back-up associated with the travel. A separate authorization is required for each person attending.

The approval also authorizes the employee's absence from his/her normal place of work and, therefore, addresses some potential liability or worker's compensation issues, should any arise.

Travel for Department Heads is authorized by the City Manager or his/her designee.

Travel for the Mayor and City Council members is reviewed by the Mayor and Council President in a hard copy and referred to the City Manager if there are questions.

Travel for the City Manager is authorized by the Mayor or City Council President.  
Travel for the Municipal Court Judge is authorized by the Finance Director and City Manager.

Departments must ensure availability of funds for event registrations, and/or travel related costs prior to formal authorization.

### **Events**

Event registration can range from free to quite expensive. Registration costs are often discounted if the registration fee is paid early. In addition, registrations are often discounted for people who have memberships in the hosting organization. Each department will need to understand the specifics of the organizations that are hosting events of interest. Some organizations allow sharing a single membership between multiple employees or may give group discounts for multiple attendees. These discounts should be used whenever possible and economically viable to do so.

### **Training**

The City endeavors to hire and retain qualified employees for all positions. The City and its employees also recognize that continuing education provides mutual benefit to the City and the employee. As such, employees and supervisors should work together to find the most reasonable and effective methods of achieving training goals.

When continuing education is to maintain a license or certificate that is required for the position an incumbent holds, the City will ensure that the employee has every opportunity to attend the required training. If adequate budget appropriations and funds exist, the City will pay the appropriate costs to maintain licenses/certifications.

### **Conferences**

The City supports employee development achieved through professional conferences. Conferences provide the opportunity for employees to learn about legislative and operational changes and new developments or technologies and to benefit from the collegial exchange of ideas. If adequate budget appropriations and funds exist, the City will pay for appropriate employees to participate in conferences hosted by professional organizations as approved by the Department Director.

### **Meetings**

The City supports a wide variety of other organizations in the state and at the national level through staff participation. Organizations can include professional groups (i.e., Oregon Chiefs of Police), interest groups (i.e., League of Oregon Cities [LOC]), or standards-setting groups (i.e., Oregon Department of Transportation group working on new pavement marking standards). Staff is encouraged to attend meetings where the City or staff has a specific interest and where the staff member's supervisor agrees with the City's representation. If adequate budget appropriations and funds exist, the City will pay the expenses for appropriate employees to participate in meetings.

### **Trip Costs**

Reasonable trip costs are based on calculating all costs, taking into account registration, transportation, lodging, paid travel time, potential overtime, meals, miscellaneous expenses, and the employee's personal time. Employees and departments should make every effort to ensure cost

efficiency in the selection of transportation and lodging alternatives for official travel. Once the most reasonable cost for a trip has been determined between the employee and the supervisor and the Department Head and City Manager has signed off on the plan for the trip, the employee may choose to take a more costly option; however, the City will not pay the additional costs. This may require the employee to pay costs of the trip via a personal credit card, as opposed to having the City pay the costs directly. Shopping for trip costs can save the City significant monies. For example, on-line travel services may price a combined airfare/hotel package at less than the airfare plus the conference rate for the hotel when booked separately. Taking advantage of these kinds of services can take a little more time than just calling to book the conference hotel but may be well worth the effort.

## **Transportation**

### **1. General**

- a. The primary method of transportation is often readily apparent, based upon the event location. Where there are transportation alternatives, the method selected shall be by the most reasonable carrier and mode. Some analysis is recommended to determine a cost-efficient carrier and mode and will need to take into account additional costs that may be incurred when evaluating transportation modes (including paid time based on the applicable collective bargaining agreement).

#### *For Example:*

Event in Seattle – transportation can be by train, airplane, or driving. If driving, transportation can be by City vehicle, personal vehicle, or rental car. All modes must balance paid time with the cost of the selected mode.

- b. Flexible travel schedules may be accommodated when the resultant travel cost remains reasonable to the City.
- c. All transportation costs, excluding only the use of a personal vehicle or a parking meter, require receipts to be turned in to be eligible for reimbursement.
- d. When out-of-state travel is required, the City potentially assumes additional liability. Therefore, an employee who travels out of state using a personal vehicle on official business needs to provide proof of automobile liability insurance coverage for the time traveling on City business prior to the trip approval.

### **2. Mass Transportation**

- a. Early transportation selection often provides discounts and lower transportation costs. On-line services often offer the lowest costs for air travel. It is recommended that airfare deals (and airfare combined with lodging) be shopped to find the best price possible. This may include checking costs several days in a row once event participation has been approved by the Department Head.
- b. Mass transit (air, bus, train) travel shall be coach or economy class. Unused portions of airplane, railroad, and bus tickets are subject to refund to the City, and all steps necessary to secure such refunds shall be taken by the traveler.

- c. For air transportation, staff can fly from Eugene or Portland. Sometimes flight costs are the same, but sometimes one or the other is considerably more expensive. As with other areas of travel, the cost differences for all transportation (i.e., round-trip mileage/shuttle, parking) must be taken into account when calculating the reasonable transportation costs.
- d. When determining the most-reasonable transportation costs for mass transportation, all miscellaneous fees and charges must be included, such as the cost of the ticket, luggage fees, transportation to/from the point of departure (i.e., round-trip mileage or shuttle cost from Dallas to the airport or train station), economy parking fees, employee travel time, and ground transportation at the event location.
- e. Ground transportation from Dallas to the airport via an airport shuttle is often a lower-cost alternative than paying mileage and parking costs and meets sustainability criteria. If the airport shuttle is a lower-cost alternative, then the City's reimbursement will be for shuttle costs, regardless of the employee's choice of ground transportation.
- f. Many hotels at event locations offer free shuttles from the airport/train station to the hotel. If offered, no other ground transportation from the airport/train station will be paid for by the City.

### 3. City Vehicle

- a. When a City vehicle is used and expenditures for fuel, oil, and emergency repairs are necessary, actual receipts must be submitted to receive reimbursement.
- b. The driver of the vehicle must have a valid Oregon driver's license (ODL), be a City of Dallas employee as defined in this Policy, and follow the "Driving/Vehicle Use Policy" as identified in the Administrative Rules, Health and Safety, page 33.
- c. For in-state events, it is preferable to take a City vehicle, if one is available for the duration of the trip.

### 4. Personal Vehicle

- a. An employee's personal vehicle should be used as a last alternative for City business, except for the City Manager and Department Heads. Mileage shall be paid at the per-mile rate on the date of travel, as stated in IRS guidelines and posted at [www.irs.gov](http://www.irs.gov) and included in the on-line trip registration application. The owner of the vehicle may claim reimbursement of such items as bridge, highway, tunnel, and parking tolls with appropriate receipts.
- b. Mileage incurred at the site will be reimbursed if it was incurred based on attending events associated with the event but not for personal use during the event. Expectations for driving while at the event must be discussed in advance with the supervisor and approved before departure.

- c. The most direct and usually traveled route will typically be the basis for transportation reimbursement. This method can be checked by using on-line tools such as Google Maps or MapQuest. If traveling from home, the reimbursement will be the lesser of home-to-destination or office-to destination.
- d. No other personal vehicle costs will be reimbursed (oil, fuel, repairs, insurance, etc.). The driver of the vehicle must have a valid ODL, meet the driving standards of the City, and have automobile insurance and vehicle registration required by the Administrative Rules, "Driving/Vehicle Use Policy." Personal automobile insurance is primary in the event of damage to a personal vehicle.
- e. When more than one official or employee travels in one private vehicle and all have allowable expenses, only the owner of the vehicle will be reimbursed for mileage expenses. If more than one City employee is attending an event, the City encourages car pooling for all attendees.

#### 5. Other Transportation Expenses

- a. Reimbursement may be claimed for other reasonable transportation expenses, including tips associated with taxi fares (15 percent), transport service, luggage fees, and other mass-transit fares. The likelihood of these expenses must be discussed with the supervisor before the event, so estimated costs can be included in the travel plan. Receipts must be included with the final travel reconciliation for reimbursement.

#### **Lodging**

1. Fiscal prudence and common sense are to be considered by departments in determining reasonable lodging arrangements.
2. The guideline for hotel selection is to secure a quality room at or near the event and at an economical rate. Sometimes, the event hotel will be more expensive than other hotels within a several-block radius. The person traveling and his/her supervisor should discuss issues surrounding the hotel selection, including costs for transportation from an alternate, lower-cost location; the traveler's willingness/ability to walk to the event location or use other transportation alternatives (i.e., a conference shuttle); and the employee's safety in doing so.
3. Only the actual number of days that the employee attends training and travel days may be claimed for reimbursement.

Exceptions to this are:

- a. A savings on other trip expenses (i.e., air fare) to the City can be demonstrated by extending the stay, and the extension is approved in advance; or
- b. Times for scheduled air travel that put the employee at the event location the day the event begins would be unreasonable; or

- c. Circumstances beyond the control of the employee require early arrival or an extended stay that is approved upon the employee's return.
- d. When an official or employee is accompanied by a member of his/her family or other guest, reimbursement shall be made on a single room rate only.
- e. At check-in, the employee will be required to present a personal credit card for possible charges to the room (i.e., room service, internet access, damage). The employee will need to be prepared to present a personal credit card for these charges since they will not usually be reimbursable by the City.

### **Employee Meals**

1. City employees or officials attending events related to the conduct of City business will be provided a *per diem* allowance for meals, which includes tips. Receipts for meals will not be required unless the Department Director feels that the *per diem* (with no receipt) is being abused. Then that department can require receipts for all meals, if it notifies employees in advance that receipts will be required. In no case will the City reimburse an employee for more than the *per diem* rate for a meal, even if the employee presents receipts showing higher costs, unless the City Manager approves the higher reimbursement.
2. The City uses the Federal guidelines for meals and incidental expense standard *per diem* rates (where receipts are not required) for Oregon cities not otherwise cited ([www.gsa.gov](http://www.gsa.gov)). Rates are reviewed annually; and if the Federal government changes the rates, they go into effect October 1 each year. Rates will be changed on the travel forms when the General Services Administration (GSA) changes the rate.
3. Reimbursement will not exceed the GSA rate per day if all three meals are taken. If the travel covers only a portion of a day, the meal reimbursement will not exceed the per-meal rate. The employee and supervisor must discuss and agree in advance on which meals will be reimbursed depending on the specifics of the event and the employee's travel plans, compared to normal work schedules/meal times. General consideration for partial-day reimbursements should be given to the following types of guidelines:
4. If the 8-5, M-F employee must leave home/work site before 6:00 am (or two hours before a normal work shift), then the City will pay for breakfast; If the 8-5, M-F employee will arrive at home/work site later than 7:00 pm (or two hours later than a normal work shift), then the City will pay for dinner.
5. Meals provided by the event must also be discussed with the employee. Usually, when a meal is provided by the event, the City will have already paid for the employee's meal by paying the registration fee and will not pay the *per diem* for that meal. When a meal provided is identified as a continental breakfast, the City will always pay the *per diem* for breakfast, since continental breakfasts are often too minimal to count (i.e., a single mini-muffin and coffee).
6. Meals provided at the event can be offered as part of a social event (i.e., a banquet with a band and dancing), part of a business meeting (i.e., during lunch delegates will vote on rules changes), a

networking opportunity (i.e., LOC holds a lunch where city staff are grouped by size of city to share challenges and solutions), or part of the training/conference event (i.e., during lunch there will be a presentation on X worth continuing education credits). The employee and the supervisor need to discuss whether or not the employee plans to attend the session where the meal is served, whether this will increase the number of hours worked for the day, potentially putting the employee into an overtime situation, and whether there are alternatives in the work schedule that can allow the employee to attend the event without incurring overtime.

*For example:*

An 8-5, M-F employee is going to a three-day conference where the starting time is 8:00 am and the ending time is 5:00 pm, with a lunch session each day. The employee's attendance at the lunch sessions will result in her working 27 hours in the first three days of the week. Changing the employee's work schedule so that for the week she works M/T/ W nine-hour days, then Thursday works five hours and a regular eight hours on Friday may help the employee better balance work and home life. Once the supervisor and employee have worked out the meal requirements, the meal *per diem* can be calculated according to the decisions made by the supervisor and employee.

7. Meals associated with the official training or conference event which are not included in registration costs, are not entertainment events or voluntary, are events in which the employee wants to participate, and the supervisor agrees are of benefit to the City will be paid for by the City at the actual cost with the Department Director's advance approval, regardless of the *per diem* rate for that meal.

### **Meals for Non-Employees**

1. Expenses paid by City employees or officials for meals consumed by non-City employees or officials which are incurred during the conduct of official City business will be reimbursed for actual expenses based upon receipts but no more than the *per diem* amount for the meal with appropriate authorization. City staff members will rarely "treat" non-City officials to a meal and will not provide family members with a meal at City expense.
2. IRS regulations for an employer to reimburse the employee for a meal requires the name(s) of non-City employees or officials, the organization(s) they represent, and the business agenda discussed over the meal to be included with the request for reimbursement, along with the nature of the discussion. The reimbursement for the meal will be a taxable fringe benefit to the employee and paid through the payroll system except for very rare circumstances where the main purpose of the meal is to conduct business (and the business is actually conducted) and there is more than a general expectation of the City deriving income or benefit based on the business conducted (i.e., lunching with a potential donor for a specific project).

### **Miscellaneous Costs**

1. The expenses of non-City personnel invited by the City will be reimbursed by the City, if their attendance is specifically related to the conduct of City business. The policies and reimbursement practices described herein shall apply to authorized non-City personnel travel.

2. Canadian travel will be reimbursed in United States dollars based upon the average exchange rate in effect during the trip. Employees who travel to Canada are responsible for filing a refund of Canadian Gift and Service Taxes (GST) and can find the forms to do so at any Canadian hotel. The GST refund shall be turned over to the City upon receipt or shall be subtracted from the employee's reimbursement if paid on a personal credit card.
3. Other reasonable expenses not specifically covered in this Policy may be reimbursed if within appropriated and available funds and properly authorized by the department. Expenses in this category must stand up to the highest level of scrutiny.
4. Expenses incurred by City officials when attending or hosting meetings necessary to the performance of their official duties, attended as a representative of the City of Dallas in an official capacity, shall qualify for reimbursement.
5. Non-allowable expenses include expenses that are personal in nature, entertainment expenses, violations of state or local law, or expenses incurred whether or not the employee would have been on City business.

Examples of non-allowable expenses include, but are not limited to:

- a. Conference events which are entertainment (i.e., concerts, golf tournaments);
- b. Parking fines or penalties for traffic violations;
- c. The loss or theft of personal property;
- d. Personal telephone calls;
- e. Room movies, video rentals, and room service charges outside of the per diem;
- f. In-room data access costs unless the City requires the employee to access the City's network for work purposes while away from Dallas;
- g. Alcoholic beverages;
- h. Expenses for domestic partners or other family members; and
- i. Expenses not substantiated by a receipt, excluding *per diem* meals.
- j. Departments should consider cost trade-offs for trip expenses and take into account reasonable and creative methods of saving money. Examples include reimbursing mileage for two round trips to the airport if the employee is dropped off and the costs are less than mileage plus parking or the shuttle would have been. Employees are allowed to select higher-cost alternatives with the agreement that the employee will pay the cost difference. For example, if the lowest-cost alternative is to take a shuttle to the Portland airport, and the employee would rather drive, the employee may make that choice, and the City's reimbursement will be for the shuttle only.

### **Compensation During Training and Conference Events**

Compensation shall be paid for travel and time attending a conference or training session in compliance with the Fair Labor Standards Act (FLSA), the Oregon Bureau of Labor and Industries (BOLI) requirements, and applicable City collective bargaining agreements. The employee and supervisor may also agree to adjust the employee's work schedule per the collective bargaining agreement to help reduce City travel and training costs. The City may assign work for any compensable travel time.

All employees will be paid for their regular work hours while they are at a training or conference event (i.e., days when the employee is not traveling) unless their work schedule has been changed in advance. An employee who is idle for a non-travel day (i.e., not attending training or conference sessions), or portion thereof, at the training/conference site on a day they do not regularly work is not entitled to compensation for that day.

*For example:*

A 7am-to-6pm employee who attends a training that begins at 8:00 am and ends at 5:00 pm with an hour off for lunch will be paid for 10 hours, since that is his/her regular schedule unless the work schedule has been changed in advance.

An 8am-5pm, M-F employee who travels on Saturday for a conference that begins on Monday will not be compensated for Sunday.

An 8am-5pm, M-F employee attends an event that ends at 12:00 pm, and the employee can be back at work by 2:00 pm. The employee will need to work until 5:00 pm or take leave time (vacation or compensatory) for the last three hours of the day to be paid for the full day.

FLSA-exempt employees are paid their regular salary for the time they are traveling or attending a training or conference event and do not receive any extra pay, regardless of the hours.

### **Paying for Training/Conference/Meeting Events**

Payments for events fall into one of three classifications:

1. Advance payments to vendors – These are payments made by the City to the vendor such as the event convener (for registration), the hotel, the airline, etc. where the City either charges the costs on the City's purchasing card or pays via check issued by Accounts Payable.
2. All departments have at least one staff member who has been issued a purchasing card to facilitate payment processing for a wide variety of purchases. For on-line purchases in particular, the purchasing card can be an efficient way to process payments for a variety of costs associated with an event.
3. Registration should be completed as early as possible to take advantage of any discounts that are offered. Registration costs are often one of the easiest to book using the purchasing card.
4. In some cases, using a purchasing card for booking a hotel for a traveler who is different than the person booking the room can be a challenge. Many hotels will ask for written authorization from the card holder to use his/her card for the traveler.
5. Some departments have used the purchasing card to book the room, and then requested a check from Accounts Payable to pay the actual costs of the room to address this issue.
6. Booking airfare plus a hotel through a reputable on-line travel service can result in lower costs for both airfare and the hotel than purchasing separately. This also addresses all issues raised in 5.04.111.a.3, since the on-line vendor pays both the airline and the hotel.

7. If the advance payment will be made using an Accounts Payable check, a minimum of 15 days should be allowed for the Finance Department to process the checks. Checks to vendors for registration, hotels, airfare, shuttle expenses, etc. will be processed in the regular Accounts Payable check run closest to the actual date of travel.
8. Advance payments to employees before travel – These are payments made directly to the employee who will be traveling, and will either be a reimbursement for a cost already incurred when the employee paid the vendor (i.e., the employee charged air fare on his/her personal credit card), or advance payments made for meals and miscellaneous expenses prior to departure. These payments are made via check from Accounts Payable.
9. A minimum of 15 days should be allowed for the Finance Department to process advances on estimated travel expenses. Checks for mileage, meals, and other incidentals will be processed in the regular Accounts Payable check run closest to the actual date of travel. Manual checks will not be issued.
10. Employees/officials must have receipts to be advanced for registration, lodging, and transportation booked on a personal credit card. Receipts are not required for advance payments of *per diem* for overnight travel once the employee and supervisor have agreed on which meals are covered.
11. Employees who choose to travel using a method other than the most reasonable cost may be required to book costs on a personal credit card or via some other form of personal payment and then be reimbursed the amount the City has agreed to pay. For example, if an employee chooses to pay more to fly from Eugene, the City will not purchase the more expensive plane ticket; the employee will have to make that purchase.
12. Reimbursement payment to the employee after travel – This payment occurs after the employee has traveled and completed the trip expense reconciliation and monies are owed to the employee.
13. If the total of the advances to vendors and the employee exceed the actual costs of the trip, the employee owes the City a refund.

Employees may use a personal credit card to pay for event costs following these rules:

- a. In compliance with Oregon State Laws about ethical behavior of public employees (Ethics Commission Staff Opinion 01S-005), no employee may use a personal credit card that gives any kind of benefit to the employee (i.e., no frequent flyer miles, no purchase points, no cash-back rewards).
- b. No costs may be booked prior to the employee and supervisor discussing the event and the department's approval of the event, as directed through this policy.
- c. Employees/officials must have receipts to be reimbursed for registration, lodging, and transportation booked on a personal credit card. For day trips (no overnight travel), *per diem* will be advanced with sufficient notice.
- d. After the official or employee has returned from a trip or event, all allowable expenses not covered by advance payments will be reimbursed.

- e. Advances in excess of actual expenses must be returned to the City by the employee or official when the reconciliation is completed.
- f. Final reconciliations that show monies due to the employee will be processed in the next regular Accounts Payable check run following receipt of the completed trip expense process.
- g. Whether lodging expenses are prepaid in part or in full, everyone is required to obtain a receipt of actual lodging expenses to be submitted with the final reconciliation.
- h. Any employee who fails to meet any of these deadlines may not be reimbursed and may no longer be eligible for trip expense advances.

**Review and Update**

This policy shall be reviewed every two years in October by the Finance Director or his/her designee and updated as appropriate.

# **APPENDIX C: FRAUD & FINANCIAL IRREGULARITY POLICY**

The City of Dallas (City) has a stewardship responsibility over all resources entrusted to it. The City is committed to compliance with laws and regulations to which it is subject and expects the highest standards of moral and ethical behavior from all of its employees, volunteers, elected officials, consultants, contractors and vendors. The City's internal controls are designed to prevent and detect inappropriate activity; however, in the event these controls are circumvented, this policy is designed to encourage all employees and others to report fraudulent acts or irregularities in a timely manner.

This policy applies to all City employees, volunteers and elected officials as well as consultants, contractors and vendors. All City employees, volunteers, elected officials, consultants, contractors and vendors should be knowledgeable of this policy.

Definitions

Fraudulent activity or financial irregularities: An act, misstatement, or omission of information that is intentional and detrimental to the financial interests of the City. These may include but are not limited to the following:

Accounting and financial reporting irregularities	<p>Deliberate misstatement of revenues, expenses, assets, liabilities, and net assets.</p> <p>Financial reporting assumptions in violations of generally accepted governmental accounting standards.</p> <p>Purposely misreporting transactions to conceal the true accounting picture of the City or any department of the City.</p> <p>Accounting and financial reporting errors known to management that they have failed to correct.</p>
Conflict of interest and purchasing ethics	<p>Using a City position for personal financial gain. The Oregon State Ethics Law (ORS 244) establishes guidelines for public officials.</p> <p>Examples may include an employee contracting with a vendor who is a family member or giving, receiving, or soliciting gifts or items of value from a vendor; selling confidential information.</p>
Misuse of City assets; Waste	<p>Using City resources for personal use, and spending or allocating resources significantly in excess of reasonable need.</p> <p>Examples may include using a City-owned car for personal travel, making routine personal long distance calls on City phones, using City-owned copy machines for personal business operation, and incurring unnecessary costs as a result of inefficient or negligent practices, systems or controls.</p>
Payroll and time abuse	<p>Inappropriate reporting of hours and wages.</p> <p>Examples include not recording time away from work (leave) and reporting hours that were not worked – including overtime.</p>
Theft or conversion of	<p>Act of unlawfully taking City assets such as cash or equipment and converting them for personal use or selling them for personal gain.</p>

## City property

Purchasing and expenditures	Purposeful, unauthorized, or falsified purchases or expenditures for personal gain or in violation of funding restrictions. Examples may include purchases of computers for personal use, falsified travel reimbursements, abuse of procurement card for the use of personal expenses, purchasing of alcohol with public funds.
Falsification of contracts, reports, or records	Altering, fabricating, destroying, misrepresenting, or forging contracts or documents for personal gain or unfair advantage. Examples include forging the signature of a City official on a legal document and claiming ineligible dependents on health care coverage.
Improper disclosure of confidential records	Disclosure of confidential personal data which may lead to identity theft. One example includes the loss of computers containing social security numbers obtained from City databases.
Other financial matters	Improper accounting or financial practices, not categorized above, which lead to a financial detriment to the City.

Suspected fraudulent act or financial irregularity: A reasonable belief or actual knowledge that a fraudulent act or financial irregularity is occurring or has occurred.

### Responsibilities

All employees, volunteers, elected officials, consultants, contractors and vendors shall report known or suspected fraudulent acts or financial irregularities as follows:

- Matters involving employees (other than the City Manager), volunteers, and contractors must be reported to the appropriate department head or to the City Manager.
- Matters involving the City Manager must be reported to the Mayor or the City Attorney. Upon receipt of such a report by the Mayor, the Mayor shall notify the City Attorney and the Council President. Upon receipt of such a report by the City Attorney, the City Attorney shall notify the Mayor and the Council President.
- Matters involving an elected official must be reported to the Mayor, the Council President or the City Attorney; provided, if the matter involves either the Mayor or the Council President, see below. Upon receipt of a report by either of the foregoing individuals, the person receiving the report shall notify the others, unless the matter involves either the Mayor or the Council President, in which case the person whom the matter involves will not be notified.

- Matters involving the Mayor must be reported to the City Manager, the City Attorney or the Council President. Upon receipt of a report by either of the foregoing individuals, the person receiving the report shall notify the others.
- Matters involving the Council President must be reported to the City Manager, the City Attorney or the Mayor. Upon receipt of a report by either of the foregoing individuals, the person receiving the report shall notify the others.
- Matters involving the City Attorney must be reported to the City Manager or the Mayor. Upon receipt of such a report by the Mayor, the Mayor shall notify the Council President. Upon receipt of such a report by the City Manager, the City Manager shall notify the Mayor and the Council President.

Reports of known or suspected fraudulent act or financial irregularity received from persons other than those who are covered by this policy will be forwarded to the appropriate officials, as provided above, and investigated as provided in this policy.

#### Investigation and Follow-Up

Upon receipt of a report of known or suspected fraudulent acts or financial irregularities, the person or persons receiving the report will take the following steps:

- If the matter involves an employee (other than the City Manager) or volunteer, the matter shall be investigated and addressed as provided in the Employee Handbook. (The handbook provides that if a violation of the fraud policy involves either the violation of (1) the Oregon Government Ethics Laws or any rule, regulation or order of the Oregon Ethics Commission or (2) any criminal law or ordinance, such matter may be referred to the Oregon Ethics Commission or to the appropriate law enforcement officials.)
- If the matter involves a consultant, contractor, vendor or the City Attorney, the City Manager shall make an initial review and, if the report is verified, the matter shall be dealt with in accordance with the applicable provisions of any contract or other legal remedies to which the consultant, contractor, vendor or attorney is subject. If the matter involves a violation of any criminal law or ordinance, and if the City Manager determines that there is good cause to proceed, the City Manager shall refer the matter to the appropriate law enforcement officials.
- If the matter involves an elected official, the City Manager, the Mayor, the Council President and the City Attorney shall make an initial review and evaluation of the report (provided, that if the matter involves either the Mayor or the Council President, the person involved shall not participate in any investigation) and, if they determine there is good cause to proceed, shall (1) if the matter involves a violation of the Oregon Government Ethics Laws or any rule, regulation or order of the Oregon Ethics Commission, refer the matter to the Oregon Ethics Commission; and (2) if the matter involves a violation of any criminal law or ordinance, refer the matter to the appropriate law enforcement officials.

An initial review of any matter reported above concerning the City Manager, an elected official, or a consultant, contractor, vendor or the City Attorney need not require a full investigation with review of evidence and interview of witnesses, but shall be limited in scope to the determination whether or not there is good cause to proceed, and shall be conducted, as far as possible, in such a manner as not to taint, impair or prejudice any subsequent ethics or criminal investigation. The person or persons who receive a report of a matter and who conduct an initial review may notify the person against whom the report has been made; but they need not do so if there is reason to believe that such notification could taint, impair or prejudice a subsequent ethics or criminal investigation, lead to the destruction or loss of evidence, or for other good cause.

If an investigation determines that there has been some irregular conduct or misconduct, but that such irregularity or misconduct does not merit referral to law enforcement officials or the Oregon Ethics Commission for further investigation and prosecution, the person or persons conducting the investigation, as provided above, may recommend appropriate corrective action. All investigations are considered part of the audit process and the working papers will be kept confidential, in accordance with and subject to state law and administrative rules.

All persons will cooperate with the investigative process under this policy and with law enforcement agencies and the Oregon Ethics Commission in the investigation of any complaint under this policy. Unless otherwise directed or authorized, all persons involved in an investigation under this policy will keep the investigation, and all information relating to the investigation, confidential. If a party conducting an investigation under this policy is contacted by the subject of the investigation, or a person on the subject's behalf, the person contacted will respond that he or she is "not at liberty to discuss this matter."

#### Protection of Persons Making Good-Faith Reports

Employees who identify themselves and make a good faith report of a known or suspected fraudulent act or financial irregularity are protected from retaliation, in accordance with the law. The City shall take steps to maintain confidentiality for persons reporting suspected financial irregularities to the extent possible under the law. The Oregon State Whistleblowers Protection Law defined in ORS chapter 659 protects employees disclosing fraud in good faith.

#### Direct Reports to Law Enforcement Officials or Oregon Ethics Commission

Nothing in this policy shall prohibit any person from reporting any known or suspected fraudulent act or financial irregularity directly to the appropriate law enforcement officials or the Oregon Ethics Commission; and an employee who makes such a direct report shall be entitled to the protection of the Oregon State Whistleblowers Protection Law according to the terms thereof.

# **APPENDIX D: MISCELLANEOUS CASH RECEIPT AND DEPOSIT POLICY**

### Policy Statement

The Miscellaneous Cash Receipts and Deposit Policy provide procedures and guidelines to City departments handling cash transactions. Procedures have been established to encourage an effective administration and internal control of cash handling operations throughout the City. City of Dallas departments must ensure that transactions resulting in cash receipts are deposited in a timely manner.

### Purpose

The purpose of this Policy is to establish operational guidelines for the receipt and recording of all monies received by individual departments at the City of Dallas.

The guidelines set forth assist the departments in the safekeeping of the City's funds.

### Definition

**Miscellaneous Cash Receipts:** Report generated from existing software system or electronic financial system form to complete when recording and depositing cash and checks.

**Receipt of Confirmation:** City of Dallas Finance office notice of receipt of cash, check, or deposit information.

#### **1. Finance Director**

The Finance Director is responsible for establishing and enforcing policies and procedures governing the receipt, handling, custody, and disbursement of funds. To ensure adherence to this Policy, the Finance Director may perform periodic audits of departments with any cash handling operations.

#### **2. Supervisor**

The department's Supervisor is responsible for establishing and maintaining a proper environment of internal control and reviewing all cash receipts.

#### **3. Designated Department Staff Member**

Each department must have a designated staff member responsible for the assigned department's cash receipts. This person shall ensure that the steps outlined in this policy are followed.

### Procedures

Records kept by individual departments should provide clear documentation of cash receipts from the time of collection to the time of deposit. This information should always be readily available for audits by the Finance Director.

Departments handling cash are responsible for the safekeeping of the City's assets. Physical security should be emphasized to every employee involved in cash handling. The following general guidelines should be followed to help maintain the integrity of those areas handling cash:

- All cash receipts must be attached to a miscellaneous cash receipt form and completed in its entirety with following information. See Exhibit A.

- Departments that collect cash receipts must submit their deposit to the Finance Office by 12:00 pm every Monday, Wednesday and Friday unless a holiday falls on one of the specified days then the deposit must be submitted the day following a holiday.
- All cash that is accepted in denominations of 100's, 50's and 20's should be marked with the "Counterfeit Detector Pen" for validation. **(Please contact the Finance office for pen)**
- All checks must be stamped immediately with the departments "For Deposit Only" stamp.
- A written or printed acknowledgment (receipt) must be made immediately for each transaction resulting in the payment to the City. The receipt must show the amount, date, and purpose of the transaction.
- Cash deposits not submitted to the Finance office by end of day must be kept in a secure locked box or safe.
- Departments who have credit card machines must settle and batch the transactions on a daily basis.
- Individual credit card slips with summary, batch settlement and totals must accompany the miscellaneous deposit form sent to the Finance office.
- Checks, cash, and credit card payments should be listed on the miscellaneous form in-group order.
- Checks should always be properly endorsed upon receipt.
- Cashier checks, money orders, personal checks, and traveler's checks are accepted.
- Checks drawn from U.S. banks only are accepted.
- Cash should be counted and handled out of sight of the general public and deposited daily to avoid accumulation of large sums.
- Cash should **NEVER** be unattended. This applies to cash registers, desktops, and cash drawers. If an employee leaves his or her workstation for any reason, regardless of how briefly, cash must be appropriately secured in a locked place.
- Safe doors should be kept closed during working hours and locked at times when it is not necessary to be in and out of the safe.
- The secured lock box and/or safe must be in a locked room with key-entry to only few designated staff members.
- If a safe location is not available within the department, the cash and receipts should be brought to the Finance office at city hall for safekeeping.
- The total on the miscellaneous deposit form should agree with the total of each payment type.
- Under no circumstances should an individual keep City cash with their own personal funds, deposit City funds in a personal bank account, or take City funds to one's home for safekeeping.



# **APPENDIX E: DRIVING/VEHICLE USE POLICY**

In order to ensure safe driving practices for all City employees and volunteers who drive in the course and scope of their employment, the City has adopted a Driving Policy.

Driving is among the most hazardous tasks performed by employees and volunteers of the City of Dallas. Therefore, it is the policy of the City that employees and volunteers will follow safe driving practices. Safe driving practices include steps to ensure the driver's total concentration and safe operation of vehicles, such as determining clear directions before departing, refraining from operating equipment such as cell phones and radios while the vehicle is moving (with the exception of public safety workers), and not operating a vehicle when the driver's ability to react is impaired. Drivers are expected to follow defensive driving principles, Oregon laws and regulations to prevent accidents in spite of unsafe driving by others and/or adverse driving conditions.

Managers are responsible for enforcing this policy, and shall ensure all employees and volunteers who drive are notified of this policy and the potential consequences of policy violations.

The City shall allow only drivers that meet the following eligibility criteria to drive on its behalf.

*Job Applicants – Positions for which driving is an essential function*

When any position is being filled for which driving is an essential function, the driving record of each eligible applicant for the previous five (5) years shall be evaluated according to the following procedure:

- a. Any certification of eligible applicants sent to Department Heads for selection processes shall contain a reminder to conduct a driving record check through DMV prior to finalizing an employment offer. Department Heads may require that a driving history be provided with the application or at the time of the interview.
- b. Department Heads may offer employment contingent upon receiving a successful driving record check. However, it is suggested that the applicant's driving record be checked prior to a contingent hiring offer whenever possible.
- c. If the applicant being considered for hire is from outside the State of Oregon, the Department Head must request a copy of the applicant's driving record to be sent by fax or mail, or by electronic means.
- d. The City Manager or the City Manager's designee will complete the driving record check and send an email to the appropriate Department Head with the results. If the driving record does not meet the City's standards, the recommendation not to hire the applicant will be made. A record of DUII, moving violations and/or accidents shall be considered in determining whether an applicant's driving record meets the City's standards.
- e. If the Department Head requesting the hire wishes to contest this recommendation, an appeal may be made to the City Manager or the City Manager's designee.

*All City Employees and volunteers – Driving on City business*

Any City employee or volunteer must meet the following criteria in order to be allowed to drive on City business:

- a. Possess a valid Oregon driver license.
- b. Be at least 18 years old.
- c. Possess a valid Commercial Driver License if driving a vehicle that requires a Commercial Driver License.
- d. If involved in an at-fault accident on City business, an employee/volunteer is required to complete a defensive driving course within six (6) months of the accident.
- e. If in possession of an Oregon or out-of-state driver license, sign a release form allowing the City access to his/her driving records.
- f. If driving their personally owned vehicle, provide proof of insurance at the inception of this policy or when driving responsibilities that are covered by this policy begin, and at any time there is a change to the policy, to their Department Head evidencing liability limits in an amount not less than the minimum requirements of the State of Oregon.
- g. In addition to the above requirements, any City employee or volunteer holding a position that requires driving as part of the job duties shall maintain an acceptable driving record, to be determined as follows:

Upon assigning driving privileges or responsibilities to an employee/volunteer, the Department Head shall provide pertinent information by e-mail (e.g., name, date of birth, driver license number) to the City Manager or the City Manager's designee for "flagging" purposes. The City shall establish an account with DMV and monitor the employee or volunteer's driving record by reviewing any "flagged records". If a violation that occurs in the course or scope of employment/volunteer duties falls into the categories noted, the City Manager or the City Manager's designee will inform the Department Head. Any violations falling into the categories noted at the end of this policy, as well as a pattern of any other violations, along with other relevant factors will be used to determine if the employee/volunteer has an acceptable driving record.

#### Discipline

Employees or volunteers who are found to have violated this policy or who are found to have an unacceptable driving record will be subject to revocation or restriction of the privilege to drive a City vehicle and may be subject to disciplinary action up to and including termination. It is the intent of this policy that unsafe behavior be identified and corrected. Should discipline become necessary, the City shall follow applicable disciplinary procedures contained elsewhere in this Handbook or in any applicable collective bargaining agreement.

#### Other Drivers

In addition to City employees or volunteers, the following people may be allowed to drive vehicles on City business:

- a. An officer or agent representing the City.
- b. Another person expressly designated to act on behalf of the City.

Drivers who are not City employees or volunteers must meet the following criteria in order to be allowed to drive on City business:

- a. Possess a driver license valid in the State of Oregon.
- b. Be at least 18 years old.
- c. Possess a commercial driver license if driving a vehicle requiring such.

- d. If driving their personally owned vehicle, provide proof of insurance to the department manager of the department within which they work or volunteer that they are insured against liability (person and property) in an amount not less than the minimum requirements of the State of Oregon.
- e. Obtain permission from the Department Head or City Manager within the area they are assigned.

### **Driver Responsibilities**

The following responsibilities apply to anyone who drives any vehicle on City business:

1. Drivers and passengers are required to wear seatbelts at all times when the vehicle is in motion. If an employee or volunteer are seen not wearing a seatbelt (including passengers), he/she will receive a verbal warning. If the employee or volunteer is seen not wearing a seat belt again within 2 years, he/she will receive a written warning in his/her personnel file. A third violation of the seatbelt rule within two years will result in a one-day suspension without pay. Additional violations within a two year period will be dealt with by Administration. The following exceptions may apply:
  - a) Persons riding in an ambulance and administering aid.
  - b) Passengers being transported by law enforcement personnel.
  - c) Parks/Public Works personnel operating vehicles not normally equipped with seat belts or safety restraints (i.e., tractors, graders, mowers, etc.).
  - d) Law enforcement personnel **only** when it is required for tactical safety.
2. Drivers shall inspect vehicles at the beginning of each shift or prior to each trip to ensure that the vehicles are in safe operating condition prior to their use. This should include tires not visibly deflated, clean windows, mirrors properly positioned and all lights in working order.
3. Drivers shall comply with all applicable state and local driving laws, parking regulations, and all City and departmental safety policies and rules.
4. Drivers will drive according to the road conditions during inclement weather. Drivers will be prepared, in advance, for adverse weather and road conditions.
5. Drivers shall be held personally responsible and liable for any traffic citations and parking citations received while driving a vehicle on City business. All traffic citations and parking citations received while driving City vehicles shall be paid or otherwise resolved promptly by the driver. Drivers shall notify their supervisor within 48 hours of receiving any citation while in a City vehicle.
6. For photo radar or other citations issued against the vehicle's registration, the employee or volunteer's Department Head will complete the "Affidavit of Non-Liability" or similar document issued with the citation to identify the driver. The driver shall be personally responsible and liable for promptly paying the fine or otherwise resolving the citation.
7. In the event of an accident on City business, drivers shall immediately contact their Department Head, and, if driving a City vehicle, follow all City instructions or procedures for reporting accidents.
8. A driver whose license has been suspended or revoked shall immediately notify his or her supervisor.
9. For employees who are required to drive or maintain a valid driver license as part of their official duties, a conviction for a single moving violation, and conviction of more

than five non-moving violations in a 12-month period may be considered as grounds for disciplinary action up to and including dismissal, whether the offenses and infractions occurred during or outside work hours. Volunteers with driving record convictions on or off the job may also be subject to reassignment or removal from volunteer placement.

10. Drivers shall ensure that any passengers who ride with them in a City vehicle or in any vehicle while on City business are authorized in accordance with the section entitled "Passengers," below.
11. In the event of a citizen emergency that requires the use of a City vehicle, managers may grant prior authorization under specific circumstances they establish. If an employee or volunteer on City business encounters a stranded motorist or other person in need of emergency assistance, the employee a.) should be aware there is no obligation to stop and render assistance, b.) should consider all objective circumstances regarding the employee's or volunteer's own personal safety and the safety of any passengers before choosing to stop, and c.) except in exceptional circumstances that carry imminent risk of bodily injury, death or serious property damage of another, the only authorized action is to help connect the motorist or other person with appropriate roadside assistance.
12. Drivers shall not drive City vehicles or private vehicles for City business when they are required to take medication that may impair their ability to safely operate a moving vehicle. If in doubt, the employee or volunteer should first obtain approval from his or her physician that it is safe to drive while taking the medication. If the employee or volunteer comes to work but due to the medication cannot drive, the employee or volunteer shall immediately inform his or her supervisor and ask for an alternate work assignment. If there is no work available, the employee or volunteer may be assigned to another department or sent home.
13. Employees and volunteers are expected to use good judgment at all times while driving on behalf of the City. In circumstances where the employee or volunteer is uncertain if he or she should be operating or continue to operate a vehicle (such as prescription or over-the-counter medication, extended or continuous shifts, end-of-day long distance travel, fatigue, poor weather or road conditions) the employee or volunteer is expected to contact his or her supervisor to assist in making the safest determination, of whether to continue to drive or not.
14. Employees and volunteers are prohibited from driving a City vehicle or private vehicle for City business while under the influence of any intoxicating liquor or controlled substance. Violation of this prohibition shall be grounds for immediate termination.
15. Employees, volunteers, and any passengers are prohibited from using tobacco products or e-cigarettes while driving or riding in a City vehicle.

### **Cell Phones**

The City permits the safe use of cellular telephones by employee or volunteers who use these tools to conduct business for the City. (See the Cell Phone/Smart Phone Usage Policy) However, when employee or volunteers are operating a vehicle, driving is the first responsibility. Employees and volunteers are prohibited from receiving or sending telephone calls and from reading or sending text messages while driving; however, employees and volunteers may use hands-free cell phones and cell phone devices, consistent with Oregon law,

so long as such use does not constitute an unsafe distraction to the driver. For the purpose of this section, “driving” includes any time the vehicle is stopped in traffic, such as at a stop sign or stop light. The prohibitions on cell phone use and text messaging apply in those circumstances as well as when the vehicle is in motion. If an employee or volunteer needs to make or receive a business phone call or send or read a text message while driving, the employee or volunteer must make sure the vehicle is stopped and parked properly and off the roadway to make or receive the call or to read or send the text message. This section does not apply to police and public safety employees under those circumstances and conditions in which cell phone use while driving is permitted.

## **Vehicle Use**

### **1. City-owned or supplied vehicles**

The City provides vehicles for use by qualified drivers to conduct official City business in the course and scope of their job and/or to maintain the ability to respond to City business outside the employee’s normal work hours when special equipment or tools are available in or on the vehicle. City vehicles shall not be used for personal business. Use of City vehicles to commute to and from work, except as authorized above, is prohibited, unless approved in advance by the Department Head.

### **2. Privately owned motor vehicles**

The City allows use of privately owned motor vehicles to conduct official City business. A privately owned motor vehicle used for City business must be a conventional, at least four-wheel vehicle, and be in safe mechanical condition that is adequate to provide safe transport for the road and weather conditions. Vehicle equipment must conform to State of Oregon requirements. A City vehicle or rental shall be used when a personally owned vehicle does not meet these standards. Vehicle registration and insurance must be current.

- **Insurance requirements:**

The driver of a privately owned motor vehicle used to conduct official City business must be insured against liability (person and property) in an amount not less than the minimum requirements of the State of Oregon. (Note: Mileage reimbursement for the use of a privately owned motor vehicle is considered full payment [including deductibles, depreciation, insurance, maintenance, and fuel and operating costs] for its use.)

The vehicle owner is responsible for any comprehensive and collision coverage the owner may elect to carry.

### **3. Out-of-State rental vehicles**

The City provides excess liability coverage to supplement the coverage automatically provided by car rental companies. *However, the Oregon Tort Claims Act does not apply outside of Oregon. For that reason, drivers shall purchase the offered insurance through the rental company when renting a car on City business out of state.* Excess liability coverage, collision coverage deductibles, and other charges not covered by the car rental company insurance will not be paid by the City if an accident occurs when the vehicle is used outside the scope of City business, (e.g., on an out-of-state trip where a rental vehicle is used for a non job-related side trip). Travelers are required to know the driving laws for any state they drive in, apply the criteria of common

sense and propriety, and consider the relationship to business purpose to the use of rental vehicles and transporting passengers while on City business.

### **Passengers**

Only authorized passengers are allowed to ride in City vehicles and other vehicles while in use for City business. Authorized passengers are:

1. City employees conducting City business;
2. Officer and agents representing the City;
3. Volunteers acting on behalf of the City;
4. Vendors and contractors working on behalf of the City;
5. Participants in official City business, training, tours and programs;
6. Representatives of other governmental agencies working with the City;
7. Anyone with prior authorization by the department manager or with specific authorization by the City Manager or the City Manager's designee, or an employee/volunteer's Department Head with authority to grant such approval.

### **Requirements of an Acceptable Driving Record**

1. No class "A" infraction convictions during the past thirty-six (36) months and no more than one (1) class "A" infraction conviction between the past (36) and (60) months.
2. No more than one (1) class "B" infraction conviction during the past twelve (12) months and no more than two (2) class "B" infraction convictions during the past thirty-six (36) months.
3. No more than two (2) class "C" infraction convictions during the past twelve (12) months and no more than three (3) class "C" infraction convictions during the past thirty-six (36) months.
4. Demonstrated ability to maintain a driver license without suspensions for the past thirty-six (36) months.
5. No felony or misdemeanor driving convictions within the past sixty (60) months.

Examples of Violations Listed by Classification

Class "A" Violation

- Failure to obey a traffic flagger
- Driving while suspended (infraction)
- Careless driving (accident involved)
- Speed racing
- Speeding (30+ MPH over posted limit)
- Failure to stop for school bus

Class "B" Violation

- Passing in a no pass zone
- Failure to drive on right side of the road
- No operator's license
- Careless driving (no accident involved)
- Failure to obey a traffic control device
- Driving uninsured

Class "C" Violation

- Failure to use traction devices
- Defective headlights
- Illegal U-turn
- Failure to yield to pedestrian in crosswalk
- Speeding (11-20 MPH over the limit)

Class "D" Violation

- Impeding the flow of traffic
- Failure to signal lane change
- Failure to display license plates
- Speeding (1-10 MPH over the limit)
- Failure to use safety belts
- Failure to change information on driver license

Class "A" Misdemeanor

- D.U.I.I.
- Reckless endangerment of a highway worker
- Providing false information to a police officer
- Hit and run (property damage)
- Reckless driving
- Driving while suspended

Class "B" Misdemeanor

- Providing false information regarding liability insurance
- Providing false information on accident report

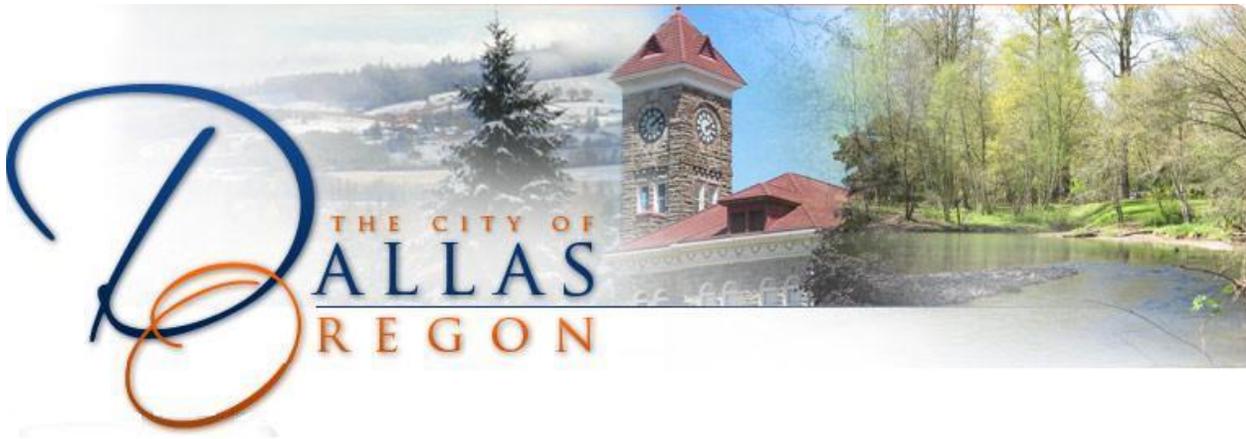
Class "C" Misdemeanor

- Failure to display a driver license
- Failure to return suspended license

Class "C" Felony

- Hit and run (injury)
- Attempting to elude a peace officer
- Driving while suspended/revoked

# APPENDIX F: MISCELLANEOUS FORMS



**Out of Office  
Request Authorization**

\_\_\_\_\_  
Employee Name

\_\_\_\_\_  
Department

Request for:

- Vacation
- Administrative Leave/Comp Time
- Out of Town Conference/Meeting/Training

Specify actual dates requested (two weeks advance notice preferred) and specific reason if for Out of Town Conference/Meeting:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



## FMLA/OFLA LEAVE INFORMATION

(This is not a complete summary of FMLA/OFLA. For more information contact Human Resources)

### 1. What “qualifying circumstances” apply?

- Employee’s own serious health condition, including pregnancy-related condition. (FMLA, OFLA)
- Serious health condition of employee’s family member:
  - Spouse
  - Parent
  - Parent-in-law (OFLA, only)
  - biological, adopted or foster child
  - same sex domestic partner (OFLA, only)
  - grandparent (OFLA, only)
  - grandchild (OFLA, only)
- Newborn, newly adopted or newly placed foster child (“parental leave”)
- Non-serious health condition of a child requiring home care (OFLA, only)
- Family member injured while on active military duty (FMLA, only)
- “Qualifying exigency” related to family member’s call-up to active military duty (FMLA, only)

### 2. What is a serious health condition?

- Inpatient care
- Critical illness or injury diagnosed as terminal or that poses an imminent danger of death (OFLA)
- Condition requiring “constant” or “continuing” care (OFLA)
- Permanent or long-term incapacity due to condition for which treatment may not be effective, such as Alzheimer’s disease, severe stroke, or terminal stage of disease
- Period of incapacity (“Absence Plus Treatment”)
  - Incapacity for more than three consecutive calendar days that also involves (a) two or more treatments by a health care provider or (b) one treatment followed by a regimen of continuing treatment
- Absence for pregnancy-related disability
- Absence for prenatal care
- Absence for chronic condition
- Multiple treatments for condition that if not treated would likely result in incapacity of more than three days

### 3. What is *not* a serious health condition?

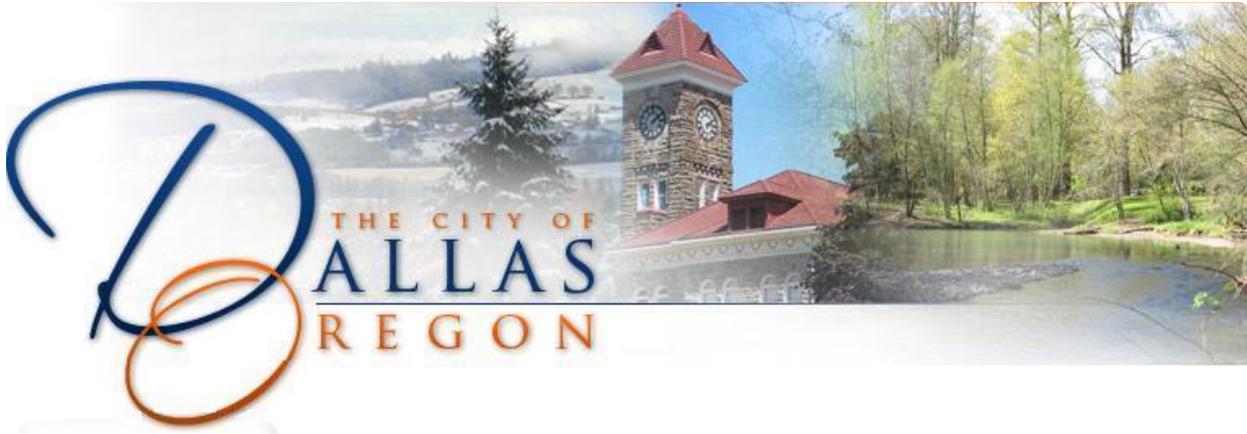
Common cold, flu, ear ache, upset stomach, routine headache, sore throat, routine medical or dental visit

### 4. Is leave time paid?

Employees may use accrued vacation or sick leave during a FMLA/OFLA leave.

### 5. What notice is required for FMLA/OFLA leave?

- Anticipated leave – 30 days advance written notice
- Leave anticipated less than 30 days in advance – As much notice in writing as is “practical” when need for leave is known (FMLA – within one or two days)
- Unanticipated leave – OFLA: Verbal or written notice within 24 hours of starting leave/written notice within three days after return to work. FMLA: As much notice as is practical.



CASUAL LEAVE REQUEST  
(Based on Calendar Year)

If possible, casual leave requests should be approved in advance. If an emergency arises and prior approval is not possible, employee should use vacation leave and have casual leave approved upon return.

NAME: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_

CASUAL LEAVE REQUESTED FOR THE FOLLOWING **DATE/HOURS**: \_\_\_\_\_

\_\_\_\_\_

REASON FOR LEAVE (see Personnel Rules, Section IV-G. for policy): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

REVIEWED BY DEPARTMENT MANAGER: \_\_\_\_\_  
(Signature)

APPROVED BY HR MANAGER/CITY RECORDER: \_\_\_\_\_  
(Signature)

**CITY OF DALLAS**  
**APPLICATION TO RECEIVE LEAVE DONATIONS**  
**FOR CATASTROPHIC MEDICAL ILLNESS**

**SECTION I**

\_\_\_\_\_  
Name (Last, First, MI.)

\_\_\_\_\_  
Employee Social Security Number

\_\_\_\_\_  
Department

\_\_\_\_\_  
Work Phone

Hours of Leave Without Pay Anticipated for this Medical Emergency: \_\_\_\_\_

**SECTION II**

I request permission to receive and use donated catastrophic leave. I affirm that I meet the criteria listed below:

1. I am a regular City employee;
2. I have exhausted or will exhaust all accrued leave before I begin receiving leave donation;
3. I am not eligible for any other income derived from my employment with the City of Dallas, including but not limited to workers' compensation, Social Security, PERS disability retirement, or long-term disability benefits.

**SECTION III**

I understand that medical certification documenting the catastrophic medical condition may be required.

I agree to notify the City Manager's office immediately if there is any change in my circumstances, which negates my eligibility to receive a leave donation.

I understand that once I have exhausted my accruals, donations will be applied from the bank to my time sheet to maintain my regular salary and benefits. This will continue for no more than 200 hours as long as there are donations and the need is continuing and I do not qualify to receive income from another source derived from my employment with the City of Dallas.

I understand that any catastrophic leave donated to me may not be used to extend my employment beyond the point that it would otherwise terminate under City policy.

I have read and understand all the information presented in this application.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Approved by:**

\_\_\_\_\_  
Department Head

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Date

**TO BE COMPLETED BY CITY MANAGER**

Leave Balances at the End of Last Pay Period:

Sick Leave \_\_\_\_\_ Comp. Time \_\_\_\_\_ Vacation \_\_\_\_ Floating Holiday \_\_\_\_\_

City Manager Signature \_\_\_\_\_

Date: \_\_\_\_\_

Copies to: Employee; Personnel

**CITY OF DALLAS**  
**LEAVE DONATION FORM**  
**FOR CATASTROPHIC MEDICAL ILLNESS**

I wish to donate accrued leave hours to: \_\_\_\_\_  
(Print name of receiving employee)

I authorize the City of Dallas to deduct from my accrued vacation and/or comp. time balances, the number of hours indicated below to be used by the recipient named above. I understand that:

1. I must have at least 96 hours of accrued leave (sick leave, vacation, holiday and/or comp time) after the donated hours are removed (part-time employees must have 48 hours accrued leave after the donated hours are removed);
2. I may donate a maximum of 40 hours but no more than ½ of my vacation and/or comp. time;
3. My donation is a voluntary, irrevocable gift to the receiving employee;
4. I understand that if my donation is not needed by the receiving employee, I will be notified as soon as possible and my donation will be returned to me.

**TO BE COMPLETED BY LEAVE DONOR**

---

*Donor Name:* \_\_\_\_\_ *Employee SS #:* \_\_\_\_\_  
*Department:* \_\_\_\_\_ *Work Phone:* \_\_\_\_\_

*Total donated vacation hours:* \_\_\_\_\_

*Total donated comp. time hours:* \_\_\_\_\_

*Total donation:* \_\_\_\_\_

(not to exceed 40 hours; or ½ of employees vacation and/or comp. time)

\_\_\_\_\_  
*Employee Signature:* \_\_\_\_\_ *Date:* \_\_\_\_\_

*City Manager Signature:* \_\_\_\_\_ *Date:* \_\_\_\_\_

**TO BE COMPLETED BY CITY MANAGER**

Leave balances verified and meets requirement:  yes  no

City Manager Signature: \_\_\_\_\_



# WELLNESS POLICY REIMBURSEMENT REQUEST

(ALL FIELDS ARE REQUIRED)

**DATE:** \_\_\_\_\_

**EMPLOYEE INFORMATION:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**REASON FOR REQUEST:**

City-sponsored Athletic League. Please indicate league: \_\_\_\_\_

Dallas Aquatic Center Membership

Other (please specify): \_\_\_\_\_

**METHOD OF REIMBURSEMENT:**

Please deposit in my Health Savings Account (HSA).

Please include it in my next paycheck as a taxable benefit.

**Signature of Person**

**Requesting Payment:** \_\_\_\_\_

**Human Resources**

**Authorization:** \_\_\_\_\_

In order to receive your reimbursement, **YOU MUST ATTACH A RECEIPT** showing your entry fee payment (in the case of a City-sponsored athletic league) **OR PROOF OF MEMBERSHIP** (in the case of Dallas Aquatic Center membership).



## EMPLOYEE AUTHORIZATION FOR RELEASE OF INFORMATION

Employees who leave our employment or are considering leaving our employment have the option of authorizing the release of general or limited information to prospective employers. Please read this form carefully and indicate your preference.

If you **do not** authorize release of information **or** fail to submit a signed form authorizing release to the City Manager's Office, we will generally release only information regarding the job position(s) you held and dates of employment. Prospective employers may be advised of the option you have selected.

I **do** [ ] **do not** [ ] authorize \_\_\_\_\_ **[Name of employer]** to release information to prospective employers (including anyone claiming to be a prospective employer), regarding my employment. This release of information covers my employment record in general, including information of the following questions:

1. Dates of employment;
2. Position(s) held;
3. The quality and quantity of my work;
4. My attendance habits (excluding workers' compensation, pregnancy, disability and protected absences);
5. My relationship with co-workers and supervisors;
6. My attitude toward work (cooperative? positive? etc.);
7. Reason for leaving and eligibility for rehire;
8. Strong and weak points;
9. Other relevant information regarding my performance, skills, ability, suitability for employment sought, etc.

**Irrespective of the above, \_\_\_\_\_ *[Name of employer]* reserves the right to share information with prospective employers regarding whether any former employee has traits, behaviors, or propensities that could make his/her employment in the particular position(s) sought unsafe for others or present a security risk.**

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



# Cell Phone Allowance Request Form

(ALL FIELDS ARE REQUIRED)

EMPLOYEE'S NAME: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_

ALLOWANCE LEVEL:

- CATEGORY 1 (MODERATE-HIGH PHONE USAGE & DATA PLAN FOR SENDING & RECEIVING EMAIL CORRESPONDENCE. THIS CATEGORY IS LIMITED TO DEPARTMENT HEADS AND SENIOR MANAGEMENT STAFF) - \$110
- CATEGORY 2 (HIGH PHONE USAGE) - \$75
- CATEGORY 3 (MODERATE TEXT & PHONE USAGE) - \$55
- CATEGORY 4 (LOW TEXT & PHONE USAGE) - \$25

EFFECTIVE PAY DATE: \_\_\_\_\_

DEPARTMENT HEAD SIGNATURE: \_\_\_\_\_

CITY MANAGER SIGNATURE: \_\_\_\_\_

-----  
I, the undersigned, agree to that I am expected to own and remain responsible for a cellular device and will, in keeping with the City's policy, be diligent to remain accessible via the device or otherwise. I understand the value of this allowance will be processed as taxable income.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date



**City of Dallas**  
**Travel Request Form**

**THIS FORM MUST BE APPROVED PRIOR TO ANY REGISTRATION/ARRANGEMENTS BEING MADE.**

Employee: \_\_\_\_\_ Dates of Travel: From: \_\_\_\_\_ To: \_\_\_\_\_

Location: \_\_\_\_\_ Reason for Travel: \_\_\_\_\_

**Registration**

Organization Sponsoring Conference/Training: \_\_\_\_\_

Conference/Training Registration Cost: \$ \_\_\_\_\_ Registration Deadline: \_\_\_\_\_

Additional Information or Instructions: \_\_\_\_\_

**\*\*CONFERENCE AGENDA MUST BE ATTACHED TO THIS REQUEST!\*\***

**Transportation**

City Vehicle: Yes No Vehicle #: \_\_\_\_\_ Gas Card Needed: Yes No

Personal Vehicle: Yes No Round Trip Distance: \_\_\_\_\_ Cost: \$ \_\_\_\_\_

Proof of Insurance Attached (If Required): Yes No (current mileage rates are at [www.gsa.gov](http://www.gsa.gov). Click on "POV MileageReimb...")

Air Travel: Yes No Airline: \_\_\_\_\_ Confirmation #: \_\_\_\_\_ Cost: \$ \_\_\_\_\_

Depart Date and Time: \_\_\_\_\_ Arrive Date and Time: \_\_\_\_\_

Train: Yes No Company: \_\_\_\_\_ Confirmation #: \_\_\_\_\_ Cost: \$ \_\_\_\_\_

Depart Date and Time: \_\_\_\_\_ Arrive Date and Time: \_\_\_\_\_

Car Rental: Yes No Company: \_\_\_\_\_ Confirmation #: \_\_\_\_\_ Cost: \$ \_\_\_\_\_

Shuttle/Taxi: Yes No Cost: \$ \_\_\_\_\_

**Lodging**

Lodging Name: \_\_\_\_\_ Confirmation #: \_\_\_\_\_

Cost (Include all Taxes and Fees): \$ \_\_\_\_\_ Check in date: \_\_\_\_\_ Departure date: \_\_\_\_\_

Method of Payment <sup>▲</sup>:  P-card  Check needed **▲ Employee MUST provide receipt to Finance showing charges**

**Per Diem**

Please visit [www.gsa.gov](http://www.gsa.gov), click on "per diem rates" and print the per diem rates for your location of travel. Submit this with your travel request form.

(\_\_\_\_ Breakfasts x \$\_\_\_\_ = \$\_\_\_\_) + (\_\_\_\_ Lunches x \$\_\_\_\_ = \$\_\_\_\_) + (\_\_\_\_ Dinners x \$\_\_\_\_ = \$\_\_\_\_) = Total Per Diem: \$\_\_\_\_\_

**Payments**

Registration Payable to: \_\_\_\_\_

Transportation Payable to: \_\_\_\_\_

Lodging Payable to: \_\_\_\_\_

Per Diem Payable to: \_\_\_\_\_

**Signatures**

Employee: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_

Dept Head: \_\_\_\_\_ Date: \_\_\_\_\_

City Manager: \_\_\_\_\_ Date: \_\_\_\_\_

