

# Employee Handbook

This employee handbook is intended to be used as a guide for benefits, policies, practices, and general information about your employment with the Clackamas Soil and Water Conservation District.

The most current version of this document can be found on the “X” drive in a shared document titled “Employee Handbook,” and information is subject to change without notice, though the District will make every effort to inform employees of changes as they occur.

The information contained in this handbook reflects benefits, policies, practices, and laws effective as of its last revision; please read it thoroughly and keep it for future reference. In the event of a conflict between this handbook and the underlying policies, practices, ordinances, and laws upon which it is based, the latter shall prevail.

Should you have any question regarding employment policies, please contact your direct supervisor.

First published by Clackamas Soil and Water Conservation District, June 2014

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This Employee Handbook is effective July 1, 2014. This Handbook supersedes all previous statements, memos, policies, and practices that are in conflict with its provisions.

## Record of Changes

- June 2014 – Employee Handbook published
- September 23, 2014 – Time Off and Leave Policy updated
- October 28, 2014 – Time Off and Leave Policy updated
- August 24, 2015 – Board approved the following changes:
  - District name changed to “Clackamas Soil and Water Conservation District” per change approved June 22, 2015 by Secretary of State
  - Criminal conviction history requirement updated
  - Break and rest periods amended
  - Crime Victim’s Leave and Domestic Violence Leave separated into two sections and updated
  - Statement added regarding use of marijuana
- September 1, 2015 – Changes from August 24, 2015 published
- January 1, 2016 – Updated wellness leave policy to comply with SB 454
- June 14, 2016 – Various edits to clarify intent, including applicability of annual leave and wellness leave for part-time employees. Modified definition of “family member” so the same definition applies to Family Leave and to Bereavement Leave. Modified weapons policy.

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# Introduction

## Welcome from the Board of Directors

Congratulations and welcome to Clackamas Soil and Water Conservation District! We are delighted that you have chosen to join our team of dedicated people who lead efforts to conserve and improve soil, water and related natural resources in Clackamas County.

Clackamas Soil and Water Conservation District has had a leading role in guiding residents in Clackamas County toward making sound decisions about the use and care of our shared natural resources for the past 40 years. Our goal is that all employees know that we and the management staff value you as we strive as a team to conserve natural resources. Without people like you, we would not be able to provide quality conservation services to private landholders throughout urban and rural Clackamas County.

This handbook is not a contract. We intend it to be a helpful guide for all employees to increase understanding of their roles and to help assure equitable treatment. This handbook should help you to clearly understand the District's personnel policies and procedures.


The District seeks to provide a work environment that is conducive to both personal and professional growth. The District is committed to administering these policies in a consistent and impartial manner. Should you have any questions regarding the content of this Handbook or about certain policies and procedures, please ask the General Manager or your direct supervisor.

Only the Board of Directors has the authority to revise the policies found in this manual. The Board will strive to amend, modify, add to, or delete policies as may be desirable to reflect the needs of the District and the District's employees. This set of policies, as a whole, will be reviewed as needed.

Thank you for joining us at the Clackamas Soil and Water Conservation District.

Sincerely,

Board of Clackamas Soil and Water Conservation District



Jeff Becker, Chair

Roger Fantz

Jesse Nelson

Don Guttridge

Jan Lee

Ron Oberg

Joan Zuber

## Overview of Clackamas Soil and Water Conservation District

**We are a service organization.** The Clackamas Soil and Water Conservation District is a special service district headquartered in Oregon City, Oregon. The purposes and functions of a soil and water conservation district are described in Oregon Revised Statutes Chapter 568. We are governed by a board of publicly elected directors. The District employs professional staff to provide services to our citizens. We provide service throughout Clackamas County, Oregon.

**We see a future where people and places thrive.** We see the District as a place where our communities, environments, and economy thrive together.

**Our mission is to help create that future.** We provide technical service and support to help people use natural resources sustainably today and for future generations.

**Our values guide us as we work toward accomplishing our mission.**

- We strive to maximize community, environmental, and economic benefits through our project and programs.
- We are accountable to our voters, taxpayers, and residents, and we measure the impacts of what we do.
- Our technical assistance to landowners is based on science and decades of proven technology.
- We leverage District resources through outside funding and form strategic partnerships to accomplish our work.
- We work as members of a flexible and responsive team, and treat everyone with respect.
- We support continuous learning and professional development.
- We reduce, reuse, recycle, and restore our natural resources.

**An elected Board of Directors provides governance and accountability.** The Clackamas Soil and Water Conservation District is governed by a seven-member Board of Directors. Our Directors are locally elected and serve four-year terms. The powers and duties of Directors are described in Oregon Revised Statutes Chapter 568.

**Our professional staff provides high quality service.** Staff specialists provide a wide range of services and knowledge to our citizens. Conservation specialties include: farm planning; stream bank restoration; invasive weed management; and urban conservation practices. We provide many workshops throughout the year to help our citizens conserve our natural



resources. Our management and administrative employees ensure compliance with the many regulations and procedures needed to protect the financial resources entrusted to us.

**We assist individuals, neighborhoods, and watersheds.** Traditionally, we work one-on-one with individuals concerned about their land and related resources. Natural resource issues like soil erosion and water quality are rarely limited to a single land parcel. Instead, these issues often involve neighbors, neighborhoods, local landscapes, and sometimes entire watersheds. By finding ways to work together, we can achieve better solutions.

**Our services are based on voluntary cooperation, not regulation.** We do not issue tickets or turn people in. We often serve as an interface between a landowner and a regulatory agency. Our services and resources are available to people who collaborate with us to find solutions.

**We provide services without discrimination.** For all programs and activities, the Clackamas Soil and Water Conservation District prohibits discrimination on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the District. The District is an Equal Opportunity Employer.

## Roles and Expectations

The Board of Directors:

- Consists of public officials with general powers defined in Oregon Revised Statutes (“ORS”) 568.550 and ORS 568.552.
- Is legally and ethically responsible for the effective and efficient delivery of District activities.
- Is responsible for providing a safe and healthy work environment for employees.
- Is legally responsible for ensuring that all employees are treated fairly and equitably.
- Hires, oversees, and when necessary, terminates the General Manager.
- Adopts policies and procedures for implementation by the General Manager.
- Administers the salary schedule for all employees.

The General Manager:

- Is responsible for overseeing the daily operations of the District and for carrying out the policies of the Board.

- Develops procedures and makes operational decisions.
- Hires and supervises staff.
- Enforces policies and procedures, and disciplines and or terminates employees.
- Provides daily guidance to staff and advises the board regarding staffing needs, disciplinary actions, and salary adjustments.
- May send an employee home on paid administrative leave.
- Completes or reviews performance evaluations of all employees.
- Grants leave, and grants exceptions to the regular work schedule and other policies.
- Conveys final recommendations to the Board based on recommendations made by various committees.
- Is supervised by the Board Chair and is reviewed by the Board Chair and Personnel Committee Chair.

The employee's supervisor:

- Receives complaints from the employee.
- Receives accident reports from the employee.
- Provides daily guidance to staff and communicates staffing needs, disciplinary issues and absences to the General Manager.
- May perform employee evaluations of supervised staff when directed by the General Manager.
- Coordinates expenditures and future funding needs with the General Manager.

The employee:

- Follows all District standards, procedures, and policies.
- Conducts himself or herself in a professional manner.
- Arrives on time for each work shift and works all hours for which he or she is scheduled.
- Meets all expectations outlined in the “Workplace Conduct” section of this employee manual.
- Understands and successfully executes all aspects of his or her job description.
- Directs questions and concerns to his or her immediate supervisor, or, where appropriate, to the General Manager.

## Purpose of the Employee Handbook

This handbook is your guide to being an employee of the Clackamas Soil and Water Conservation District.

1. This Handbook describes the personnel policies (“Policies”) of the Clackamas Soil and Water Conservation District. This Handbook is intended to explain the District’s personnel policies and to provide procedures to guide employees, management, and the Board. These Policies establish a general framework for effective personnel administration; convey the District’s expectations to its employees; and ensure consistent, fair, and uniform treatment of District employees.
2. The District is an at-will employer and reserves the right to terminate an employee at any time for any or no reason, with or without notice, just as an employee has the right to terminate employment with the District at any time for any or no reason, with or without cause or notice. Nothing in these Policies shall be construed as creating a limitation on the Board’s authority with regard to District employees. Nothing in the Policies shall be construed or interpreted as creating any express or implied contractual or property rights with any District employee.
3. The Board’s Personnel Committee is responsible for reviewing these Policies, and for recommending changes to the Manager. Changes to these Policies must be expressly authorized by the Board. The General Manager may, at his or her discretion, vary or modify any District personnel policy on a case by case basis, if he or she finds that strict application of the policy is contrary to the District’s best interest. Exceptions granted in any instance do not constitute a waiver of any provision of these Policies, and shall not be interpreted to create a precedent for future decisions of the General Manager or the Board.
4. Each employee is responsible for adhering to the policies and procedures of the District. It is the employee’s responsibility to read and understand this Handbook. Any question as to the interpretation of any policy should be forwarded in writing to the employee’s immediate supervisor. Interpretations of policies and procedures by the Board of Directors shall be final and binding.
5. These Policies replace and supersede all pre-existing District personnel policies, procedures, rules and regulations, unless otherwise specified and approved in writing by the Board. The District reserves the right to amend or modify these Policies at any time.

## Equal Employment Opportunity Statement/Non-Discrimination Policy

1. It is the District's policy to treat all employees and job applicants equally on the basis of merit, qualifications, and competence, without regard to membership in any classification protected under federal or Oregon Law. The District must comply with federal and state statutes requiring equal employment opportunity in employment, promotions, wages, benefits, and all other privileges, terms, and conditions of employment, without regard to any individual's race, color, national origin, age, disability, sex, gender, identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information, or any other status protected by law.
2. The District will comply with the provisions of the Immigration Reform and Control Act of 1986 by employing only citizens of the United States of America and lawfully authorized alien workers. The District will not discriminate against any individual, other than an unauthorized alien, based on national origin or citizen status. In order to ensure compliance with the Immigration and Nationality Act, the District will consider every job applicant on his or her merits; verify employability and identity in a lawful and consistent way; and maintain complete and accurate documentation of all decisions.
3. The District will make reasonable accommodation for known physical or mental disabilities, or practices of one's religious beliefs, unless doing so would create an undue hardship on the District or be clearly detrimental to the District's ability to carry out its mission or statutory duties.
4. As required by Oregon law, an application for employment may not request information about the applicant's criminal conviction history, nor may the District solicit information about the applicant's criminal conviction history prior to an interview, or prior to making a conditional offer of employment when no interview is conducted.
5. Any employee who feels he or she has been subjected to unlawful discrimination shall make a written or oral complaint to his or her supervisor or to the Personnel Committee chair, or shall directly contact the Equal Employment Opportunity Commission or the Oregon Bureau of Labor & Industries (Fair Employment Practice Act) Civil Rights Division. The District encourages all employees to report such incidents immediately so that complaints can be quickly and fairly resolved. The complaint should be specific and should include the names of the individuals involved and the names of any witnesses. The District will immediately undertake an effective, thorough, and objective investigation and attempt to resolve the situation.

6. If the District determines that unlawful discrimination has occurred, effective remedial action will be taken, commensurate with the severity of the offense. Appropriate action will also be taken to deter any further discrimination. Whatever action is taken will be made known to the employee making the claim, subject to the confidentiality rights of those involved. The District will not retaliate against an employee for filing a complaint, and will not knowingly permit retaliation by Board Directors, management, or coworkers.

## General Employment Policies

1. **At Will Employment:** All employees of the District are “at will,” meaning the District is free to discharge an employee at any time and the employee is equally free to resign at any time.
2. **Introductory Period:** Except as otherwise provided in these policies, new and rehired employees, except Project Employees, shall serve an Introductory Period of six (6) months, commencing with their first day of employment. An Introductory Employee has the same rights and protections as a Regular Employee.

The Introductory Period is used to determine whether the employee and the District are a good “fit” for each other. Orientation to District procedures and policies will be provided during the Introductory Period. By the end of the Introductory Period, the General Manager will evaluate the employee. The General Manager may, at his or her discretion, extend the Introductory Period if continued evaluation is indicated.

Following the Introductory Period, the General Manager will determine if the fit and performance of the Introductory Employee merit an offer of regular employment with the District. Regular employment does not mean permanent employment. An employee who successfully completes the Introductory Period will be notified in writing that he or she has become a regular full-time or a regular part-time employee of the District. No employee will be deemed a Regular Employee until the District has so determined and notified the employee in writing.

Annual leave and wellness leave will accrue during the Introductory Period, but annual leave will not become available to the employee until completion of the Introductory Period. Accrued wellness leave becomes available to the employee on the 91<sup>st</sup> day after employment. Upon becoming a Regular Employee, the employee will be credited with accrued annual leave per month worked, according to policy. Annual leave may be used only by Regular Employees. An Introductory Employee who terminates employment

with the District before becoming a Regular Employee is not eligible for paid annual leave. An Introductory Employee who separates from the District prior to the 91<sup>st</sup> day of employment is not eligible for paid wellness leave.

A basic, comprehensive medical plan with optional benefit additions is available to Introductory Employees on the first day of the month following the second full calendar month of continuous employment. The District will provide details of this plan to the employee.

Employees become eligible for the District's 457(b) Deferred Compensation Plan after successful completion of the Introductory Period.

Employees may take advantage of training opportunities while in the Introductory Period upon approval of the General Manager.

- 3. Continuous Service:** Continuous service, for the purpose of determining eligibility for annual leave accrual rates, shall be service unbroken by separation from District employment. However, time spent by an employee on military leave, on an authorized leave of absence with pay, or on leave with pay resulting from a job-incurred injury shall be included as continuous service. Time spent on other types of authorized leave without pay will not count as part of continuous service; however, employees returning from such leave, or employees who were laid off, shall be entitled to credit for service prior to the leave. Employees who resign or are discharged from District service for a period of time exceeding ninety (90) days shall not regain previously accrued service years to count towards vacation accrual rates.
- 4. Anniversary Date:** An employee's anniversary date is determined by service with the District and is the original hire date, provided there is no break in continuous service.
- 5. Employee Classification:** Employee status shall be based on the following definitions:
  - A. Introductory Employee:** An employee who has not been recognized by the District as a Regular Employee.
  - B. Regular Employee:** An employee who has completed an Introductory Period as an Introductory Employee and who has been determined to be a Regular Employee by the District. Regular Employees include:
    - 1) Regular Full-Time Employee:** A Regular Employee is one who regularly works at least 32 hours a week. Regular Full-Time Employees are eligible for benefits including Medical and Dental Insurance, a Deferred Compensation Plan, Life Insurance, Short-term and Long-term Disability Insurance, and all other benefits provided to Regular Full-Time Employees.

**2) Regular Part-Time Employee:** A Regular Employee who regularly works fewer than 32 hours a week. Regular Part-Time Employees who regularly work at least 20 hours per week are eligible for benefits but the premium cost paid by the District is proportional to their work hours. For example, a 20-hour-a-week employee would pay 50% of the District's portion of the premium cost and a 32-hour-a-week employee would participate on the same basis as a Regular Full-Time Employee.

**C. Intern/Project Employee:** An employee hired for a period of limited duration to complete special projects, or to provide coverage during temporarily heavier workloads or in an emergency. Unless otherwise approved by the General Manager, Interns and Project Employees shall be hired for no longer than six (6) months. Uncompensated Interns and Project Employees are not eligible for benefits. Compensated Interns and Project Employees who are not part of a work-study program that provides students in secondary or post-secondary educational institutions with employment opportunities for financial or vocational training accrue paid wellness leave beginning on the first day of employment, and may use accrued wellness leave beginning on the 91<sup>st</sup> day of employment. Eligible Interns and Project Employees accrue wellness leave at the same rate as other hourly employees.

**D. Volunteers:** Volunteers may be appointed by the District. Individuals approved by the District to serve as volunteers receive only those benefits expressly conferred in writing or by law. Workers' compensation insurance will be provided. The service of a volunteer may be discontinued at any time for any reason. Volunteers must abide by all applicable rules, policies, and practices of the District and regulations of the Bureau of Labor and Industries (BOLI), and are held to the same standard of performance as Regular Employees. Volunteers serve at the pleasure of the District and either party may end the volunteer arrangement at any time.

Individuals who volunteer will receive orientation from and supervision by a District employee. The District will create a file for each volunteer. The file will contain, at a minimum, the appropriate position description, orientation checklist form, time sheets, notes and correspondence regarding the volunteer, and emergency contact information. The District does not allow volunteers to operate District vehicles.

Volunteers will be asked to sign a release for a reference or background check.

Volunteers will be asked to sign a standard "Volunteer Agreement" form provided by the District, which serves as documentation of the volunteer relationship for

purposes of liability insurance coverage through the Oregon Tort Claims Act, ORS 30.260-30.300.

Volunteers acting as a District representative are “public officials” under ORS 244.020(14). As such, they, and their relatives, are responsible for abiding by the rules and expectations in Oregon’s Ethics Laws for Public Officials, and those set forth this Personnel Manual, including, but not limited to, the Code of Ethics for District Employees.

Each volunteer will keep a record of hours worked for the District. The time sheet and mileage record will be turned in two days before the last working day of the month to the General Manager, or his or her designee, unless otherwise specified.

District employees are not “volunteers” under this Policy, and must obtain approval from their supervisor for participation in activities outside of their normal employment that may create overtime obligations for the District.

**6. Employment of Relatives:** The District may hire relatives of employees only if the employee and relative do not work in a direct supervisory relationship, or otherwise create a potential conflict of interest that would interfere with the normal operation of the District. “Relatives” include: wife, husband, domestic partner, son, daughter, mother, father, brother, sister, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, step-parent, stepchild, or children of a domestic partner. Current employees who marry may continue to work for the District if they do not work in a direct supervisory relationship with one another, or otherwise create a potential conflict of interest. To avoid direct supervisory relationships or other conflicts of interest, an employee married to another employee may request a job reassignment, including a demotion, to an available and suitable position. If this cannot be accomplished, one employee may be terminated.

**7. Personnel Records:** Personnel Records will be maintained for all employees.

**A. Maintenance of File:** The General Manager is responsible for maintaining personnel records for each employee. Employees are required to notify the General Manager, or his/her designee, of any change of name, address, telephone number, marital status, number of dependents, or other information required to keep the personnel record up to date.

Employee files shall be maintained in a secure, locked environment at all times.



The General Manager's file is maintained by the Manager's immediate supervisor. All other employee personnel records are maintained by the General Manager. No individual shall have access to personnel files other than the person who is authorized to maintain the file, or his or her designee. Employees may arrange to obtain access to their own personnel file at a time mutually convenient for the employee and the District. (See paragraph D.5 of this section.)

Personnel files are confidential, and most of their content is protected from public disclosure under Oregon's public records laws and other statutes. However, the District may be legally required to produce some or all of an employee's personnel file in certain circumstances. The District will make every effort to maintain employee confidentiality, but makes no guarantee that the personnel file contents will be kept confidential under all circumstances.

- B. Retention and Removal of Documents:** All documents shall be retained according to the requirements of Oregon's public records laws.

Documents shall not be removed from a personnel file, except pursuant to a determination by the General Manager that a particular document is not accurate, or is no longer relevant or timely to any personnel or performance matter. Criteria that may be used include age of the material, seriousness of the infraction, and instances of repeated or similar infractions. Documents removed from a personnel file shall be maintained in a separate file for litigation defense, but generally not for human resources determinations.

At any time, an employee may request that adverse material in the personnel files be reviewed by the General Manager to determine whether continued retention is appropriate.

- C. Medical Records:** Documents containing medical information shall be kept in a file that is separate from the employee's personnel file. While these records shall be treated as confidential insofar as allowed by law, the General Manager and the Board may be informed regarding necessary work restrictions or accommodations. First aid and safety personnel may be informed, when appropriate, of an employee's disability, if the disability might require emergency treatment. Government officials investigating compliance with discrimination laws shall be provided relevant information upon request.

- D. Review of Personnel Files:** This policy defines circumstances under which an employee may examine his or her personnel records, as well as the circumstances under which an individual who is not an employee of the District may examine an employee's personnel record:
- 1) No material of a negative or derogatory nature shall be placed in an employee's file unless a copy has been given to the employee.
  - 2) Employees may be allowed to include in their personnel file any material that, in the judgment of the Personnel Committee and/or General Manager, is relevant to job qualification or performance.
  - 3) Employees may inspect and review material in their files that is used to determine the employee's qualifications for employment, promotion, additional compensation, employment termination or other disciplinary action, except that confidential reports from previous employers and all other information gathered prior to the date of hire will be excluded from review.
  - 4) An employee may protest or comment upon, in writing, any materials placed in his or her personnel file. At the employee's request, an employee's statement of facts will be included with any adverse material placed in the file. If an employee wishes a Personnel Committee hearing, the Personnel Committee will allow the employee to present his or her version of the facts on the record.
  - 5) Procedure for Access by Employee: An employee wishing to inspect/review his or her personnel file shall make an appointment in advance with the General Manager. Upon request, the employee shall be furnished with a complete copy of such records, subject to the conditions stated above in this section. After separation of service from the District, and for the period that such records are required to be maintained, the District will furnish a certified copy of an employee's personnel records upon request of the former employee. The former employee may be charged the cost of copying the requested records.
  - 6) Procedure for Access by Persons Other than Employee, including District Directors: Personnel files are exempt from disclosure under the provisions of ORS 192.502(2) if disclosure would constitute an unreasonable invasion of privacy. The District must determine on a case-by-case basis whether particular personnel records are subject to public disclosure. An employee's expectation of confidentiality and privacy is, in each case, subject to the requirements of Oregon's Public Records Law and other laws that may require disclosure. An

employee may expressly consent to the release of information from his or her personnel file. Otherwise:

- a. Any person seeking disclosure of material that would constitute an unreasonable invasion of any employee's privacy shall have the burden of showing by clear and convincing evidence that the public interest in disclosure outweighs the individual's right to avoid an unreasonable invasion of privacy.
- b. Only employment dates, job title, and salary information may be released verbally. Requests for professional references for both current and terminated employees must be in writing.
- c. The District shall not respond to requests for professional references regarding an employee's performance while employed with the District unless it has on file a written authorization, signed by the employee, authorizing the District to disclose such information and releasing the District from liability for providing such information.
- d. No information in any employee's personnel file will be released until the employee is notified and has a reasonable opportunity to comment on the request, except as required by Oregon law. Requests for release of any confidential employee information must be in writing and signed by the employee, authorizing release of specific information, unless release is otherwise authorized by law. Employee approval is not required to release information that is a public record, such as position(s) held, dates of employment, and salary information.

## Payroll, Scheduling, and Overtime Practices

- 1. Work Week and Working Hours:** The work week runs from 12:01 a.m. Sunday to 12:00 midnight Saturday. The District office must be staffed Monday through Friday, so most employees will work a Monday-Friday schedule. The standard work week is Monday through Friday, 8:00 a.m. to 4:30 p.m. Employees are expected to arrive on time and work all hours for which they are scheduled.

All hourly employees who are not exempt from the overtime provisions of the Fair Labor Standards Act are called non-exempt employees. Employees who are exempt from the overtime provisions of the Fair Labor Standards Act are called exempt employees. All employees shall receive a 30-minute unpaid lunch break and two paid 15-minute rest

periods during each full day of work. The lunch break must be taken between the third and sixth hour worked. Non-exempt employees shall not perform any work during the meal period. Non-exempt employees who have their meal period interrupted by the District to perform required work shall be compensated for their meal period time worked. Meal periods cannot be skipped to deduct the time from the beginning or ending of the work period.

The General Manager shall determine the working hours for every employee. A flexible work schedule will be considered on a case-by-case basis, depending on the nature of the work required and the employee's personal situation. Employees wishing to work a flexible schedule, or a schedule different from the regular schedule, should discuss this with their supervisor. Flexible or alternative work schedules require the approval of the General Manager.

- 2. Wage Compensation:** The District maintains a salary schedule covering all positions in the District, showing the minimum and maximum rates of pay. In arriving at such salary ranges, consideration will be given to comparable pay scales administered by other local governments for similar work, and to the availability of funds.
  - A. Salary Review:** Compensation will be reviewed by the Personnel Committee at the end of an employee's Introductory Period, and after six (6) months of continuous employment as a Regular Employee. Wage increases and performance-based bonuses are not automatic. Employee performance will be reviewed at the end of the Introductory Period and at least annually thereafter. Recommendations for increases in compensation will be forwarded to the Manager for consideration. Bonuses may be awarded upon recommendation by the General Manager and approval by the Board.
  - B. Employment Status:** Each District employee's position description describes his or her employment status as either "exempt" or "non-exempt." Exempt employees are exempt from the requirements for minimum wage and overtime pay based on the executive, administrative, or professional requirements and duties of the position they fill. These requirements are established by the Oregon Bureau of Labor and Industries to meet both state and federal requirements. These requirements are interpreted very strictly by the Bureau of Labor and Industries because they mean that exempt employees, who receive a salary, may work as many hours as required by their work load without an expectation of additional compensation.
  - C. Overtime:** Non-exempt employees shall be paid at a rate of 1 ½ hours for each hour worked beyond 40 hours in a work week. Leave time and holidays do not

count as time worked. Employees shall not work overtime in excess of their normal workday (planned and budgeted hours) unless such overtime work is approved in advance by the General Manager. Employees are not permitted to work as volunteers for the District without pay.

**D. Overtime Compensatory Time:** For non-exempt employees, compensatory time off may be approved by the General Manager in lieu of overtime pay for irregular or occasional overtime work. Exempt employees are not eligible for compensatory time. If approved, an employee shall be given compensatory time off at a rate of 1 ½ hours for each hour worked beyond 40 hours in a work week. Leave time and holidays do not count as time worked. Employees shall not work overtime in excess of their normal workday (planned and budgeted hours) unless such overtime work is approved in advance by the General Manager. The following provisions apply to compensatory time:

- Compensatory time may be accumulated up to a maximum of 80 hours. Any overtime worked above this amount shall be paid in the employee's next regular paycheck.
- Use of compensatory time will be allowed unless the compensatory time off will unduly disrupt agency operations.
- Compensatory time shall be taken before any annual leave.
- The District encourages compensatory time to be taken as soon as possible after it is earned.
- If an employee separates from the District before using compensatory time, the time shall be paid in a lump sum along with unused annual leave.

**3. Rest and Meal Periods:** Employees must take a paid 15-minute rest period during each half shift, scheduled at, or as near as feasible to, the middle of each half shift. Employees who work six hours or more in one shift must also take an unpaid meal break of at least 30 minutes, as near as possible to the middle of their shift. Consistent with operating requirements, employees who, at the request of the District, work beyond their regular quitting time shall receive an additional 15-minute rest period for each two extra hours worked, and an additional unpaid meal period for each six extra hours worked. Each rest period shall not exceed fifteen (15) minutes total. Rest periods cannot be added to a meal period or deducted from the beginning or ending of the work period.

**4. Payday:** The District's payday is the fifth day of the month, or the preceding Friday if the fifth falls on a weekend or Monday holiday.

For the employee's convenience, information on wellness leave, annual leave and compensatory time accrual balances and itemized payroll deductions are printed on each employee's paycheck stub. Payroll deductions include mandatory deductions such as FICA (Social Security and Medicare taxes), state and federal taxes, and voluntary deductions of the employee.

Employees may choose to have their paychecks automatically deposited in their checking or savings account by direct deposit. Participation in direct deposit is optional and provided for the convenience of the employee. On payday, employees who have chosen the direct deposit option will receive a pay stub showing gross salary, taxes, and other deductions, and the net pay deposited.

Annual leave and wellness leave time earned by the employee shall be reported regularly to each employee.

- 5. Time Records:** Each employee and volunteer is required to accurately record time worked on District business. Personal time spent in the District office outside of regular working hours should not be recorded. Time sheets and expense claims should be complete, accurate, and submitted to the General Manager or his/her designee on or before the last working day of the month, or as directed by the General Manager.

If an employee has been given prior permission to telecommute or work remotely by the General Manager, the employee shall keep a record of what work was completed daily. This record will be submitted to the Manager on or before the last day of the month, and the Manager will review this record with the employee's timesheet at the end of the month.

- 6. Non-wage Compensation/Benefits:** The District offers the following benefits to employees:

- Medical and Dental Insurance
- Deferred Compensation Plan
- Short-term and Long-term Disability Insurance
- Life Insurance
- Benefits and eligibility are dependent on the employee's employment status and category as discussed above.

Details on these programs are available from the General Manager and his or her designee.

- 7. Employee Assistance Program (EAP):** The District recognizes that employees sometimes have personal or job-related issues that may affect their performance on the job. The District is committed to providing support for its employees and families in resolving such problems. For these reasons, the District offers an Employee Assistance Program to help employees with: mental, emotional, and family counseling; drug and alcohol counseling and treatment programs; crisis intervention, training, and education on life issues; referral to financial counseling services; and other community resources. More information regarding this program is available from the General Manager or his or her designee. All inquiry into or use of this program is confidential.
- 8. Pay Upon Separation:** A Regular Employee separating from service with the District will be paid any earned and unpaid wages then due for hours worked. Regular Employees who separate from service will be paid for unused annual leave earned, and compensatory time accrued (if applicable), which shall be paid at the employee's current hourly rate (hereafter "pay upon separation"). Terminating employees do not receive payment for accrued wellness leave.

An employee who is involuntarily terminated will be paid no later than the end of the first business day after a discharge or termination. If an employee resigns and fails to give at least forty-eight (48) hours advance notice, pay upon separation shall be paid within five (5) business days of termination.

Employees who depart voluntarily may be asked to participate in an exit interview. The General Manager, or the employee's supervisor, will conduct the exit interview. The General Manager is responsible for sending an exit letter to each departing employee.

## Performance Evaluations

Employee performance reviews are an essential communication tool for employees and their immediate supervisors. Such reviews identify employees' strengths and areas for improvement, identify training needs, and measure the individual employee's job performance relative to his or her goals and objectives. The purpose of evaluations is to provide feedback to employees regarding their work performance, allow employees to communicate concerns relating to their employment, and provide a basis for certain personnel decisions, such as merit or cost-of-living pay increases, promotion eligibility, and grounds for termination.

The District uses standardized performance evaluation forms for all non-management employees, and may supplement the standardized form with additional criteria for management employees. Each employee is evaluated based on objective, job-related criteria.

The supervisor completes performance evaluations for all employees directly supervised. The General Manager reviews all employee evaluations. The General Manager confers with the Personnel Committee before presenting final recommendations to the Board. The Board Chair and Personnel Committee Chair complete performance reviews for the General Manager, and make recommendations, where appropriate or necessary, to the Board.

A formal review of an employee's performance will take place at the end of the Introductory Period of employment, and, at minimum, annually thereafter. Employees will be provided with a copy of written performance reviews.

A supplemental performance evaluation may be performed at any time by a supervisor, to clarify performance deficiencies and to identify goals or plans for improvement.

## Training and Conference Attendance

The District encourages appropriate continuing education and training for employees to enhance job performance. Emphasis will be placed in the following three areas:

- **Orientation:** All new employees will be given orientation training upon employment with the District. This training will take place on the job and will be conducted or arranged for by the General Manager.
- **Training for current job assignment:** As part of the orientation training, the General Manager shall discuss with new employees any training needed for the new job. A training plan, outlining the training needed, how it will be administered, and when training will be completed may be developed. The intent of this plan is to provide the knowledge, skills, and abilities needed to achieve a competent level of performance.
- **Training to meet District needs and keep abreast of new procedures:** Each employee is responsible for staying current in his or her field of expertise, through avenues such as trade publications, research reports, participation in professional organizations, and further academic pursuits. Other publication and training opportunities are provided by the District, the Natural Resources Conservation Service, and other appropriate entities.

It is the responsibility of the District and the employee to see that training needs are identified, discussed, and acted upon. Identified training needs should be recorded precisely, including methods, objectives and formal course names where appropriate.

The General Manager must approve any training before it is scheduled. The employee must provide the General Manager with a written explanation of how the training will benefit the



goals of the organization. Employees are expected to demonstrate an observable increase in ability, skill, or knowledge after receiving training.

The District will pay for special licenses required for the employee to perform his or her duties, as determined by the General Manager.

The District will pay fees associated with approved training and conferences relating to the employee's job. Whenever possible, the employee shall submit a completed Request for Training/Conference Attendance form, a completed registration form, information regarding associated costs, and any pertinent information about the requested training or conference to the General Manager for approval at least two weeks prior to the event. Once approved by the General Manager, payment will be issued directly to vendors to cover these expenses when appropriate.

An employee may request a travel advance for the expected costs of travel, meals, and lodging, up to the General Services Administration (GSA) rates in effect for the destination at the time the travel will occur. Travel advances must be requested at least one month before a regularly scheduled meeting of the Board of Directors.

"Per diem" for meals that are not part of an event will be calculated using GSA rates. Payment may be issued to the employee in advance of travel. Receipts are not required when utilizing per diem funds. Receipts for event-related expenses not covered by per diem funds may be submitted to the General Manager for approval and reimbursement. Expenses may include, but are not limited to, the following:

- Registration and Tuition Fees: Expenses for conference registration, conference meals, and activities and/or tuition fees. Tuition that results in college credits will be reported as a taxable benefit in the employee's wage statement.
- Transportation: The actual cost of transportation incidental to and necessary for the performance of official business. If the employee's personal vehicle is used, the District will reimburse the employee at the current Oregon State mileage rate for the actual mileage required for the trip or event. Parking and other related expenses must be documented by receipt.
- Telephone and Facsimile: Expenses for telephone and/or facsimile communications are reimbursable only if they are directly related to District business and are supported by actual receipts. Personal telephone calls charged to the District or to the room and paid by the District must be reimbursed by the employee. Informing a loved one of his/her work status or schedule, or coordinating care for a family member, is considered work-related.

Any expenses for family members who accompany the employee on a trip are the responsibility of the employee, and are not reimbursable by the District.

Expenditures for alcoholic beverages will not be reimbursed by the District.

Tips to porters, baggage carriers, bellhops, and hotel maids are included as part of incidental expenses covered by GSA per diem. Tips related to meals are covered as part of the per diem meals expenses. Specific questions regarding tipping protocol in other scenarios should be addressed to the General Manager prior to distributing a tip or an employee may not be reimbursed for a tip.

Employees are expected to conduct themselves in a way that protects their safety and the reputation of the District at all times, including while in travel status.

## Time Off and Leave Policy

The District provides eligible employees with paid time off in the form of holidays, annual leave, wellness leave, and bereavement leave. Once paid leave is expended, an employee may request additional leave without pay, subject to approval by the General Manager. All leave must be recorded on time sheets.

Introductory Employees earn eight (8) hours of paid wellness and annual leave, respectively, for each month worked, beginning with the first day of employment. Introductory employees may not use paid annual leave during the Introductory period, but may use accrued wellness leave upon the 91<sup>st</sup> day after employment. An Introductory Employee who is not hired as a Regular Employee may not use accrued annual leave, and is not compensated for accrued annual leave upon termination. Unused accrued wellness leave is not paid upon termination for any employee.

### 1. **Holidays:** The District recognizes the following holidays:

- New Year's Day (January)
- Martin Luther King Jr. Day (January)
- President's Day (February)
- Memorial Day (May)
- Independence Day (July)
- Labor Day (September)
- Veteran's Day (November)
- Thanksgiving Day (November)
- Day after Thanksgiving (November)

- Christmas Day (December)
- One Floating Holiday

Except for the personal floating holiday, the District office shall be closed on these holidays. No employee shall work on these days without prior approval of the General Manager.

**Holiday Leave:** The District provides Introductory Full-Time and Regular Full-Time Employees with eight (8) hours of holiday pay for each recognized holiday. Part-Time Employees receive proportionately fewer hours (e.g., a 20-hour-a-week employee receives 50% of this benefit, and a 32-hour-a-week employee receives 100% of this benefit).

The standard work schedule is Monday through Friday, 8:00 a.m. to 4:30 p.m., with an unpaid half hour for lunch, and two paid 15-minute breaks given daily. The General Manager may, as an exception, authorize an employee to work a non-standard work week schedule, which may be changed or amended at any time by the Manager. All employee work schedules will revert to the standard work schedule for any week that includes a recognized holiday, unless prior permission has been secured from the General Manager.

Employees who are on an unpaid leave of absence shall not receive holiday leave during the absence.

When a scheduled holiday falls on Sunday, it will be observed on the following Monday. When a scheduled holiday falls on a Saturday, it will be observed on the preceding Friday.

If a non-exempt, hourly employee works on any holiday observed by the District, the employee shall be paid at the rate of one and one-half times the regular pay rate upon approval of the General Manager. Salaried employees may choose to take a day off in exchange for working a holiday observed by the District upon approval of the General Manager.

- 2. Annual Leave:** Annual leave benefits are intended to provide eligible employees with a period of paid rest and relaxation away from work. Accordingly, employees are encouraged to schedule vacations each year, and to use all earned annual leave benefits.

The District provides annual leave benefits to its Regular Employees who work 20 hours or more each week. Annual leave credits accrue monthly on the following basis, based on the employee's years of service, as determined by their anniversary date:

Years of Continuous Service	Monthly Accrual for Full-Time Employees
0 through less than 3 full years	8 hours
3 full years through less than 6 full years	12 hours
6 full years and greater	16 hours

Effective July 1, 2016, employees who have earned the maximum annual leave accrual rate of 16 hours/month may choose to remain under the existing Annual Leave accrual system, or may irrevocably choose the following schedule:

Years of Continuous Service	Monthly Accrual for Full-Time Employees
0 through less than 3 full years	8 hours
3 full years through less than 6 full years	12 hours
After 6 full years	12.67 hours (19 days/year)
After 7 full years	13.33 hours (20 days/year)
After 8 full years	14 hours (21 days/year)
After 9 full years	14.67 hours (22 days/year)
After 10 full years	15.33 hours (23 days/year)
After 11 full years	16 hours (24 days/year)

Regular Part-Time Employees who work 20 or more hours a week receive proportionately fewer hours (e.g., a 20-hour-a-week employee receives 50% of this benefit, and a 32-hour-a-week employee receives 100% of this benefit).

If the employee's anniversary date does not fall on the first day of the pay period, then the new accrual rate becomes effective on the first day following the pay period in which the anniversary date falls.

Annual leave shall not accrue during any unpaid leave of absence.

Employees may accrue up to 240 hours of annual leave time. Accruals in excess of 240 hours will not be paid. It is the employee's responsibility to use annual leave in a timely manner.

If a holiday falls on the first day, last day, or during an employee's scheduled annual leave, the employee will receive holiday pay for the day, if eligible for such pay, and will not be charged annual leave benefits.

Accrued and unused annual leave benefits shall be paid upon termination of regular employment.

Employees must request annual leave from the General Manager on a form designated by the District. Annual leave requests must be approved in advance, in writing. Leave may be denied based on reasonable business demands, such as workload and staffing levels.

Employees who become ill while on annual leave may be allowed to convert time spent ill to accrued wellness leave if they contact their immediate supervisor at the time they become ill.

- 3. Wellness Leave:** Employees are expected to attend work reliably, predictably, and regularly. The District wishes for all employees to be in and enjoy good health. Wellness leave is intended to be used to recover from illness, to protect others from becoming ill, and to pursue activities that enhance the physical or mental health of the employee at the discretion of the employee.

Employees who are unable to report to work due to personal illness or injury, or that of a family member, must contact their supervisor on or before their regularly scheduled starting time. If an employee becomes sick during the day, the supervisor must be notified before the employee leaves work, or as soon as possible. Supervisors will notify the General Manager as soon as possible.

The District provides paid Wellness Leave to Regular Employees who work 20 or more hours a week at the following rates of monthly accrual:

- Regular full-time employees: Eight (8) hours per month
- Regular part-time employees who work 20 or more hours a week: This benefit is pro-rated according to hours worked. Example: a 20-hour-a-week employee will earn four (4) hours a month.

Wellness leave may be used for an employee's mental or physical illness, injury, or health condition; for medical diagnosis, care or treatment, or for preventative care. It also may be used to care for a family member who needs these things. "Family member" means the employee's: spouse; biological, adoptive or foster parent or child; grandparent or grandchild; parent-in-law; or a person for whom the employee serves as a guardian. "Family member" also includes wife, husband, domestic partner, son,

daughter, mother, father, brother, sister, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, step-parent, stepchild, or children of a domestic partner.

Except for the waiting period for Introductory Employees, wellness leave may be used as soon as it is accrued. Unused wellness leave accumulates from year to year, as determined by the employee's anniversary date. Employees are not paid for unused wellness leave upon termination.

If the District suspects that the employee is abusing wellness leave, including engaging in a pattern of abuse, the District may require verification from the health care provider regardless of whether the employee has used more than three (3) consecutive days of wellness leave. "Pattern of abuse" includes, but is not limited to, repeated use of unscheduled sick time on or adjacent to weekends, holidays, vacation days, or paydays. Abuse of the District's leave policies is grounds for discipline, up to and including termination.

Wellness leave shall not accrue during any unpaid leave of absence.

If the use of wellness leave is foreseeable (such as for medical appointments or scheduled medical procedures), the employee shall provide as much advance notice as possible to the employee's supervisor, and shall make a reasonable attempt to schedule the use of wellness leave in a way that does not unduly disrupt the District's operations. If the need for wellness leave is not foreseeable, the employee shall provide advance notice to the employee's supervisor as soon as practicable. The employee must follow all other District requirements for requesting or reporting leave taken.

If all accrued wellness leave is exhausted, the employee may, with prior approval, take unpaid time off or request Health Care Leave (see below).

If the employee takes more than three (3) consecutive scheduled workdays of wellness leave, the District may require the employee to provide verification from a health care provider of the need for the leave, or other certification as permitted by law. If the need for wellness leave is foreseeable and is projected to last more than three (3) scheduled workdays and the employee is required to provide advance notice under this policy, the District may require that the verification or certification be provided before the leave commences, or as soon as otherwise practicable. If the employee commences sick time without providing the required advance notice, the verification from a health care provider must be provided within fifteen (15) days after the District requests it.

The District will pay any reasonable costs required to obtain verification that are not

covered by the employee's health insurance, including wages lost in obtaining the verification.

The District may not require the verification or certification to explain the nature of the illness, or details related to domestic violence, sexual assault, harassment, or stalking that necessitates the use of the leave. All information provided regarding the purpose for the leave shall be kept confidential.

If an employee terminates employment with the District and is reemployed within 180 days of separation, the District will restore previously accrued unused sick time to the level accrued up to the date of termination. If the employee left before the 91<sup>st</sup> day of employment, the District will restore the accrued wellness leave balance and the employee may use accrued wellness leave time after the combined total of days of employment with the employer exceeds 90 calendar days.

- 4. Bereavement Leave:** Upon the death of a family member, employees shall receive up to three days bereavement leave, or five days if the death occurs outside the State of Oregon. "Family member" includes wife, husband, domestic partner, son, daughter, mother, father, brother, sister, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, step-parent, stepchild, or children of a domestic partner. "Family member" also means the employee's: spouse; biological, adoptive or foster parent or child; grandparent or grandchild; parent-in-law; or a person for whom the employee serves as a guardian.

An employee may request more than three days of bereavement leave, in writing, from the General Manager. If additional time off is approved, the employee may use his or her personal holiday, wellness leave, or annual leave, or a combination of all three. If the employee has already used his or her personal holiday or has no wellness or annual leave available, the employee may request leave without pay.

- 5. Inclement Weather Leave:** The general policy regarding inclement weather is that the District does close its office when bad weather puts District employees, board members, or customers at undue risk of harm.

Unless conditions require the District to close, each person is expected to make his or her own determination whether or not it is safe to report to the office. An employee who does not report to the office because of weather conditions must notify his or her supervisor of their intent to use accrued leave or to request a flexible schedule for the week. Depending on the scope of an employee's duties, the General Manager may approve a telecommute option on a case-by-case basis.

The District recognizes that normal commuting may be disrupted during inclement weather. If the District remains open but an inclement weather day is officially declared by the General Manager, employees arriving within two hours of their normal starting time will receive credit for a full day's attendance. Employees who are unable to report to work shall take a day of leave.

If severe or unexpected conditions occur overnight, the General Manager, or his or her designee, may announce closure or a late opening of the office prior to opening. The General Manager shall seek to notify all employees by phone at least one hour prior to their normal start time. The General Manager may also establish a designated telephone contact number where a message can be left by the General Manager telling the employees that the office is officially closed for that day. If the office is closed all day, all employees who otherwise would have worked on that day will not be paid for their regular hours. If the office is opened late, employees will be paid for actual time worked. Employees may use their floating holiday, annual leave hours, or compensatory time hours to compensate for unpaid time, or may take a day without pay.

6. **Jury Duty:** Paid leave will be granted to allow an employee to perform jury duty. Upon receiving a summons for jury duty, the employee shall immediately notify the General Manager. Employees serving as jurors shall forward any jury pay to the District or may elect to donate all jury pay back to the jury donation pool. The District will not pay mileage reimbursement for jury duty. Employees are expected to report for work when not selected for a jury on any day, or when jury duty requires only part of a day.
7. **Health Care Leave:** The District does not employ the minimum number of employees required to provide coverage under either Federal Family and Medical Leave Act (FMLA) or the Oregon Family Leave Act (OFLA). However, the District does provide similar unpaid leave for up to twelve (12) weeks in a twelve (12) month period if an employee is unable to work due to the serious health condition of the employee or the employee's immediate family member.

Health Care Leave is defined as an unpaid leave for a specific medical situation which has been verified and approved by the General Manager, for which an employee's job will be held for up to twelve (12) weeks. Examples include, but are not limited to, diagnosis and treatment of a serious medical condition; pregnancy; birth of a child; post-partum care; etc. Requests for Health Care Leave must be made in writing to the General Manager and must include the reason for the leave and the expected duration. These requests are granted or denied at the District's discretion or as required by law.



Health Care Leave is unpaid. The employee may also use any available accrued paid leave while on Health Care Leave. Employees must exhaust all accrued paid leave before any unpaid leave other than Health Care Leave is granted.

During Health Care Leave, employee benefits will continue to be available. Medical and dental insurance will continue to be provided. The District may require a dated release from a licensed physician in order for the employee to return to work.

- 8. Military Leave and Re-employment:** The District will grant an unpaid leave of absence to any employee who leaves his/her employment with the District, whether voluntarily or involuntarily, to perform military duty. Such employees will be accorded all rights to which they are entitled under Oregon and federal law, as may be amended periodically. Written notice of leave requests must be filed with the General Manager.

An employee who has been employed by the District for at least six months and one day is entitled to receive payment for the first 30 days of Military Leave.

Except as provided above, the District will not provide wages or other monetary compensation during an employee's military leave of absence. At the employee's discretion, he/she may use accrued annual leave, personal holidays, or compensatory time during the absence. The employee may elect to continue health care coverage during the absence and may be required to pay the full costs of such coverage.

Employees returning from active duty must notify the District at least ninety (90) days from the date of their release from duty if they intend to resume their employment with the District. Failure to provide such notice will constitute abandonment of the right to resume employment with the District.

- 9. Workers' Compensation Leave:** All employees and volunteers are insured for on-the-job injuries. If an employee is injured on the job, the employee should immediately contact his or her immediate supervisor and complete the appropriate Workers' Compensation forms. Workers injured on the job are entitled to benefits under Oregon's Workers' Compensation law and the District will assist employees in obtaining all benefits to which they are legally entitled. During periods of work-related disability, the employee will be paid by Workers' Compensation and all employee benefits will continue to be available and to accrue. Procedures for Workers' Compensation will conform to Oregon state regulations and District policy.

- 10. Return-to-Work Policy:** The following procedures must be followed by employees who wish to return to work following an on-the-job injury which has resulted in the employee being off work.

- All requests to return to work must be made in writing, dated, and signed by the employee.
- All requests to return to work must be accompanied by a dated, written release signed by the employee's attending physician. This release must clearly specify whether the employee is released for his or her former job or is restricted in any way.
- Requests to return to work must be made no later than the seventh (7th) calendar day following the date that the insurance company has notified the employee that he or she is cleared to return to work by a physician. Except where, at the discretion of the District, extenuating circumstances exist, failure to make a timely request terminates the employee's right to reinstatement or reemployment. Failure to seek a written release upon becoming able to return to work may constitute abandonment of the employee's right to reinstatement or reemployment. However, if the District has 20 or fewer employees at the time of the injury and at the time of the employee's request to return to work, the District has no obligation to reinstate the employee.
- Requests to return to work may be brought in personally or mailed to the District, to the attention of the General Manager. Requests brought in personally will be date stamped with the date on which the written request is given to the District. Mailed requests will be date stamped on the date of receipt.

**11. Crime Victim's Leave:** Any employee who has worked for the District an average of more than 25 hours per week for at least 180 days and who is a victim of crime or is an immediate family member of a crime victim may take leave to attend criminal proceedings associated with the crime. The employee must provide reasonable notice to the District of his or her request for leave.

For purposes of this policy, the employee or an immediate family member must be a crime victim, meaning that he or she "has suffered financial, social, psychological or physical harm as a result of a personal felony." "Immediate family" includes a spouse, domestic partner, father, mother, sibling, child, stepchild or grandparent.

The amount of leave allowed is within the District's discretion. The District may limit the leave if it creates a significant difficulty and expense for the District. If the District limits the employee's leave due to undue hardship, the employee should notify the prosecuting attorney, who is then required to notify the court so that the court can take

the employee's work schedule into consideration when scheduling the criminal proceedings.

Leave under this section is unpaid; however, the employee may use any other accrued paid leave that is available.

**12. Domestic Violence Leave and/or Reasonable Safety Accommodation:** Any employee may request reasonable safety accommodation (e.g., transfer, reassignment, modified schedule, unpaid leave, changed work telephone number, changed work station, installed lock, implemented safety procedure, or any other adjustment) in response to actual or threatened domestic violence, harassment, sexual assault or stalking of the employee and/or the employee's minor child(ren).

Leave may be taken for the following purposes:

- To seek legal or law enforcement assistance to ensure the health and safety of the employee or the employee's child or dependent, including preparing for and participating in legal proceedings relating thereto;
- To seek medical treatment for or to recover from injuries to the employee or his/her child caused by such activity;
- To obtain or assist a minor child or dependent in obtaining counseling to address such activity from a licensed mental health professional;
- To obtain services from a victim services provider for the eligible employee or the employee's minor child or dependent;
- To relocate or take steps to secure an existing home to ensure the health and safety of the employee or the employee's minor child or dependent.

To the extent practicable, the employee must provide reasonable notice to the District of the need for such leave or accommodation. The District may request documentation that the employee or the minor child has been a victim of actual or threatened domestic violence, harassment, sexual assault or stalking. Any such documentation shall remain strictly confidential and may be released by the District only with the employee's consent.

Leave under this section is unpaid; however, the employee may use any other accrued paid leave that is available.

The amount of leave allowed is within the District's discretion. The District may limit the leave if it creates a significant difficulty and expense for the District.

**13. Leave of Absence without Pay:** Employees may request leave without pay by submitting a written request to the General Manager. With written approval of the General Manager, employees may take up to three days leave without pay per year without providing a reason. Leave without pay for longer periods will be approved on a case-by-case basis. Leave requests may be denied based on reasonable business demands, such as workload and staffing levels.

Leave requests must include an expected date of return, which may not be longer than one month. Upon request, leave without pay may be extended, but leave without pay will not be extended longer than one additional month.

Benefits do not accrue during a leave of absence, but are retained at the level that existed when the leave began. The employee may be able to continue certain benefits by assuming the costs of premiums.

Employees returning from an unpaid leave of absence are not guaranteed reemployment, unless stated in writing by the General Manager or required by law. When considering reemployment, the District may consider the availability of the person's position, or another available position that the District determines is suited to the employee's skills, qualification, and experience.

Employees on an unpaid leave of absence are required to report their status, progress, and anticipated date of return to work to the General Manager weekly, unless they have provided medical verification of the need to be absent until a specific date.

Expenses incurred during an employee's Leave of Absence Without Pay will not be eligible for reimbursement. Only expenses submitted that were incurred prior to the effective date of unpaid leave will be covered.

**14. Absent Without Approval/Job Abandonment:** An employee who does not obtain approval for a leave of absence will be considered Absent Without Approval and will be subject to disciplinary action, up to and including termination of employment. An employee who is absent from work for three (3) days or more without prior approval will be deemed to have voluntarily resigned his or her employment effective the first day of the unexcused leave.

**15. Compassionate Transfer of Leave:** The purpose of the Compassionate Transfer of Leave policy is to allow eligible employees who have exhausted all forms of paid leave to supplement their lost wages (or to supplement short-term disability) using annual leave and wellness leave transferred to them by another District employee.

An employee may voluntarily transfer a portion of his or her accrued annual and/or wellness leave hours to eligible employees who are unable to work due to catastrophic illness or injury to themselves or to a member of their immediate family, as defined by District leave policies. Regular Employees who accrue vacation are eligible to participate in this transfer of leave subject to the following conditions:

**A.** An illness/injury is considered catastrophic for an employee or a covered family member if it is:

- A serious injury, illness, or condition that is expected to last for a period of at least 30 consecutive calendar days and the employee is not able to substantially perform the primary functions of his or her job; and
- A non-work related illness or injury; and
- Confirmed in writing by the employee's medical provider, subject to reconfirmation by a medical provider chosen by the District.
- For the employee transferring leave hours:
- Transfers of leave are voluntary, and no employee may be coerced, threatened, or intimidated into transferring leave hours under this policy.
- The transferring employee must retain a minimum balance of 80 annual leave hours and 80 wellness leave hours after the leave hours transfer.

**B.** Employees receiving transferred leave hours:

- Must have been continuously employed by the District in a benefit-eligible position for at least one year immediately prior to receiving any transferred leave hours, and must have been eligible to accrue annual leave and wellness leave hours during that period of service.
- Must have exhausted all forms of paid leave (e.g., annual, wellness leave, and compensatory time) prior to receiving any transferred leave hours.
- Must be on an approved and authorized medical leave of absence in order to receive and utilize transferred leave hours.
- Must apply for transferred leave in accordance with District procedures. The application of transferred leave is not automatic and must be approved by the General Manager.
- May utilize a maximum of 480 transferred leave hours (after conversion to recipient's hours) in any 12-month period.

- The amount of transferred leave time that an employee is eligible to receive is calculated based upon his or her standard hours/FTE worked. The maximum eligible hours is based upon 40 hours per week (100% full-time equivalent employment). Any benefit-eligible employee working less than 40 hours per week is eligible for transferred leave hours as stated above, prorated accordingly.
  - Each donated or transferred annual or wellness leave hour will be converted to one hour of annual or wellness leave for the recipient.
- C. Limitations to Compassionate Transfer of Leave: The availability of transferred leave hours for an employee under this policy does not automatically authorize that employee's time off from work and/or pay continuation.
- Transferred leave hours under this policy will run concurrently with authorized medical leave policies. The availability of transferred leave hours does not guarantee the recipient employee's continued employment with the District, or guarantee that an employee's position will be kept available for the employee.
  - Any unused transferred leave hours are irrevocable and shall not be returned to the transferring employee who provided the leave hours nor shall they be retained by the recipient for use beyond the provisions allowed by this policy.
  - A recipient of transferred leave hours who is enrolled in a short-term disability program offered by the District must apply for and, if eligible, receive his or her short-term disability benefits before using transferred leave hours beyond the initial short-term disability benefits waiting period. Such transferred leave hours (other than for the initial short-term disability benefits waiting period), may only be used to supplement the short-term disability benefits payment up to, but not exceeding, the recipient's regular rate of pay. An employee shall not receive or use transferred leave hours beyond the period of medically certified leave, six (6) calendar months (regardless of availability or amount of transferred leave hours used each week), the maximum hours outlined in this policy, or until long-term disability benefits (if applicable) commence, whichever is shorter.
  - After meeting original qualifications for this policy, an employee who obtains physician certification and supervisor approval and returns to work on a temporary part-time schedule may continue to use transferred leave for the specified reduction in work hours stated in the medical certification. This temporary, reduced schedule must be for support of the same qualifying medical condition, and may not exceed the maximum provisions outlined in this policy.

- Employees using transferred leave will continue to accrue additional wellness or annual leave hours based on the time paid under transferred leave.
- D. Confidentiality: All District employees and supervisors involved in compassionate transfers of leave hours are encouraged to be as discreet as possible and must refrain from sharing medical information pertaining to the receiving employee.
- E. Procedures: The General Manager, or designee, is responsible for administering this program and for establishing and communicating procedures to District employees. Employees wishing to donate leave or receive donations of leave under this policy must follow the District procedures.

## Code of Ethics for District Employees

All District employees, as well as volunteers performing as a District representative, are public officials as defined in ORS 244.020(14). As such, they may not use District time, equipment, or services for personal interest or gain.

Employees shall not use confidential information or facts that have come to them by virtue of their employment for personal financial gain or benefit.

Employees (and their relatives) shall not accept any special favors, gifts, or gratuities resulting from or related to employment with the District. In this regard, the appearance of impropriety can be as damaging as actual impropriety and shall be avoided. However, the General Manager or Board may allow the occasional acceptance of non-monetary gifts of nominal value [e.g., under \$50] where refusal of the gift would impair the working relationship of the District with the giver of the gift.

District employees and volunteers are required to disclose potential or actual financial conflicts of interest in writing to their immediate supervisors as required in ORS 244.120(1)(c). A “potential conflict of interest” means that an official action by the public official could result in a personal financial gain or avoidance of a financial detriment for the individual, a family member of the individual, or a business of the individual or the individual’s family member. An “actual conflict of interest” means that the act will result in such an outcome.

Employees should review and become familiar with the Oregon Ethics Commission’s “Guide for Public Officials,” which is available free of charge at [www.oregon.gov/ogec](http://www.oregon.gov/ogec).

## Political Activities for District Employees

Employees may not use their official authority or position with the District to further the cause of any political party or candidate for nomination or election to any political office.

Oregon law forbids any District employee, while on the job, or when using publicly owned equipment or facilities, from soliciting money, influence, service, or other article of value or otherwise aiding and/or promoting any political cause, or the nomination or election of any person for public office.

## Workplace Conduct

Employees are expected to follow the following standards and procedures while they are employed at the District. The District will use these rules as guidelines only and will evaluate each situation individually. However, violations of any of these rules can result in disciplinary action. This is not a complete list, and the District may add, delete, or otherwise change these work rules at any time.

- 1. Attendance and Punctuality:** The ability to attend work regularly is an essential job requirement. Excessive absences and/or tardiness are disruptive to work schedules, costly to the District and its residents, and detrimental to the morale and efforts of employees who maintain a good work record.

All employees are expected to keep regular attendance, be on time, present themselves in a way that protects the reputation of the District, and work as scheduled. All employees are expected to keep their supervisor reasonably informed regarding issues that may affect attendance or punctuality.

Except when the absence is due to leave protected by state or federal law, failure to meet these requirements may subject an employee to disciplinary action, up to and including termination.

- 2. Personal Appearance:** While on the job, each employee is expected to present a proper, businesslike appearance whether in the office, in a District vehicle, or at another site. Good taste and good judgment in personal attire is expected. All articles of clothing shall be neat, clean and in good repair. Shoes and other clothing shall be appropriate for the work being performed and shall not create any undue safety risk. The General Manager or the employee's supervisor may require an employee to change into more appropriate attire, including requiring the employee to return home to change. Time required to change into more appropriate attire is not compensated time.



**3. Odor and Fragrance:** The District strives to ensure the comfort and safety of our employees and visitors by encouraging an environment free from smoke, fragrances, or unpleasant smells. These odors are distracting and may trigger allergic reactions or create health problems for sensitive individuals. Therefore, the District office, District vehicles, and any place where District business is conducted, shall be considered a fragrance-free workplace. Personal products (fragrances, colognes, lotions, powders, deodorants, shaving and hair products, and other similar items) that are perceptible to others should not be worn by employees. Other fragrant products (scented candles, potpourri, and similar items) are also not permitted in the workplace.

Any employee with a concern about scents or odors should contact his or her supervisor.

**4. Appearance of Work Areas:** Each employee is responsible for maintaining a safe, neat work area and ensuring that all documents containing confidential or protected information, desks, cabinets, and equipment are secured.

**5. Workplace Safety:** The District strives to keep the workplace as safe as possible for everyone. Employees are responsible for knowing and understanding the information provided in the District Safety Policy. The Safety and Wellness Committee meets regularly and provides minutes of its meetings. Employees are required to familiarize themselves with and follow all recommendations in those minutes, as well as all of the safety procedures outlined in the Safety Policy and posted on the bulletin board. In addition, employees must report any injury or accident, no matter how small, immediately to their supervisor or the General Manager.

All District Employees and volunteers are responsible for:

- Exercising maximum care and good judgment at all times to prevent accidents and injuries.
- Reporting all injuries to supervisors and seeking first aid, regardless of how minor the injury may be.
- Correcting unsafe conditions, equipment or practices if it is within the employee's scope of authority and/or reporting these conditions to a supervisor or the General Manager in a timely manner.
- Using safety equipment provided by the District at all times.
- Observing all safety rules and regulations at all times.

A District employee shall not operate a District vehicle or any personal vehicle during work hours while under the influence of drugs or alcohol. Verified operation of a

District vehicle or personal vehicle during work hours while under the influence of drugs or alcohol is grounds for immediate termination.

- 6. Reporting Accidents:** If an employee is injured on the job, regardless of the injury, he or she must report it to their supervisor or the General Manager immediately. The District provides forms required by law. Any employee involved in an accident while driving a District vehicle must contact his or her supervisor or the General Manager immediately. Eligibility for Workers' Compensation may depend on the prompt filing of an injury report.
- 7. Purchasing Approval Process:** The District has established a rigorous system of internal controls to limit liability to the District, the Board, and District employees and to protect the public assets entrusted to the District. All requests for purchases must be approved in advance by submitting the appropriate paperwork and documentation to the General Manager or to his or her designee. Purchase for items necessary to the successful functioning of the District shall be made by using the district credit card, by purchase order, or by Board-approved check. The General Manager may verbally authorize purchases when it is necessary for the efficient operation of the District; in that situation, appropriate forms will be completed after the purchase. The District does not maintain a petty cash fund.
- 8. Use of Telephones and District Equipment/Personal Visits:** Friends and family are discouraged from making excessive social visits to the office during working hours. District telephones are to be used for District purposes.

Excessive personal calls during the workday, regardless of the type of phone used, can interfere with employee productivity and be distracting to others. Employees shall make personal calls on non-work time whenever possible, and ensure that friends and family members are aware of the District's policy.

Under no circumstances should an employee charge a long distance call to the District unless it is work-related. Informing a loved one of his/her work status or schedule, or coordinating care for a family member, is considered work-related. Use of personal electronic equipment during working hours shall not interfere with the performance of job functions and duties as determined by the General Manager.

Employees are expected to protect District-provided equipment such as portable computers, cameras, GPS units, and cellular phones from loss, damage, or theft. Upon resignation or termination of employment, or at any time upon request, the employee will be required to return any and all equipment assigned to the employee or bear the

cost of a replacement. Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges may be subject to legal action for recovery of the loss. Any equipment assigned to the employee that is lost, stolen, or damaged beyond repair through the employee's negligence may result in disciplinary action and replacement may be charged to the employee.

Employees shall not use a cellular telephone or other electronic communication system while driving on District business unless a suitable hands-free device is used. Oregon law prohibits texting and the use of handheld devices, including cellular telephones, for all drivers with the exception of police, emergency responders and drivers in emergency situations. Employees who are driving are expected to find a safe location away from traffic and to safely stop their vehicle before placing or accepting a call, unless a suitable hands-free device is used.

- 9. Electronic Communications Systems:** District employees are provided with access to multiple electronic communications and information systems. These systems include computers, electronic mail, internet access, websites, forums, text messaging, online social media applications, telephones, voicemail, facsimiles, and copy machines.

All communications, including email, created on, stored in, or sent to District equipment, and some communications, including email, created on or stored in personal equipment for District purposes, are public records that may be subject to disclosure.

All of the District's electronic equipment, and all communications and stored information transmitted, received, or contained therein, are the property of the District and, therefore, are to be used solely for District-related purposes. The use of the District's electronic communications/information systems for non-job related purposes is prohibited. Use of the District's electronic/information systems for any non-job related purpose is grounds for discipline.

Use of the electronic equipment by any user, authorized or unauthorized, constitutes consent to monitoring, interception, recording, reading, copying or capturing, and disclosure. Employees shall have no expectation of privacy when using these systems or any related equipment. The District has the right to access, review, monitor, and disclose all matters received, disseminated or stored on its systems (including deleted material) at any time and for any reason, and may do so with or without notice.

Employees are strictly prohibited from using any of the District's electronic communication/information systems to send messages which may be interpreted as harassing, discriminatory, obscene, derogatory or defamatory. The District's anti-

harassment policy applies to employees in their use of the District's electronic communication/information system.

Only authorized users may access the Internet on District-owned systems and equipment. District computers shall not be used to access pornography, participate in gambling, or visit sites that promote hate or ethnic violence or civil rights violations. Any suspected access to child pornography is grounds for immediate termination, and will be investigated for potential criminal prosecution.

The District's name should not be used in external communication forums such as chat rooms without prior written authorization from a supervisor. Employees should not use District equipment to mail, upload, or broadcast any information for personal gain, including, but not limited to, chain letters, solicitation of and response to employment opportunities, sale of products, and/or searches of non-business related sites or any obscene or offensive material.

To prevent computer viruses from being transmitted through the District's Internet system, no employee may download or install software without prior authorization, except to install updates that have been approved by the Manager or his/her designee. The use of encryption devices or software that has not been authorized by the District is prohibited. Employees must respect copyright protection of content produced by others, and must not re-use copyrighted materials without express permission from the copyright owner.

All passwords and codes are the property of the District and do not guarantee any privacy to the employee. Password protection does not prevent access by the District. Employees shall not use a code, access a file, or retrieve any stored communication, other than where authorized, unless there has been prior clearance by an authorized supervisor. Information in District computers and equipment that is confidential and/or proprietary information must not be shared with individuals outside of the District without prior clearance from an authorized supervisor. Employees are prohibited from providing email address or account login to others for any purpose that is not work related.

Any employee terminating employment with the District is prohibited from taking (in any form) or copying (in any form) any District file or other information stored on the District's electronic equipment.

No employee may access the National Resources Conservation Service (NRCS) computer system unless approval has been granted by NRCS.

Employees who violate this policy are subject to disciplinary action, up to and including termination of employment. Action or inaction by the District in response to prior violation(s) of this policy does not constitute a waiver of the District's right to take appropriate action for any subsequent violations.

All violations of this policy should be reported to the General Manager or the Chair of the Personnel Committee.

**10. Interaction with the Media.** Only the Board Chair and the General Manager are authorized to speak to the media regarding District events or operations. In this context, "media" means representatives of television, newspaper, radio, and any form of on-line news source. If an employee receives a request for an interview or statement relating to District operations or events, the employee shall promptly refer the request to the General Manager.

**11. Social Media:** "Social media" refers to a wide range of applications and services that are accessed from a computer or mobile device. Examples include, but are not limited to: Facebook, LinkedIn, Twitter, and YouTube.

The District encourages employees to use social media to help promote positive conversations about the conservation of natural resources and to fairly represent the programs and services that the District provides. However, using social media is a very public form of conversation and is inherently more risky than having in-person conversations, so employees must remain aware at all times that anything they post online can have negative repercussions. Employees who use social media must exercise discretion, restraint, and common sense. Once posted, social media content and comments may be impossible to retract or remove.

The District understands that some employees may include their work affiliation in the biographical information made available to others. It is important that employees not identify themselves as representing the District unless authorized by the General Manager to do so.

Employees who use social media must observe the guidelines of the District's Workplace Conduct and Anti-harassment policies. Blogs and web pages hosted or maintained by the employee should bear a disclaimer stating that any views expressed by the employee are not necessarily those of the District.

The General Manager will explicitly authorize employees to represent the District, as needed.

Nothing in this policy shall be construed to restrict legally protected activity. However, representing the District in an inaccurate or defamatory way may result in disciplinary action, up to and including termination.

**12. Incidental Use of District Equipment:** It is the District's policy that incidental use of computers, Internet connections, telephones, photocopiers, and similar resources for personal purposes is, in general, permitted, if such usage:

- Does not interfere with the performance of any employee's job duties;
- Is not otherwise prohibited by law or District policy;
- Does not expose the District's systems and data to additional risk; and
- Does not tarnish the District's reputation or credibility
- Examples of allowable incidental usage include:
  - Checking a personal bank account or retirement account
  - Looking for a doctor or dentist, or making an appointment with same
  - Researching sources of services to secure home or vehicle repairs
  - Checking personal email

Prohibited uses of District resources include, but are not limited to, using such resources:

- For personal or financial gain
- To conduct transactions related to a personal business
- To access pornographic or hate sites
- To support or to work against any political candidate or political cause

**13. Drug-Free Workplace Policy:** The Clackamas Soil and Water Conservation District is committed to protecting the safety, health and well-being of all employees and other individuals in our workplace. The District recognizes that alcohol abuse and drug use pose a significant threat to District goals. The District has established a drug-free workplace program that balances respect for individuals with the need to maintain an alcohol and drug-free environment.

**A. Covered Persons:** Any individual who conducts business for the organization, is applying for a position, or is conducting business on the District's property is covered by our drug-free workplace policy. Our policy includes, but is not limited to, managers, supervisors, full-time employees, part-time employees, volunteers, interns, and applicants.

- B. Applicability:** Our drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the organization. Therefore, this policy applies during all working hours, whenever conducting business or representing the organization, and at District-sponsored events.
- C. Prohibited Behavior:** It is a violation of our drug-free workplace policy to use, possess, sell, trade, and/or offer for sale alcohol, legal or illegal drugs, or intoxicants.

Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with the safe performance of his/her job. If the use of a medication could compromise the safety of the employee, fellow employees, or the public, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty, notify supervisor) to avoid unsafe workplace practices.

The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of our drug-free workplace policy to intentionally misuse and/or abuse prescription medications. Appropriate disciplinary action will be taken if job performance deterioration and/or accidents occur.

The District recognizes that at some job-related functions, limited consumption of alcoholic beverages may occur. Use of alcohol may impair judgment and may influence the health and safety of the employee and of others. The way an employee is viewed by others directly reflects on the reputation and credibility of not only the employee but also on the District. Therefore, an employee may consume alcoholic beverages at job-related functions and events if:

- The employee exercises good judgment when deciding if, and when, to consume alcoholic beverages, and how much to consume; and
- The employee remains aware of personal limits at all times so as to not over-consume alcohol; and
- The employee never drives a motor vehicle or operates dangerous equipment while under the influence of alcohol; and
- The employee remembers that they represent the District at all times, and that their behavior must reflect positively on the District, the Board of Directors, and other staff members.

In allowing this limited exception to a blanket prohibition on consuming alcoholic beverages, it is imperative that each and every District representative be fully responsible for their own actions and help monitor the behavior of their peers in such situations. If an employee over-consumes alcohol, any District representative present may intervene, taking all reasonable steps necessary to protect the health, safety, and reputation of any and all District representatives. The General Manager will then take all steps necessary to prevent recurrence of a similar situation.

Because legal marijuana may not be consumed publicly, the recreational use of marijuana while representing the District is strictly prohibited.

**D. Notification of Convictions:** In compliance with the Federal Drug-Free Workplace Act of 1988, any employee whose is compensated in whole or in part with a federal grant of \$100,000 or more and who is convicted of a criminal drug violation in the workplace must notify the District in writing within five (5) calendar days of the conviction. The District will take appropriate action within 30 days of notification. Federal contracting agencies will be notified when appropriate.

**E. Searches:** Entering the organization's property constitutes consent to searches and inspections. If an individual is suspected of violating the drug-free workplace policy, he or she may be asked to submit to a search or inspection at any time. Searches can be conducted of pockets and clothing, lockers, wallets, purses, briefcases and lunchboxes, desks and work stations, vehicles and equipment.

**F. Consequences:** One of the goals of the District's drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious.

In the case of applicants, if he or she violates the drug-free workplace policy, the offer of employment can be withdrawn. The applicant may reapply after six months and must successfully pass a pre-employment drug test.

If an employee violates the policy, he or she will be subject to disciplinary action and may be required to enter rehabilitation. An employee required to enter rehabilitation who fails to successfully complete it and/or repeatedly violates the policy will be terminated from employment. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

**G. Return-to-Work Agreements:** Following a violation of the drug-free workplace policy, an employee may be offered an opportunity to participate in rehabilitation.



In such cases, the employee must sign and abide by the terms set forth in a Return-to-Work Agreement as a condition of continued employment.

**H. Assistance:** Clackamas Soil and Water Conservation District recognizes that alcohol and drug abuse and addiction are treatable illnesses. The District also realizes that early intervention and support improve the success of rehabilitation. To support employees, the drug-free workplace policy:

- Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help
- Offers all employees and their family members assistance with alcohol and drug problems through the Employee Assistance Program (EAP)
- Allows the use of accrued paid leave while seeking treatment for alcohol and other drug problems

Treatment for alcoholism and/or other drug use disorders may be covered by the employee's benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

**I. Confidentiality:** All information received by the organization through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

**J. Shared Responsibility:** A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

Employees must not report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.

In addition, employees are encouraged to:

- Be concerned about working in a safe environment
- Support fellow workers in seeking help
- Use the Employee Assistance Program
- Report dangerous behavior to their supervisor

It is the supervisor's responsibility to:

- Inform employees of the drug-free workplace policy
- Observe employee performance
- Investigate reports of dangerous practices
- Document negative changes and problems in performance
- Counsel employees as to expected performance improvement
- Refer employees to the Employee Assistance Program
- Clearly state consequences of policy violations

**K. Communication:** Communicating our drug-free workplace policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting the District's drug-free workplace program, all employees will receive a written copy of this policy.

**14. Smoking:** State law prohibits smoking in the workplace buildings and within ten (10) feet of all entrances, exits, accessibility ramps that lead to and from an entrance or exit, windows and air-intake vents. Smoking is not permitted on District properties or in District vehicles.

**15. Outside Employment:** Employees shall not engage in outside employment that conflicts in any way with District employment, detracts from the efficiency of work performance, or is in conflict with the interests of the District. The District expects employees to avoid extra work which affects endurance, overall personal health, or effectiveness. The District will hold all employees to the same standards of performance and scheduling demands, including employees who hold outside jobs.

Employees shall notify the General Manager in writing, in advance, of any outside employment.

Any time outside employment is found to be substantially in conflict with the interests of the District or is likely to bring discredit upon the District, the District shall so notify the employee, and the employee may be required to determine whether to resign from the District or to terminate the outside employment.

All District employees, and volunteers performing as a District representative, are public officials as defined in ORS 244.020(14). As such they are prohibited from using or attempting to use the position held as a public official to obtain any financial benefit, if the opportunity for the financial benefit would not otherwise be available but for the position held by the public official.

**16. Violence in the Workplace:** The District has a zero-tolerance policy for violence in the workplace. Every employee is entitled to come to work without fear of being the target of threats, intimidation, or violent acts. This policy is in addition to the District's Harassment Policy. Anyone engaging in any acts of threats, intimidation, or violence against a fellow employee will be subject to discipline, up to and including immediate termination.

For purposes of this policy, violent behavior is defined as one or more of the following:

- A.** The actual or implied threat of harm to an individual, group of individuals, or associates of those individuals. Such a threat may include, but is not limited to, verbal or physical harassment, verbal or physical threats, any menacing behavior, actual aggressive or angry touching of a co-worker, verbal confrontations, name-calling or profanity directed against anyone personally, explosions of anger, and any other actions that cause others to feel unsafe or threatened.
- B.** The possession on District property of weapons of any kind, unless specifically authorized by District management, or the brandishing of any object that could reasonably be construed as a weapon. District property includes parking lots and District vehicles. The General Manager may authorize the use of tools necessary for the performance of an employee's job duties. Such tools may include, but are not limited to: knives; shears; clippers; machetes; shovels; soil probes; hoes; rakes; hammers; and picks.
- C.** Loud, angry, or disruptive behavior ("temper tantrums") -- outbursts of this kind are not an acceptable part of the District's work environment.
- D.** Negligent or intentional disregard for the physical safety or well-being of others.
- E.** Willful destruction of District property or property of other employees.
- F.** Commission of any violent crime on or with District property.
- G.** Any other conduct that a reasonable person would perceive as constituting actual or threatened violence. Examples of behavior that will not be tolerated include, but are not limited to, continually making fun of another person; "ganging up" to ridicule or tease an employee who does not quite "fit in" with the rest of the group; employees refusing to train, work with, help or cooperate with another person when necessary; off-the-job threats, unwelcome advances or stalking of a co-worker which cause workplace consequences; and any other conduct which causes a tense and stressful workplace filled with interpersonal conflict.

The District may conduct an investigation of a current employee when the employee's behavior raises concerns about the work performance, reliability, honesty, or potential threat to the safety of co-workers or others. The District reserves the right to inspect, with or without notice, all District property, and any other property whether belonging to employees, customers, clients, etc., brought on to the District's premises, including, but not limited to packages, bags, briefcases, backpacks, purses, automobiles, desks, work areas, file cabinets, voice mail systems, and computer systems. The District also reserves the right to conduct ongoing background checks on employees in compliance with applicable law including an investigation of criminal records. The District may remove, or cause to be removed, from the District's premises any individual who presents a safety risk to others.

Any employee who is subjected to, witnesses, or has knowledge of actions that could be perceived as threats, intimidation, or violence, or has reason to believe that such actions may occur, is required to report the conduct immediately to the General Manager. If the General Manager is suspected of such actions, the Board Chair should be contacted. Such communications will be kept confidential to the full extent possible under the circumstances. The General Manager (or the Board Chair) will notify the reporting employee of any action the District will take in response to the report.

**17. Harassment and Sexual Harassment:** All forms of harassment are prohibited, including sexual harassment, or showing disrespect to persons based on their race, gender, religion, creed, age, disability or other protected class. It is the District's objective to take immediate action to stop harassment or discrimination where it is found to exist.

This policy covers conduct in the workplace, at social functions sponsored by the District (such as holiday dinners, picnics, tours, etc.), and business functions such as conventions, trade shows, etc.

**A. Harassment:** The District will not tolerate conduct by any Board member, employee, or volunteer who harasses another person, disrupts, or interferes with another's work performance, or who creates an intimidating, offensive, or hostile work environment. Behavior such as telling ethnic jokes, making religious slurs, using offensive "slang" or other derogatory terms denoting a person's age, race, national origin, disability or mimicking one's speech, accent or disability, are examples of prohibited conduct and will not be tolerated. Any messages or communications sent or received through District electronic communication systems are subject to the same anti-harassment, anti-discrimination and non-solicitation

policies. The use of information systems (including e-mail, intranet, or the Internet) to display or transmit sexually explicit images, messages, off-color jokes, or anything that may be construed as harassment or showing disrespect for others is prohibited.

Any employee found, after appropriate investigation, to have engaged in harassment of another employee or other complainant, or to have retaliated against any complainant for reporting harassment, will be subject to appropriate corrective action, depending on the circumstances, up to and including termination. Board members may be subject to appropriate civil action.

It is the District's policy to resolve less serious problems and misunderstandings on an informal basis and at the lowest administrative level possible. The District provides a dispute resolution procedure for receiving and resolving complaints alleging discrimination practices in employment relations. The dispute resolution process is a method for an impartial hearing of a complaint. It is intended to resolve the problem, and to provide employees with a fair and objective review of any concern. All issues will be handled confidentially to the extent possible, without prejudice or retaliation.

Any allegation of harassment toward oneself or another shall be presented as soon as possible to the General Manager. If the General Manager is the alleged perpetrator, a report may be made to the Board Chair. All complaints will be promptly and fairly investigated and a determination will be made whether to report the complaint to the District's legal counsel. The investigation shall proceed as follows:

- Inquire of all persons reporting as to whether the record now includes all allegations of harassment.
- Interview the employee alleging harassment.
- Interview the alleged perpetrator. Advise him or her of the allegations and afford him or her with an opportunity to reply verbally and in writing. Advise the employee that any retaliatory conduct will be subject to disciplinary action regardless of allegations of harassment.
- Interview anyone with any knowledge of the alleged harassment.
- Prepare a written summary of all testimony taken during an investigation.
- Prepare a written report of the results of the investigation, and send a copy of the findings to the Board Chair as quickly as possible.

- The Board Chair will schedule an executive session within fifteen (15) working days for a presentation on the findings and to determine whether or not there is reasonable cause for disciplinary action.
- Where appropriate, immediate corrective action will be taken, including termination of an employee. In all cases, the employee or other complainant will be advised in writing of the findings and conclusion.

Nothing in this section shall limit the authority of the District to modify policies or practices to correct any appearance of harassment without finding reasonable cause for disciplinary action or taking any disciplinary action. The report will also include any recommendations to remedy the situation and prevent similar future incidents.

Reports of findings of reasonable cause for disciplinary action will be placed in the personnel file of any employee subject to discipline. The employee may request that a statement of rebuttal or correction also be placed in the file, whether or not the employee is later terminated.

Reports of alleged discrimination and/or harassment may also be reported to the Civil Rights Division of Oregon's Bureau of Labor and Industry ("BOLI"), and the federal Equal Opportunity Employment Commission ("EEOC") within time frames prescribed by law.

- B. Sexual Harassment:** While all forms of harassment are prohibited, the District emphasizes that sexual harassment is specifically prohibited, whether committed by a supervisor, peer, non-managerial employee, volunteer, or outside individuals (vendors, customers, etc.). This policy covers conduct in the workplace, at social functions sponsored by the District, and business functions. Any messages or communications sent or received through District electronic communications systems are also subject to this policy.

The General Manager is responsible for maintaining a workplace free of any form of sexual harassment. No Board member or supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development. No employee, Board member, or volunteer shall be subject to unsolicited and unwelcome overtones or conduct, either verbal or physical.

Sexual harassment includes behavior and/or speech of a sexual nature that are not welcome and which are personally offensive, interfere with the effectiveness of, or create uneasiness in, the workplace. Examples include, but are not limited to,

repeated sexual flirtations, advances, or propositions; continued or repeated verbal abuse of a sexual nature; graphic or degrading comments about an individual or his/her appearance; the display of sexually suggestive objects or pictures; jokes of sexual nature; or any offensive or abusive physical contact.

No individual shall imply to a District employee, Director, or volunteer that lack of cooperation in activity of a sexual nature will in some way negatively affect a person's employment, work assignments, compensation, advancement, career development or any other condition of employment or service.

Any substantiated allegations of sexual harassment will bring prompt and certain disciplinary action, up to and including termination. The procedures described under the District's Harassment Policy will be used to investigate an allegation of sexual harassment.

- 18. Confidentiality:** Assuring confidentiality and protecting private information, insofar as allowed by law, is essential to the District's ability to provide quality services. It is every employee's responsibility to not share information about specific District customers to anyone outside of the District, and to safeguard files and other written information. Failure to do so can subject employees to disciplinary action, up to and including termination.

## District Vehicles and Driving

Employees are expected to drive a District-owned vehicle or, when approved by the General Manager, may drive their own vehicles (with mileage reimbursement) in the execution of their job duties.

- 1. Safe Driving Policy:** It is the policy of the District 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 obtaining clear driving directions before departing, refraining from operating such equipment as cell phones and radios while the vehicle is moving, and not operating a vehicle while impaired. Drivers are expected to follow defensive driving principles and to comply with all Oregon laws and regulations to prevent accidents. The General Manager is responsible for enforcing this policy.

A District employee shall not operate a District vehicle or any personal vehicle during work hours while under the influence of drugs or alcohol. Verified operation of a

District vehicle or personal vehicle during work hours while under the influence of drugs or alcohol is grounds for immediate termination.

2. **NRCS Vehicles:** An employee may not drive an NRCS vehicle unless he or she has received written approval from NRCS to do so.
3. **District Vehicles:** Employees are expected to drive District vehicles in the execution of their job duties. District vehicles may be driven by the employee only, and only for official District business. Brief stops for personal reasons on the way to and from work sites are permitted. Fuel, oil, and other fluids for District vehicles may be purchased with a District credit card, or paid by the employee and reimbursed based on written receipts. A mileage record will be kept for each District vehicle and must be completed by the driver.

As a condition of continued employment, each employee who operates a District vehicle must maintain a personal driving record that is within risk criteria, if any, established by the District's insurer.

4. **Personal Vehicles:** Employees may, with the approval of the General Manager, drive their own personal vehicle for job-related duties. Employees who drive their own vehicles may receive mileage reimbursement only after providing written documentation on a monthly basis of number of miles driven, destination, and project/funding source. Each employee who drives his or her own vehicle on District business shall provide the General Manager with a copy of a valid driver's license and proof of insurance in coverage amounts as required under Oregon law at least annually. Each employee is responsible for ensuring that updates to this information are promptly filed with the District.

If used on District business, employee-owned vehicles must be kept in safe operating condition at all times and operated in a safe manner. Drivers and passengers are expected to follow all applicable traffic laws, rules, and ordinances.

5. **Driving as a Substantive Part of Employment:** All employees who are required to drive as a substantive part of their employment must possess a valid state driver's license and must comply with any operator's license restrictions. Employees who are required to drive as a substantive part of their employment shall be required to complete a Defensive Driving Class within one year of employment.

Employees who are required to drive as a significant part of their employment shall notify the General Manager of any change in license status, all traffic violations, and the disposition of citations for moving traffic violations. Failure to report a traffic violation



or change in license to the General Manager is a violation of District policy, and shall be grounds for disciplinary action under these Policies. If an employee's driver's license is suspended, revoked or canceled, or the employee is otherwise disqualified from operating a motor vehicle, the employee must notify the General Manager before the end of the business day following the date the employee received notice of the loss of driving privileges. If a loss of driving privileges prevents the employee from meeting the minimum qualification requirements for a position, the employee may be terminated, unless a reasonable accommodation under the Americans with Disabilities Act is indicated or required.

- 6. Inspection of Driving Record:** Each job applicant being considered for hire shall have his or her driving record for the previous five years checked prior to an offer of employment. If an applicant is from outside the State of Oregon, the General Manager shall require the applicant to have a copy of the applicant's driving record for the past five years sent by fax or mail to the General Manager. If the driving record, in the General Manager's discretion, is unsatisfactory for any reason, the General Manager may choose not to hire the applicant. A record of driving under the influence of intoxicants, moving violations, and accidents shall be considered in determining whether an applicant is acceptable.

Regular Employees' driving records shall be checked on a yearly basis, as permitted by applicable laws. If the record indicates violations, the employee may be subject to appropriate warning or disciplinary action. The District monitors driving records as a component of risk management, in order to identify needs for driver improvement. If an employee or volunteer is involved in an at-fault accident (and driving is an essential function of the job) the employee/volunteer must complete a defensive driving course within six (6) months of the accident.

Employee drivers shall be held personally responsible and liable for any citations received while driving a vehicle on District business. For photo radar and other citations issued against the vehicle's registration, the General Manager will complete the "Affidavit of Non-Liability" or similar document issued with the citation to identify the driver. The driver is responsible for promptly paying the fine or otherwise resolving the citation.

- 7. Driving Outside of Oregon:** The District provides excess liability coverage. However, the Oregon Tort Claims Act does not apply outside of Oregon. Employees must receive authorization from the General Manager before driving outside of Oregon on District business. If an employee rents a car out of state for business use, the employee shall

purchase the offered insurance through the rental company. Travelers are required to know the driving laws for any state in which they drive, use common sense, use rental vehicles only for business purposes, and follow District policy on transporting passengers while on District business.

**8. Passengers:** Only authorized passengers are allowed to ride in District vehicles and other vehicles while in use for District business. Authorized passengers are:

- District employees conducting District business
- Officers and agents representing the District
- Volunteers acting on behalf of the District
- Participants in official District business, training, tours, and programs
- Representatives of other governmental agencies working with the District
- Anyone with prior authorization by the General Manager or the Board
- In an emergency situation, an employee is expected to exercise good judgment

## Discipline Policy

All employees of the District are “at will,” meaning the District is free to discharge an employee at any time and the employee is equally free to resign at any time.

Although other terms and conditions of employment may change, this “at will” employment relationship will remain in effect throughout employment. This “at will” employment relationship may not be modified by any oral or implied agreement or by any person, statement, act, series of events, or pattern of conduct.

The District expects all employees to observe the highest standards of professionalism at all times, to comply with all laws applicable to District business wherever conducted, and to treat others with dignity and respect. Unsatisfactory performance, work habits, overall attitude, conduct or demeanor; violation of District policies, procedures, guidelines or practices; or any other behavior or conduct deemed inappropriate by the District may result in disciplinary action up to and including termination.

The disciplinary process is administered in a manner consistent with the law. The objectives of any disciplinary action are that it is corrective; administered as a means to attempt to improve the employee’s work performance when possible; and improves service to our customers.

## Layoffs

If a reduction in the District's work force becomes necessary, layoffs may be implemented on a District-wide basis or in one or more departments, work groups, or job classifications depending on the needs of the District. The District Board of Directors shall determine the needs of the District, which will determine the scope of the layoffs. Employees will be laid off in the following order:

- Project and on-call employees
- Introductory Employees
- Regular Part-Time Employees
- Regular Full-Time Employees, according to knowledge, skills, and abilities as determined by the District

In lieu of layoff, the District may reduce the hours of work of District personnel. The District will make medical and dental insurance available when required by the Consolidated Omnibus Budget Reconciliation Act (COBRA).

## Termination of Employment

To voluntarily resign in good standing, an employee must submit a written letter of resignation to the General Manager at least ten (10) working days in advance of the employee's final date of employment. Failure to submit a timely written resignation may preclude the individual from future employment opportunities with the District. The same procedure applies to the resignation of a General Manager.

### **COBRA Coverage**

When an employee retires or terminates employment, their District-paid benefits end on the last day of the month in which he or she was an active employee. However, disability coverage ends on the actual last day of employment with the District.

The Consolidated Omnibus Reconciliation Act of 1985 (COBRA) is a federal law that provides employees and their enrolled family members with the right to continue health insurance upon loss of coverage under the District's group plan. Individuals eligible for COBRA continuation coverage are designated as "Qualified Beneficiaries" which includes the employee, the employee's spouse, the employee's children, and the employee's spouse's children. If an employee chooses to continue coverage under COBRA, they must pay the full cost each month.

### **Acknowledgement of Receipt of Employee Handbook**

I have received and read the Employee Handbook for Clackamas Soil and Water Conservation District. I also understand that this manual is not a contract and that the Clackamas Soil and Water Conservation District can change the manual at any time.

Name (Please Print): \_\_\_\_\_

Signature: \_\_\_\_\_

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