

CITY COUNCIL AGENDA COVER-SHEET

From: Nancy Batchelder, City Recorder

- Regular Meeting Agenda Item Work Session Discussion Topic
- Add to agenda for _____ meeting.
 - Continue this item until _____.
 - Item dismissed.

DATE: February 2, 2012

Title: Policy Updates and New Policies

Item: As you know, City County Insurance is offering substantial savings through its Risk Management Bonus Program to members who implement “best practices” in the areas that represent the most significant claims for CIS. The City can earn five bonuses, each for up to a \$1,000 reduction in the contribution for liability coverage. Last month the City Recorder was appointed to be the Risk Management Coordinator and I will be attending the three day training later this month, meeting the requirement for the first bonus.

The other bonuses are offered if the City has the following policies that have been reviewed by CIS and meet their standards as “best practices”.

Personnel Handbook

The City’s current personnel handbook was created using a template from CIS, but there have been some changes in the law since it was adopted. The new template was used to draft the updated handbook (attached). If this adopted I will forward it to CIS for review.

Safety Manual

The current safety manual, which was based on a CIS template, has been forwarded to CIS for review. I am not aware of any changes that will be necessary.

Fleet Policy

The Public Works Director has reviewed the template provided by CIS and recommends that it be adopted as it is more comprehensive than the present policy he has been using.

In drafting the attached policy, I made one change, leaving out the statement that the City would use the Oregon DMV’s automatic license status updating service. The City Council has discussed subscribing and each time decided against using the service. (If Council would like to subscribe to the automatic notification system, the statement can be re-inserted.)

Sewer Maintenance Program

The Public Works Director and I have reviewed the sewer maintenance program template provided by CIS and I have drafted the attached policy, which closely follows the template with the addition of current policies, practices and permit standards.

Summary of the changes made in the Personnel Handbook:

CRIMINAL ACTS

Employees are required to report if they are convicted of any misdemeanor or felony, including a DUII. Upon conviction, the employee must report the matter to their supervisor, within two business days and must submit documentation concerning the conviction.

Conviction of a crime is not an automatic bar to continued employment. The City of Yachats will review the underlying facts of the matter; any action taken will be on a case-by-case basis, taking into account the totality of the circumstances. The City's actions may range from no action, to disciplinary action including discharge.

Failing to report a conviction constitutes grounds for discharge. Furthermore, misrepresentation of the circumstances of the events can serve as grounds for discharge.

Employees who are unavailable to report for work due to incarceration may be subject to disciplinary action, including discharge.

ADA UPDATED LANGUAGE NEW LANGUAGE IS UNDERLINED

The Americans with Disabilities Act (ADA) is a comprehensive federal civil rights law that specifically protects individuals with physical and mental disabilities. Individuals still need to be “qualified” for the job, and not pose a “direct threat.”

- Individuals may be protected under the ADA if any of the following conditions exist:
- They currently have a physical or mental impairment that substantially limits a major life activity.
- They have a record of such an impairment, physical or mental, that substantially limits a major life activity; or;
- They are perceived to have such impairment.

Episodic or in remission conditions may meet the definition of a disability if it would substantially limit a major life activity when active.

Temporary, non-chronic impairments of short duration, with little or no residual effects usually are not considered disabilities under ADA. Examples of, but not limited to, impairments that typically would not meet the ADA definition of a disability: common cold, seasonal or common influenza, joint sprain, minor and non-chronic gastrointestinal disorders or broken bones that are expected to heal completely.

The use of ordinary eyeglasses or contact lenses that are intended to fully correct visual acuity or eliminate refractive error, typically are not considered disabilities under ADA.

Pregnancy is not considered an impairment under the ADA.

Individuals who currently engage in illegal use of drugs are excluded from ADA protection.

CHANGES TO MISREPRESENTATION

As a public employee, you should be aware that you represent City of Yachats in your work interactions. You should handle yourself in a professional manner and consider how you communicate with the public and other employees. You should take care not to misrepresent the city's policies, practices, procedures, or misrepresent your status and authority to enter into agreements. ~~Refer to the Government Standards and Practices Commission (GSPC) standards for conduct of "public officials" and employees of public entities, ORS Chapter 244.~~ Employees have no authority to enter into any verbal or written contracts without the express approval of the City Council. You may not use the City of Yachats' name, logo likeness, facilities, assets or other resources, or the authority of your position with the City of Yachats for personal gain or private interests.

ADDED TO CONFLICT OF INTEREST

Employees are prohibited from receiving any income or material gain from individuals or organizations outside of the City of Yachats for materials produced or rendered while performing their jobs for the City of Yachats.

ADDED TO DISPUTE RESOLUTION AND EMPLOYEE ASSISTANCE PROGRAM - APPEALS SECTION

The City of Yachats does not discriminate against employees who report in good faith alleged violations of state or federal laws, rules, or regulations.

ADDED TO THE EQUAL EMPLOYMENT OPPORTUNITY SECTION

INFORMATION NON-DISCRIMINATION ACT (GINA)

The City of Yachats does not discriminate against applicants or employees based upon either the employee's or the employee's family genetic information; nor does The City of Yachats use genetic information in employment decisions.

Once a condition manifests itself, the GINA no longer applies. More detailed information about GINA is available on the EEOC poster placed on the employee bulletin board.

Genetic information and Wellness Programs: Employees may be asked to sign voluntary waivers, in which, the employee acknowledges that his/her genetic information will only be provided to licensed health care professionals or board-certified counselors involved in the wellness program. There is no penalty for non-participation.

DOMESTIC VIOLENCE

The City of Yachats does not discriminate against employees who are victims of domestic violence, sexual assault, or stalking.

(ADDED TO CURRENT LANGUAGE IN THE EEO SECTION REGARDING VERIFICATION)

In conformity with the Immigration Reform and Control Act of 1986 (IRCA), we hire only those who are eligible to work in the United States. Verification documentation is required of all new hires, and employees are expected to inform The City of Yachats immediately if their eligibility changes.

After an individual is employed by the City of Yachats (as allowed by law) the City of Yachats may choose to use the federal E-Verify program to validate social security numbers, or the City of Yachats may use other methods for verifying social security numbers.

Expired documents are not valid documents for I-9 purposes.

VETERANS' PREFERENCE IN HIRING

All things being equal, the City of Yachats may give preference to veterans, when making hiring decisions; the City of Yachats does not discriminate against individuals based on current or prior military service.

RELIGIOUS ACCOMMODATION

The City of Yachats may provide reasonable accommodation for religious observances or practices of employees, unless providing the accommodation would impose an undue hardship on the City of Yachats; this may also include accommodating the wearing of religious clothing.

With management approval, an employee may use vacation or other available leave for religious activities; if accrued leave is not available, then an employee may request to take unpaid leave.

Added to Employee Privacy Section

SHRED POLICY

The City of Yachats has adopted the Oregon State Records Retention Schedule for all City Records, including personnel and employment records. All employee records, which are no longer needed for business use will be shredded rather than thrown in the trash or recycle can.

SOCIAL SECURITY NUMBERS

Social security numbers may not be printed on materials that will be mailed, unless an employee has requested the mailing and all but the last four digits have been removed. This does not apply to records required by state or federal law (examples: W2s, 1099s, etc.).

Also, social security numbers may not be printed on a card used to access products or services, nor will the City of Yachats publicly post or display employees' Social Security numbers, such as on a website.

If computer files containing this personal information have been subject to a breach, then the City of Yachats will notify you as soon as we are reasonably able to do so.

COMMUNICATIONS

Conversations: Please be careful when discussing confidential information about employees in public areas, where it might be overheard; or when talking on the telephone.

Written information: Please use care not to leave written information about employees where unauthorized persons can view it. This includes leaving confidential documents sitting in printer trays or placing such documents in open recycling bins. Please send internal "mail" in sealed envelopes, marked "confidential."

ADDED TO COMMUNICATIONS AND SOFTWARE SECTION

Employees must follow federal and state law with regards to electronic communications. Refer to the City Policy Statements regarding public records requests, security for sensitive and non-public and the emergency plan for City records. Generally, you should follow the same archiving timeframes for electronic records, as you would for paper records.

SOCIAL MEDIA POLICY

Employees may choose to host personal social networking sites. These sites must remain personal in nature and be used to share personal opinions or non-work related information. This helps ensure a distinction between sharing personal views and City views. Employees should never use their City email account or password in conjunction with personal social networking sites.

Employees should never post anything on their personal networking site that discloses confidential or nondisclosable City records, is misappropriate use of secured databases or other City information, or can be directly related to the City if the content legitimately harm or disparage the City's reputation or services. Employees should not post discriminatory comments or photos that could be considered harassment of co-workers. Employees should always be courteous and mindful that their audience can be co-workers, citizens of the City or future citizens.

ADDED TO THE FINAL PAGE - OTHER PERSONNEL AND EMPLOYMENT RELATED POLICY SOURCES

Refer to the current Collective Bargaining Contract for all other polices and employment agreements, including but not limited to:

- [Work Schedules](#)
- [Reimbursement of Expenses](#)
- [Employee benefits](#)
- [Leaves benefits](#)
- [Corrective actions](#)

Related Goal:

Reference And Review Material:

Budget Impact: Up to a \$4,000 discount for the 2012-13 fiscal year insurance premium.

Additional Information:

Attachments:

Drafts – Personnel Handbook, Fleet Policy, Sewer Maintenance Policy

YACHATS SANITARY SEWER MAINTENANCE POLICY



1. Purpose

It is the policy of the City of Yachats to comply with all applicable Oregon Department of Environmental Quality, and Federal Environmental Protection Agency requirements.

The City intends to provide effective and efficient maintenance to its sanitary sewer system by evaluating political, social, safety, and economic concerns, among others. Procedures identified in this policy are intended to maintain the sanitary sewer system. These procedures, when implemented, may also extend the service life of various components of the sanitary sewer system.

The City has 73,238 feet of public sanitary sewer mains, 300 manholes and 5 lift/pump stations within its sanitary sewer system. Procedures identified in this policy are intended to maintain the City's sanitary sewer system to reduce the likelihood of sewer backups, unregulated discharges, and to extend the life of the system. The City has developed and implemented this policy that takes into consideration public safety, the City's budget and personnel, environmental concerns, and the cost of implementation versus the benefit to be achieved. The City will use its employees, equipment and/or private contractors to provide this service.

The City has a Wastewater Treatment System Master Plan. The Public Works & Streets Commission is responsible for monitoring and oversight of the Plan.

The City requires grease traps for all facilities such as restaurants that produce excess grease and requires all Transient Rentals to have containers for the disposal of all cooking grease. The City provides the container free of charge and has the liners available at cost. The City's Fats, Oils, and Grease (FOG) policy is contained in the Yachats Municipal Code, Section 8.08.040 – Use of the Public Sewers.

While the City fully intends to meet the guidelines established in this policy, there may be times when this is not feasible. Issues including, but not limited to, budget constraints, critical equipment failure, or weather and other emergencies may prevent the City from meeting the guidelines established herein. The Oregon Department of Environmental Quality may override provisions established within this policy. Deviations from the goals established in this policy will be documented.

The City will use this policy to guide any sanitary sewer maintenance activities to be provided by a contractor or a party other than the City.

2. Routine Maintenance and Inspection Goals

A. Sanitary Sewer Mains

Scope of City's Responsibility - The City will maintain the components of the public sanitary sewer system. This includes sanitary sewer mains, manholes, lift stations, waste water treatment plants, and other components. Private property owners are responsible for the maintenance of sanitary sewer components from their home or building up to the property line at the public right of way, (the City's responsibility will be to repair laterals in the ROW but the City assumes no responsibility to inspect laterals) up to and including the connection to the public system, even if that connection is within the public right of way (with appropriate permits up to but excluding the connection to the public system).

Schedule – The City's goal is to inspect and maintain the components of its sanitary sewer system on an on-going basis, with pump station inspections three times a week.

Equipment – The equipment used to perform maintenance will depend upon the equipment available and its effectiveness as determined by qualified staff.

Video Inspection –The City's sanitary sewer mains will be inspected by video camera on an on-going basis by City staff using City equipment.. Additionally any sewer mains located on a street where a street maintenance, paving or utility project is planned will be inspected before and after such a project. Sanitary sewer mains in a new development must be video recorded as part of the construction inspection procedure (not at City cost) before said mains are turned over to the City. Video inspection may also be used to inspect the system where there are possible problems. In addition, the City may require any main near a construction site to be televised before and after the construction (i.e., near blasting, digging, other activities that might disrupt the main, etc.)

If a developer chooses to use a vendor to perform the video inspection, the vendor performing the service will submit visual recordings and a written report summarizing and interpreting the findings of the video recording to the City. Records of the inspection will be kept for a minimum of 12 years.

B. Prioritization of Inspection and Maintenance

The sanitary sewer mains and facilities identified as Category 1 will receive periodic or less than ordinary routine maintenance as noted on sewer maps. The sanitary sewer mains and facilities identified on the sewer map as Category 2 will receive more frequent or ordinary maintenance and those identified as Category 3 will receive the most frequent maintenance (highest priority). When a sewer main or facility is identified as anything other than Category 2, the reasons why maintenance is needed on a different schedule will be documented. Sewer mains and facilities will receive maintenance according to the attached schedule.

The Public Works Director will determine whether a main or facility is Category 1, receiving less than ordinary routine sewer maintenance, Category 2, receiving more frequent or ordinary maintenance or Category 3, receiving the most frequent maintenance. Based on periodic assessment, maintenance will be adjusted and a sewer main may be moved from one category to another.

C. Sanitary Sewer Lift Stations

The City maintains lift stations using specific maintenance that is reasonable and recommended. The number of lift stations, location, date of installation, and capacity of each lift station is kept on record.

Maintenance for each lift station is reflected in Standard Operating Procedures (SOP) and Standard Maintenance Procedures (SMP).

Components of SOP and SMP include:

- Easy availability of original manuals with manufacturers' recommended maintenance schedules for all lift station equipment
- Operating procedures for manipulating pump operations (manually or automatically) during wet weather to increase in-line storage of wet weather flows
- Setting wet well operating levels to limit pump start/stops
- Cleaning wet well
- Calibrating flow meters or conducting draw down tests
- Regular rotation of lead, lag, and backup pumps
- Regular inspections of lift station, alarm systems and electrical components (in the event of backup power, confirm that lift station alarm systems work even when power failures occur)
- Maintenance of operation logs and general records for all lift station activities, including inspections
- Clean force mains
- Identify problem areas/components

3. Inflow and Infiltration

Inflow is due to direct connections between the sewer and surface water sources, infiltration occurs when clear water gets into the sanitary sewer system. This may occur through cracks or leaks in the sewer pipes and manholes or through sump pumps incorrectly connected to the sanitary sewer system. Inflow and infiltration can lead to backups, overflows and unnecessary and expensive treatment of clear water.

City employees will periodically inspect manholes to identify any that contribute to this problem. Sanitary sewer mains will be maintained and inspected pursuant to the City's Sanitary Sewer Maintenance Policy. Where appropriate, smoke testing or other means may be used to determine locations in inflow.

4. Personnel Responsibilities and Requirements

A. Exercise of Professional Judgment

It is expected that City employees, in accordance with their job duties and responsibilities, will exercise their professional judgment in the implementation of this policy. Further, it is expected that in emergency situations City employees will be required to exercise their discretion and weigh political, social, and economic considerations including but not limited to public and employee safety, the potential for damage to private property and the City sanitary sewer system, and environmental concerns.

B. Training and Education

The City will provide training to employees responsible for maintenance of and emergency response to issues with the sanitary sewer system. Training of employees will include education necessary to earn and maintain appropriate operator certifications. Training will also address standard operating procedures, proper use of equipment, emergency response and other topics required by state and federal regulatory agencies.

The emergency response plan is posted to assist all Public Works Department employees in the event of an emergency.

The responsible City employee will have a Class 1 collection systems operating license from the State of Oregon as required by the Department of Environmental Quality. The Treatment Plant Operator will have a Class 2 treatment plant operating license from the State of Oregon as required by the Department of Environmental Quality.

All Public Works Department employees are encouraged to cross-train and obtain certification in collection and treatment.

C. Work Schedule

Full-time City employees in the Public Works Department will be expected to work eight-hour shifts. In emergencies, employees may be required to work in excess of eight hours. Budget and safety concerns may limit the length of time an employee is permitted to work.

D. Weather Conditions

Regular sewer maintenance operations will be conducted only when weather conditions do not endanger the City employees and equipment. Factors that may delay sewer maintenance operations include, but are not limited to: severe cold, severe heat, flooding, rain, snow and other severe weather events.

5. Documentation

The City will document all of its inspection and maintenance activities and emergency responses for its sanitary sewer system. The City will also document circumstances that limit its ability to comply with this policy. A report should be prepared periodically for the purpose of evaluating maintenance activities and for determining goals for the future. These records will be kept in accordance with the City's records retention schedule.

6. Public Education

Articles will be published periodically in the City newsletter to provide information to residents about their responsibilities related to sanitary sewer service from the City of Yachats and tips about how to help the system operate efficiently. This information is also made available on the City's website. Additionally there may be special activities that impact residents, such as smoke testing, or construction activities, where the City will take an active role in advising impacted residents of the project at hand. Notices of smoke testing will be published in the newsletter and in the Announcement Section of the website well in advance. Door hangers will be used if necessary to alert residents of the testing procedure.

7. Other Sanitary Sewer System Policies

The City's Municipal Code, including Chapter 8.08. - Sewer Service System is available at City Hall and on the City's website.

8. Resources

EPA GUIDE FOR EVALUATING CAPACITY, MANAGEMENT, OPERATION, AND MAINTENANCE (CMOM) PROGRAMS AT SANITARY SEWER COLLECTION SYSTEMS, 2005, 126 pages, http://www.epa.gov/npdes/pubs/cmom_guide_for_collection_systems.pdf

WASTEWATER COLLECTION SYSTEMS MANAGEMENT, WEF Manual of Practice No. 7, Sixth Edition, 2009, 242 pages

Emergency Response

(From the City of Yachats NPDES Permit)

Twenty-Four Hour Reporting

The permittee must report any noncompliance that may endanger health or the environment. Any information must be provided orally (by telephone) to DEQ or to the Oregon Emergency Response System (1-800-452-0311) as specified below within 24 hours from the time the permittee becomes aware of the circumstances.

- a. Overflows.
 - (1) Oral Reporting within 24 hours.
 - i. For overflows other than basement backups, the following information must be reported to the Oregon Emergency Response System (OERS) at 1-800-452-0311. For basement backups, this information should be reported directly to DEQ.
 - a) The location of the overflow;
 - b) The receiving water (if there is one);
 - c) An estimate of the volume of the overflow;
 - d) A description of the sewer system component from which the release occurred (e.g., manhole, constructed overflow pipe, crack in pipe); and
 - e) The estimated date and time when the overflow began and stopped or will be stopped.
 - ii. The following information must be reported to the Department's Regional office within 24 hours, or during normal business hours, whichever is first:
 - a) The OERS incident number (if applicable) along with a brief description of the event.
 - (2) Written reporting within 5 days.
 - i. The following information must be provided in writing to the Department's Regional office within 5 days of the time the permittee becomes aware of the overflow:
 - a) The OERS incident number (if applicable);
 - b) The cause or suspected cause of the overflow;
 - c) Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the overflow and a schedule of major milestones for those steps;
 - d) Steps taken or planned to mitigate the impact(s) of the overflow and a schedule of major milestones for those steps; and
 - e) (for storm-related overflows) The rainfall intensity (inches/hour) and duration of the storm associated with the overflow.

The DEQ may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

b. Other instances of noncompliance.

- (1) The following instances of noncompliance must be reported:
 - i. Any unanticipated bypass that exceeds any effluent limitation in this permit;
 - ii. Any upset that exceeds any effluent limitation in this permit;
 - iii. Violation of maximum daily discharge limitation for any of the pollutants listed by the Department in this permit; and
 - iv. Any noncompliance that may endanger human health or the environment.
- (2) During normal business hours, the Department's Regional office must be called. Outside of normal business hours, the Department must be contacted at 1-800-452-0311 (Oregon Emergency Response System).
- (3) A written submission must be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission must contain:
 - i. A description of the noncompliance and its cause;
 - ii. The period of noncompliance, including exact dates and times;
 - iii. The estimated time noncompliance is expected to continue if it has not been corrected;
 - iv. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance; and
 - v. Public notification steps taken, pursuant to General Condition B.7
- (4) The Department may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

6. Other Noncompliance

The permittee must report all instances of noncompliance not reported under General Condition D.4 or D.5, at the time monitoring reports are submitted. The reports must contain:

- a. A description of the noncompliance and its cause;
- b. The period of noncompliance, including exact dates and times;
- c. The estimated time noncompliance is expected to continue if it has not been corrected; and
- d. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

7. Duty to Provide Information

The permittee must furnish to the Department within a reasonable time any information that the Department may request to determine compliance with the permit or to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit. The permittee must also furnish to the Department, upon request, copies of records required to be kept by this permit.

Other Information: When the permittee becomes aware that it has failed to submit any relevant facts or has submitted incorrect information in a permit application or any report to the Department, it must promptly submit such facts or information.

8. Signatory Requirements

All applications, reports or information submitted to the Department must be signed and certified in accordance with 40 CFR Section 122.22.

9. Falsification of Information

Under ORS 468.953, any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, is subject to a Class C felony punishable by a fine not to exceed \$100,000 per violation and up to 5 years in prison. Additionally, according to 40 CFR 122.41 (k)(2), any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a federal civil penalty not to exceed \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

Checklist for Responding to Sewer Overflows

- 1 Immediately respond to location to assess damages
 - Always be calm and professional.
 - *Never admit or deny fault or liability.*

- 2 Determine the cause of the backup
 - Take photos and detailed notes

- A. If it is in the LATERAL LINES:** (on private property)
 - Advise the occupants that they need to arrange for cleanup.
 - Provide a list of cleanup services, plumbers, etc. or refer them to the yellow pages.
 - Clearly explain that the fault is not with the city and explain what they need to do. *Always* be courteous.
 - **DO NOT** discuss fault or liability.
 - If there is a question of fault, the city may elect to assist the homeowner with mitigation cost (not to exceed \$2,500) once the homeowner has signed the appropriate waiver. CIS may agree to reimburse city for those costs **ONLY** if a waiver has been signed by the homeowner.

- B. If it is in the MAIN LINES:**
 - Report the incident immediately --
During normal business hours: 1-800-922-2684

After hours: (Oregon/Washington Claim Service)

1-800-824-1609

 - Quickly arrange for initial clean-up by calling a cleaning contractor. If the home is un-inhabitable, tell the homeowner that the City will reimburse them for a night's stay at a local hotel.
 - Explain to homeowner that a contractor has been called and will clean up the mess.
 - Do not discuss fault or liability.
 - Direct the occupant to city hall to file a report/claim.

Remember: You are the good guys. Be nice.

3. Guidelines to protect people and property:

- Treat the overflow as if it were TOXIC.
- Move uncontaminated property away from the overflow area.
- Keep pets, children, and others out of the overflow.
- Do not allow contact with the bare skin. Wash with clean water immediately.

One last thing: Review your procedures to ensure all lines are maintained and cleaned per written schedule and that all activities are documented. This is necessary to provide a successful defense of the city if we are sued!

Important Phone Numbers

List below: plumbers, cleaning companies, motels, Dept of Environmental Quality, city hall, etc.



City of Yachats

FLEET SAFETY PROGRAM





INTRODUCTION

These City rules are published for the information and guidance of employees of The City of Yachats. To drive safely is the first duty of every driver. This means driving defensively, anticipating the mistakes, actions, recklessness or absentmindedness of pedestrians or other drivers, and being prepared at all times to do everything possible to prevent an accident.

Our operation requires alert drivers who conduct themselves and their vehicles at all times in a manner that will reflect credit on The City of Yachats and the driver.

Drivers are required to observe all rules and procedures outlined in this manual at all times.

NO JOB IS SO IMPORTANT, NO SERVICE SO URGENT THAT WE CANNOT TAKE THE TIME TO PERFORM IT SAFELY!



SECTION 1

CONDITIONS FOR DRIVING VEHICLES

In order to maintain an efficient and orderly operation, it is necessary that we have certain rules, which everyone is expected to follow. Familiarize yourself with these rules and operating procedures, and consult your supervisor if any of them are not clear to you.

QUALIFICATIONS

To qualify as a driver of the City of Yachats vehicles, drivers must meet the following conditions:

1. Must be at least 21 years of age. *OR-OSHA NEW RULE IS 18 YEARS OF AGE (if an employee)*
2. Must have a current state or jurisdiction Driver License.
3. Must have in effect a current liability insurance policy for his/her personal vehicle.
4. Must have knowledge of, and adhere to rules, state and municipal traffic laws and regulations whenever driving the City of Yachats vehicles.
5. Must have in possession while driving vehicles; a valid Driver License.
6. Be approved by your supervisor to drive on the City of Yachats business.
7. Attended a City of Yachats sponsored defensive driving class at least once every three years.



SECTION 2

DRIVER ELIGIBILITY GUIDELINES

Typically, in order to be eligible to drive, an employee must meet the following criteria. Accidents and citations involving off-duty driving in a personal vehicle count for the purpose of these rules.

Employees must report to their supervisor any change in driving status. Failure to report a suspended license and other “prohibited” action may result in disciplinary action, up to and including, termination.

1. **No major violations in the previous three years.** Major violations include:
 - Driving under the influence of alcohol or drugs
 - Driving while license is suspended or revoked
 - Leaving the scene of an accident
 - Reckless driving
 - Road rage incidents
 - Other similarly serious violations
2. **No more than two minor violations in the previous three years.** Minor violations include:
 - Speeding 20 MPH or less over the posted limit
 - Failure to obey a traffic control or signal
 - Improper lane change
 - Failure to signal
 - Failure to yield the right of way
 - Other similar violations
 - Failure to wear a seat belt
 - Cell phone or texting violations
3. **No more than one at-fault accident in the previous three years.** All accidents are considered at-fault unless proven otherwise.

Driver Guidelines Matrix

| Number of Moving Violations Within Past 5 Years | Number of Accidents within Past 5 Years | | | | Number of DUI or DWI within Past 5 Years |
|---|---|------------|------------|------------|--|
| | 0 | 1 | 2 | 3 | |
| 0 | Clear | Acceptable | Borderline | Prohibited | Prohibited |
| 1 | Acceptable | Acceptable | Borderline | Prohibited | Prohibited |
| 2 | Acceptable | Borderline | Prohibited | Prohibited | Prohibited |
| 3 | Borderline | Prohibited | Prohibited | Prohibited | Prohibited |
| 4 | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| 5 | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |



SECTION 3

DRIVER SUPERVISION

1. Accident Review: All vehicle accidents will be reviewed by the City Safety Committee to determine preventability.
 - a) A preventable accident is any accident in which the driver failed to do everything he/she could have reasonably done to prevent the accident
 - b) A non-preventable accident is one in which the driver did everything he/she could reasonably have done to foresee the conditions leading to the accident and took suitable safeguards.
 - c) The involved driver will be advised of the decision and will be subject to a driving performance review with management.

COURTESY

You are expected to show every courtesy and consideration toward other drivers and pedestrians. Your conduct while driving must be such that it will in no way reflect adversely upon the City of Yachats.

If a situation arises that you are unable to settle in a friendly manner, phone your supervisor and report the facts, and be guided by their advice.

PERSONAL USE OF CITY VEHICLES

The City of Yachats prohibits the personal use of vehicles unless approved by supervisor as outlined in the City of Yachats policy and procedure handbook.

VEHICLE APPEARANCE

The City of Yachats vehicles need to be kept as clean as possible. State law prohibits smoking in public vehicles. Eating in vehicles should be kept to a minimum.

SUGGESTIONS

The City of Yachats will appreciate any suggestions from you that may improve our safety, service, and working conditions to make our operation more efficient and safe.

MOVING VIOLATIONS

You will be liable for all speeding, traffic violations and parking violations.

CELL PHONES & TEXTING

Oregon law prohibits the use of cell phones while driving, unless employees are using a “hands-free accessory.” Please note, the use of a speaker phone is not considered a “hands-free” accessory”. Texting is prohibited.

PASSENGERS

Your supervisor must approve all passengers. Generally, it is not approved to have family members as passengers in public vehicles. All passengers must wear seat belts.



SECTION 4

SAFETY

INSPECTIONS

A pre-trip inspection will be made at the start of the each shift to ensure vehicle is in safe operating condition. A post-trip inspection should be made at the end of each shift to effectively report any damage or concern at the completion of the trip.

SAFE DRIVING

Be a Defensive driver:

A defensive driver is defined as, “One who is careful to commit no driving errors themselves, who makes allowance for the lack of skill or improper attitude on the part of the other driver, and who does not allow hazards of weather and road conditions or the action of pedestrians and other drivers to involve themselves in an accident. Keeps continually on the alert, recognizes an accident-producing situation far enough in advance to apply the necessary preventive action, and concedes the right-of-way when necessary to prevent an accident.”

Speed:

The maximum speed limit is the “posted speed limit”. Your speed at all times **shall** be reasonable and prudent with due consideration given to weather, other traffic, conditions of the road and intersecting side roads of highways and city roads.

Adhering to the posted speed limit is important in terms of traffic citations, reduced insurance rates, reduced maintenance cost, increased tire life and fuel conservation.

Striking fixed Objects:

In handling your vehicle on the highway, in city traffic, and at loading and unloading spots, remember that striking any fixed object such as abutments, parked cars, loading docks, overhead pipes or hydrants is classified as the fault of the driver.

Proper Backing:

Walk around the vehicle to see that nothing is behind or in front of the vehicle before driving away. If there are two people, one person will stand behind the vehicle to spot while backing up.

Passing or Meeting a School Bus:

When approaching a school bus, be on guard at all times for signals of intention to either discharge or pick up school children. Be on the alert for the actions of these school buses. It is illegal to pass, in either direction, a school bus that is stopped to pick up or discharge passengers. The only exception to this rule is when the roadway is divided by a barrier.

Pedestrians:

You have NO right-of-way where pedestrians are concerned. Legally, they may walk on either side of the road, they can cross at intersections, and they can pop out from behind a parked car on a busy city street. Never take it for granted that they see you.

ACCIDENTS & INCIDENTS

- 1. YOU MUST REPORT EVERY ACCIDENT TO YOUR SUPERVISOR WITHOUT FAIL, NO MATTER HOW MINOR.**
2. In case of an accident, contact your supervisor as soon as possible. Be specific about location, time, extent of injury and damage, and where you can be reached.
3. If you cannot make contact with your supervisor, write a brief note and ask a reliable motorist to phone or give it to the police. Do not leave vehicle unattended except in an extreme emergency.
4. Park safely and set out warning devices.
5. Prevent the moving of injured persons unless absolutely necessary.

6. Be sure to get the names of witnesses for or against you. If a witness refuses to give his/her name, record the license number of his/her vehicle. Regardless of the facts, admit nothing, promise nothing, and **DO NOT ARGUE**. Give your name, your entities name and offer to show your license.
7. Have pictures taken whenever possible. Do not move or allow any vehicles to be moved until someone arrives who can verify or witness the position of the vehicles, length, and position of the skid marks, and lights on the vehicles if at night
8. Stay at the scene of the accident until instructed by a police officer to proceed.
9. If you are involved in an accident with an unattended vehicle, you must stop and try to locate the owner. If you cannot locate the owner, you must place a note in or on the vehicle giving your name and entity's name and address.
10. Information needed to properly complete accident reports:
 - a) Location, time, and date
 - b) Make, model, type and license of other vehicles involved.
 - c) Registered owner of other vehicle(s) involved.
 - d) Driver's name, age, address, and license number of other vehicle involved
 - e) All occupants' names and addresses in other vehicles involved
 - f) Names and addresses of all possible witnesses
 - g) Name of police station to which accident was reported.
 - h) Name and DPSST numbers of the police officers at the scene
 - i) Name of the insurance company which covers the other vehicles involved.
 - j) Names and addresses of persons injured and the extent of the injury.
 - k) Names of fire and/or medical personnel on scene.

Seat Belts and other Safety Policies

1. All passengers and drivers are required to wear seatbelts while operating or riding in a vehicle. The driver of the vehicle is responsible for enforcing the use of seatbelts by all occupants. Other vehicle occupants share in this responsibility because seatbelts are proven tools for reducing deaths and minimizing injuries from motor vehicle collisions.

2. Drivers are to comply with all motor vehicle traffic laws while operating a vehicle on business, including laws relating to driving while intoxicated or driving under the influence of alcoholic beverages, illegal substances or medications
3. Drivers are prohibited from overloading and/or overcrowding the vehicle.

EQUIPMENT PROTECTION AND MAINTENANCE

It is the driver's responsibility to make sure vehicles are well-maintained and in safe running condition. Frequent inspections must be conducted. Inspect your vehicle before starting out on the road.

Priority Items to check are:

- ✓ Brakes – inadequate brakes are no excuse for an accident
- ✓ Steering
- ✓ Oil level
- ✓ Water
- ✓ Windshield wipers
- ✓ Tires
- ✓ Wheels
- ✓ Lights (headlamps, brakes, makers, signals, reflectors, etc.)
- ✓ Mirrors
- ✓ Warning devices
- ✓ Glass (for cracks and defects)
- ✓ Horns
- ✓ Under vehicle for oil and water leaks

SO LET'S BUCKLE UP FOR SAFETY!

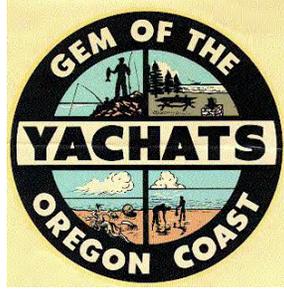
ACKNOWLEDGMENT OF RECEIPT

I have received a copy of the City of Yachats Fleet Safety Program Handbook, and will read it at my first opportunity and within 10 working days and will abide by its contents. If I have any questions regarding the Handbook's provisions, I will discuss them with my supervisor.

Date _____

Employee Signature _____

Please read and sign, then return this page to your supervisor



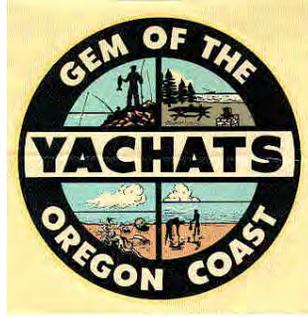
Personnel Policies and Procedures

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INTRODUCTION

WELCOME TO THE CITY OF YACHATS!

Welcome to the City of Yachats we're glad you've joined us! We take pride in selecting people such as you to join our city, and we believe you will be a positive addition to a very important asset – our employees.

We hope you will enjoy a productive and pleasant association with us. We have created a work environment, compensation and benefits program, and interactive culture that fosters positive work relationships. We expect that you will enhance the atmosphere by contributing your best efforts in whatever is asked of you.

Your daily contact with the public has two effects: First, the perception the public gains from your appearance and behavior which reflects on Yachats as an employer; Second, what you see and hear can be very useful to us in improving the public's perception of Yachats. These perceptions are part of the communications process. Everyone has a stake in how effectively we communicate.

We feel that the best way to help you achieve this goal is to help you understand our city and your role in it. This Manual has been prepared as a guide to give you a better understanding of Yachats' policies, procedures, and practices. Please familiarize yourself with its contents, and keep it handy for reference.

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

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

ABOUT THIS MANUAL

This Employee Manual is a guide to help you to understand our employment provisions and expectations. These personnel rules, policies and procedures apply to all City employees except as noted for elected officials, volunteer workers, and contract employees. This manual is intended to be a positive document that begins to establish the relationship between us.

Please remember this manual contains only general information and guidelines. It is not intended to address all the possible applications of, or exceptions to, general policies, procedures or a collective bargaining agreement. Our policies are based on

the belief that common sense, good judgment, and consideration for the rights of others are paramount to our ability to serve our citizens and ourselves. These policies are not intended to provide contractual or property rights. While we have tried to anticipate many of your questions, keep in mind that this document will not provide every answer. If you have any questions concerning eligibility for a particular benefit, or how a policy or practice applies to you, please ask your supervisor.

We know that employees have varied skills, goals, perceptions, and values, and that such diversity may create situations not fully addressed within this manual. In that event, we will try to make fair and equitable decisions while making sure that the best interests of the City of Yachats are served.

The procedures, practices, policies, and benefits described here may be modified or discontinued from time to time. We recognize our responsibility to keep employees informed of changes that may affect them, and will provide replacement pages so you can keep your Manual current. This manual is not intended to confer any property right in continued employment, to constitute a contract, or to contradict any binding past practice under any collective bargaining agreement.

Some subjects described in this manual are covered in detail in official policy documents. You should refer to these documents for specific information since this manual provides summaries only. Please note that when discrepancies occur between benefit language in this manual and in the official policy documents, the terms of the written policies are controlling.

You are encouraged to offer suggestions for improvement to these policies, employment practices, or working conditions. Please read through the manual carefully and share it with your family members so that they will also understand your work environment. If you have additional questions or need further details, please talk with your supervisor, who can advise you or refer you to the appropriate resource.

Please note that the policies and procedures in this manual are not intended to contradict any provision of a current labor agreement. In the event of a conflict between the provisions of this Manual and the provisions of an in-force collective bargaining agreement, the provisions of the bargaining agreement will prevail.

EMPLOYMENT POLICIES

EQUAL EMPLOYMENT OPPORTUNITY

The City of Yachats is an equal opportunity employer and, as such, considers individuals for employment according to their abilities and performance. Employment decisions are made without regard to race, age, religion, color, sex, national origin, physical or mental disability, marital or veteran status, sexual orientation, or any other classification protected by law. All employment requirements mandated by state and federal regulations will be observed. These policies of nondiscrimination will prevail throughout every aspect of the employment relationship, including recruitment, selection, compensation, promotion, transfer, layoff, recall, termination, and dispute resolution.

In keeping with our philosophy and federal and state law, our advertising and recruiting materials will contain the following statement to encourage qualified applicants to apply: "Equal Opportunity Employer." Our policy as an equal opportunity employer is to employ those legally entitled to work in the United States without regard to citizenship, ethnic background, or place of national origin. However, in conformity with the Immigration Reform and Control Act of 1986 (IRCA), we hire only those who are eligible to work in the United States. Verification documentation is required of all new hires, and employees are expected to inform The City of Yachats immediately if their eligibility changes.

After an individual is employed by the City of Yachats (as allowed by law) the City of Yachats may choose to use the federal E-Verify program to validate social security numbers, or the City of Yachats may use other methods for verifying social security numbers.

Expired documents are not valid documents for I-9 purposes.

~~in conformity with the Immigration Reform and Control Act of 1986 (IRCA), our policy is to hire only those who are eligible to work in the United States. Verification documentation is required of all new hires.~~

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

INFORMATION NON-DISCRIMINATION ACT (GINA)

The City of Yachats does not discriminate against applicants or employees based upon either the employee's or the employee's family genetic information; nor does The City of Yachats use genetic information in employment decisions.

Once a condition manifests itself, the GINA no longer applies. More detailed information about GINA is available on the EEOC poster placed on the employee bulletin board.

Genetic information and Wellness Programs: Employees may be asked to sign voluntary waivers, in which, the employee acknowledges that his/her genetic information will only be provided to licensed health care professionals or board-certified counselors involved in the wellness program. There is no penalty for non-participation.

DOMESTIC VIOLENCE

The City of Yachats does not discriminate against employees who are victims of domestic violence, sexual assault, or stalking.

VETERANS' PREFERENCE IN HIRING

All things being equal, the City of Yachats may give preference to veterans, when making hiring decisions; the City of Yachats does not discriminate against individuals based on current or prior military service.

RELIGIOUS ACCOMMODATION

The City of Yachats may provide reasonable accommodation for religious observances or practices of employees, unless providing the accommodation would impose an undue hardship on the City of Yachats; this may also include accommodating the wearing of religious clothing.

With management approval, an employee may use vacation or other available leave for religious activities; if accrued leave is not available, then an employee may request to take unpaid leave.

AMERICANS WITH DISABILITIES ACT

The Americans with Disabilities Act (ADA) is a comprehensive federal civil rights law that specifically protects individuals with physical and mental disabilities from discrimination in the workplace. Individuals still need to be “qualified” for the job, and not pose a “direct threat.”

Individuals are protected under the ADA if any of the following conditions exist:

- They currently have a physical or mental condition that substantially limits their ability to normally conduct a major life function (walking, seeing, hearing, breathing, etc.);
- They have a history of such impairment; and/or,
- They are perceived to have such impairment.

Episodic or in remission conditions may meet the definition of a disability if it would substantially limit a major life activity when active.

Temporary, non-chronic impairments of short duration, with little or no residual effects usually are not considered disabilities under ADA. Examples of, but not limited to, impairments that typically would not meet the ADA definition of a disability: common cold, seasonal or common influenza, joint sprain, minor and non-chronic gastrointestinal disorders or broken bones that are expected to heal completely.

The use of ordinary eyeglasses or contact lenses that are intended to fully correct visual acuity or eliminate refractive error, typically are not considered disabilities under ADA.

Pregnancy is not considered an impairment under the ADA.

Individuals who currently engage in illegal use of drugs are excluded from ADA protection.

The ADA also prohibits discrimination on the basis of an individual's relationship to someone (parent, sibling, child, spouse/significant other, etc.) with a disability.

The City of Yachats offers equal employment opportunities for qualified individuals who may have a physical or mental disability, but are still able to perform essential job functions. Essential functions are defined as the fundamental non-marginal duties of the position being held or sought. A job function is essential if the position exists for the performance of the function, there are only a limited number of employees available to perform it, or it is so highly specialized that an expert is required to perform it.

Reasonable accommodation is available to employees and applicants, as long as the accommodation does not cause undue hardship on the City of Yachats. Individuals protected by the ADA should discuss their needs for possible accommodation with their supervisor.

HARASSMENT

The City of Yachats will not tolerate conduct by any employee that harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile environment. We want to maintain a working environment free from all forms of harassment, whether based upon race, color, religion, ancestry, national origin, gender, age, marital or veteran status, physical or mental disability, sexual orientation, on-the-job injury, or any other legally protected characteristic or status.

Behavior such as telling ethnic jokes; making religious slurs; using offensive slang or other derogatory terms regarding a person's race, age, national origin, or disability; or mimicking one's speech, accent, or disability are examples of prohibited conduct and will not be tolerated. Retaliating against or harassing individuals by making derogatory comments regarding protected status or characteristics, and any other words or conduct that might create a hostile or offensive working atmosphere are prohibited.

While all forms of harassment are prohibited, it is our policy to emphasize that sexual harassment is specifically prohibited. Conduct is considered to be sexual harassment if:

- Submission to the conduct is in any way deemed to be a term or condition of employment;
- Submission to or rejection of the conduct is used as a basis for employment-related decisions; and/or,
- The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Conduct such as sexual or sexist language, jokes, or innuendoes; nude, profane, or obscene cartoons, drawings, or photographs; whistling; staring; inappropriate touching; and hugging or kissing is strictly prohibited and will not be tolerated

Each manager/supervisor is responsible for maintaining a workplace free of any form of sexual harassment. No manager/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. Sexual harassment in the workplace, whether by managers/supervisors, non-managerial employees, or outside individuals (vendors, citizens, etc.) is also prohibited.

This policy covers conduct in the workplace, at social functions sponsored by the City of Yachats (holiday dinners or picnics), and at business functions (conferences, meetings and/or other related activities).

Management provides and supports a dispute resolution procedure for receiving and resolving complaints alleging discriminatory practices in employment relations. As an employee of the City of Yachats, you have the responsibility to immediately report any actions or words by a supervisor, co-worker, vendor, or other individual that you believe to be unwelcome harassment. You should report the incident immediately to your supervisor. You may report the incident to another supervisor or the Mayor if the complaint involves your direct supervisor. The City of Yachats will not retaliate against you for filing a complaint or cooperating in an investigation and will not tolerate or permit retaliation by management, co-workers, or non-employees such as citizens, vendors, or contractors.

All complaints of harassment will be investigated promptly and impartially. Discretion will be used during the investigation in order to maintain as much confidentiality as possible while effectively completing the investigation. If you are not satisfied with the handling of a complaint or the action taken by management, you should bring the complaint to the next higher level of authority. In all cases, you will be advised of the findings and conclusion.

Nothing in this policy is intended to restrict an employee's right to file a complaint with the Bureau of Labor and Industries, or the Equal Employment Opportunity Commission, or to file a grievance under a union contract. However, notifying a union representative or other union official does not constitute filing a complaint with the City of Yachats under the complaint procedure outlined in this policy.

Any employee or supervisor who is found, after appropriate investigation, to have engaged in harassment of another employee or to have retaliated against an employee for reporting harassment will be subject to appropriate corrective action, depending on the circumstances, up to and including termination.

DISPUTE RESOLUTION AND EMPLOYEE ASSISTANCE PROGRAM

The City of Yachats is committed to providing a work environment free from harassment, discrimination and workplace violence. We have made available an Employee Assistance Program (EAP) for employees to use as a tool to resolve workplace conflicts. We have also developed a dispute resolution procedure for immediately reporting to management any incidents involving unlawful actions. You are also encouraged to use this procedure to resolve any other workplace issues or problems that cannot be resolved by first going directly to the person you have the problem with, the EAP or through an informal discussion with your supervisor. Our policy is to resolve less serious problems and misunderstandings informally at the lowest level possible and to provide employees an opportunity to clarify any misunderstandings that may arise between them, any co-workers, their supervisors or the City of Yachats.

We believe that undisclosed problems will remain unresolved and will lead to impaired work relationships and dissatisfaction with working conditions. The City of Yachats has made available to its employees the option of using the Employee Assistance Program to attempt to resolve issues at the lowest level possible. The EAP is a **free** confidential counseling service available to employees to assist in resolving workplace conflicts. *The City of Yachats' EAP service is EASE, Inc. at 1-800-654-9778.*

If the above processes do not take care of your concern, the City of Yachats has established this dispute resolution procedure to solve problems as quickly, fairly, and thoroughly as possible. This procedure is a method for impartially hearing the complaint, and is intended to resolve problems and provide a fair and objective review. All issues will be handled without prejudice or retaliation.

Reporting Incidents of Harassment, Discrimination or Violence in the Workplace

If you believe that you have been harassed, have witnessed harassment or discrimination, violence at work, or suspect any violation of our policies, you must immediately report the matter to your supervisor or another supervisor. The supervisors are responsible for ensuring that all complaints are promptly and thoroughly investigated without prejudice or retaliation. In all cases, you will be notified of the outcome of the investigation. You may not necessarily be informed about any disciplinary actions. We feel that discipline is between the City of Yachats and the employee and is considered confidential.

Reporting all Other Issues

Any other questions or concerns you may have should be discussed with your supervisor as soon as you are aware there is a problem or have a question. If the situation involves your supervisor, or if you are uncomfortable discussing the matter with your supervisor, you should discuss the matter with another supervisor. You will be provided with a written response to your concern within seven (7) days.

Appeal Process

Honest differences of opinions occur, and some situations will need the review or decision of a higher management (Mayor) level. However, a higher-management review is intended to occur only after you have discussed a situation with your supervisor and a satisfactory solution has not been reached. We realize there may be valid reasons to forego this initial step. For those unusual circumstances, as noted above, you may go directly to the Mayor for assistance. You will receive a written response within seven (7) working days. (This period can be extended by mutual agreement.)

If you feel a policy has been inappropriately applied, or you have been unfairly treated or unjustly disciplined by your supervisor, you may present the matter to another supervisor. That official will review the issue and make a decision. If you are not satisfied with this decision you may present the matter to the Mayor for review and settlement. The decision of this individual will be final.

The City of Yachats cannot promise that an employee's point of view will always be accepted, but supervisors and the Mayor will listen and make every effort to ensure that problems are resolved fairly and in the public interest. This procedure is intended to provide you a fair and objective review of any concern. All issues will be dealt with without prejudice or retaliation. This policy in no way limits any employee's recourse to any civil or legal process. All cases will be reviewed on an individual basis and without regard to precedent value.

Represented employees should also refer to their collective bargaining agreement for any applicable grievance procedures.

[The City of Yachats does not discriminate against employees who report in good faith alleged violations of state or federal laws, rules, or regulations.](#)

EMPLOYMENT

It is our goal to fill employment vacancies with the most qualified applicants, whether recruiting internally or externally. Job applicants will be considered on an equal basis for all positions without regard to sex, age, race, color, religion, national origin, marital or veteran status, sexual orientation, or the presence of a physical or mental condition or disability that is not job-related.

We will always try to select the most qualified person for each available job. External recruiting may be initiated concurrently with the internal posting process, but no hiring commitment or decision will be made until the position has been posted internally for a minimum of five working days. Qualified employees applying for promotion or transfers to positions within the City shall be given preference.

Former employees, relatives or partners of current employees will be considered for employment in the same manner as other applicants. We will in most cases refuse to place a spouse, partner or immediate family member under the direct supervision of his/her spouse, partner or family member.

You may from time to time be temporarily or permanently transferred or assigned to perform work outside of your regular job classification, schedule, shift, or department. Depending upon the circumstances, when transferred you may be subject to a wage adjustment. We may reassign an employee whose placement is determined to be unsuited to his/her individual skills, and may transfer any employee who has an illness or disability that requires a modified duty job when necessary.

HIRING PROCEDURES

Vacancies/new positions

Vacant or new city positions may be filled by a transfer or promotion of a current city employee or by recruitment for new employee. Current employees shall be provided opportunity for personal advancement, therefore newly authorized or vacant positions shall be posted in city hall for current staff prior to open public recruitment. Qualified employees applying for promotion or transfers to other positions within the city shall be considered and may be hired without further outside recruitment.

Recruitment

Notice of all job openings within the city shall be posted on a city bulletin board for a period of five working days, with a copy mailed to the union. Positions may be concurrently publicized by posting an announcement in a newspaper of general circulation, but no hiring commitment or decision will be made until the internal posting period as expired. Announcements shall specify the title and salary range; the date of closing for the acceptance of applications; the nature of the work to be performed; education and experience required, and any other pertinent information.

Application for employment

Application forms shall be furnished by the city recorder to all applicants. An application form must be on file for each person considered for the position. Résumés may be included with the application form. Applications shall be accepted only when there is an open and listed job vacancy. Every person must fill out an application form to be considered an applicant. Applicants must specify the job applied for. Only applications received prior to the cutoff date shall be considered. Unsolicited résumés shall not be accepted or considered.

The file of applications for each opening shall be retained by the city for three (3) years after the date of hire.

Qualification standards: new hires/promotions

Each application shall be reviewed to ascertain the individual applicant's education, experience and other qualifications for the position offered, concentrating on the essential functions of the job.

Qualifications of an applicant for a position in city service shall be ascertained on the basis of one or more of the following:

- Information contained on the application form;
- Written performance or physical tests oral interviews, or any combination thereof;
- Qualifications required for certification under state law; or
- Other requirements as specified by the council in the position description.
- Any examinations required for various positions shall be administered by the department head/supervisor.

Interview process

The City Council shall fill the positions of City Recorder, Public Works Director, City Attorney, Or City Planner. For all other classifications of city employment, the relevant department head/supervisor shall conduct all interviews. The department head/supervisor may ask the City Recorder or another person to assist.

NEW EMPLOYEES, PROMOTIONS AND TRANSFERS

New Employee Orientation

New employees will receive detailed information about general policies, procedures, benefits, and basic information on pay and leave policies. Orientation is documented using the New Employee Orientation Checklist, which is signed and dated by you and the person conducting the session, and kept in your employee personnel file.

Introductory/Probationary Period

As a new employee, you are hired on a six-month probationary period. The probationary period is an extension of the employee selection process. During this period, you are considered to be in training and under observation and evaluation by supervisors. Evaluation of your adjustment to work tasks, conduct and other work rules, attendance, and job responsibilities will be conducted during the probationary period. This period gives you an opportunity to demonstrate satisfactory performance for the position and provides an opportunity to see if your abilities and the requirements of the position match. It is also a chance to see if we meet your expectations as an employer.

Written evaluation forms will be completed by your supervisor at three months and again at the end of the probationary period. Your supervisor will explain the performance measurements that will be used to evaluate your work when you are hired. If you have successfully completed the probationary period, you will be moved to regular status. If skills border on satisfactory, but fall a little short, the probationary period may be extended if there is reason to believe that your skills will improve within the next 30 days. If expectations are not met or skills are not satisfactory, it is unlikely that your employment will be continued.

Reinstatement

Employees who resign from the City of Yachats in good standing may be eligible for re-employment consideration. To determine eligibility, former employees must re-file an employment application with the City of Yachats. Applications received from former employees will be considered and processed using the same procedures and standards that govern all other applicants. When a position becomes available, the hiring supervisor will review the former employee's performance record and the circumstances surrounding his/her departure from the City of Yachats. We are not obligated to rehire former employees.

Prior Service Credit

Employees who are rehired by the City of Yachats will receive credit for prior time worked as follows:

Employees who were terminated because of a reduction in workforce will receive credit for prior time worked for the purposes of benefit eligibility if they are re-employed within 12 months after the termination date.

Employees who voluntarily terminate their employment with the City of Yachats will receive credit for prior time worked for the purposes of benefit eligibility, subject to management approval, if re-employed within 12 months after the termination date. However, a new anniversary date will be established based on the date of reinstatement.

Rehired employees may be subject to a six-month probationary period and may be asked to attend all medical assessments required of employees otherwise hired.

Employment Classifications

Employee status is categorized to make distinctions in benefits and other employment conditions and to aid in a better understanding of employment relationships within the City of Yachats. Employees may be considered as probationary, full-time, part-time or temporary. The following definitions apply:

- Probationary Status: Newly hired or promoted employees within the Introductory/probationary period.
- Regular Full-time: An employee who has successfully passed the introductory/probationary period and is regularly scheduled to work 40 hours or more per week. Classification normally is eligible for benefits.
- Regular Part-time: An employee who is regularly scheduled to work at least 20 but less than 40 hours per week.
- Temporary: An employee who is hired for a specified period of time, usually no more than six months. This classification is not eligible for benefits.

PERFORMANCE MANAGEMENT AND APPRAISAL

To ensure a meaningful performance evaluation system upon which the City of Yachats can monitor the effectiveness of our organization and its operations, employees typically receive annual performance evaluations.

The objectives of our annual performance management and formal appraisal process are:

- To ensure that each person in our organization knows how he/she is performing against established performance standards;
- To determine how well the City of Yachats supervisors are performing in assisting employees with work performance and objectives;
- To ensure communication and two-way feedback;
- To provide a consistent, objective, and fair method for making compensation decisions;
- To identify areas where an employee may need more training;
- To provide a tool for career planning; and,
- To provide a record of employee performance and contributions.

Supervisors are accountable for providing employee development actions designed to improve and enhance employee performance, such as:

- Reasonable employee training, including computer software proficiencies;
- Assigning, directing, controlling and reviewing employee work;
- Assisting employees in correcting deficiencies; and,
- Objectively evaluating employee performance during the evaluation period.

The performance appraisal program is intended to be participatory, involving your input as much as that of your supervisor, thereby helping you to contribute to the growth and improvement of the City of Yachats. You are encouraged to:

- Inquire about your performance from time to time;
- Accept additional responsibilities and show initiative;
- Review opportunities for advancement within the organization;
- Ask for assistance in developing a goal-oriented path for advancement; and,
- Learn about training available to assist you in improving your skills.

Performance evaluations serve as one factor in decisions related to employment, such as training, merit pay increases, job assignments, employee development, promotions, and retention. Written reports identify specific performance levels, acknowledge the merit of above standard performance, and prescribe the means and methods for correcting performance deficiencies to the required level of performance.

EMPLOYMENT RECORD KEEPING

Access to Personnel Files

The City of Yachats maintains a personnel record for each employee, and access to those records is restricted to authorized persons only. The records contain applications, written evaluations, performance counseling notices, correspondence, and other information pertinent to employment. Authorized persons are individuals in a direct line of supervision over the employee to whom the file applies.

Your personnel file is available for review by making advance arrangements with the City Recorder. We will provide copies of personnel records or files as required by law, but you may be asked to reimburse us for the reasonable cost of providing copies.

Employees also may review their medical records, which are kept in a separate locked file. Although all medical information is confidential, the City of Yachats complies with the Health Insurance Portability Administration Act (HIPAA) when allowing access to employee medical records. All requests must be made in writing and signed and dated by the employee wishing to review their own medical file.

Change in Personal Data

Keeping your personnel records current can be important to you with regard to pay, payroll deductions, benefits, and other matters. If you have changes in any of the following items of information, it is your responsibility to notify City Recorder.

- Name
- Marital status
- Address
- Telephone number
- Dependents
- Person to be notified in case of emergency
- Job related physical or other limitations that impact employment
- Changes in status of driver's license or CDL if required to drive for the City of Yachats
- Changes in job related professional licenses
- Other information having a bearing on your employment

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

PAYROLL PERIODS AND PAYDAYS

The City of Yachats issues payroll checks twice a month: the 15th and the last day of the month. If either of those days falls on a weekend or Monday Holiday, the payroll checks will be released on the Friday before. Payroll is calculated including the last day of the payroll period. In order to provide adequate time for personnel to process payroll, the time sheets will be submitted at least one day prior to the end of the period, using estimated hours for the final day. Adjustments will be made on the timesheet for the next payroll period if needed to accurately reflect time worked. Supervisors review and approve time sheets. Processed and signed checks may be released the day before payday. However they are not be deposited until the date shown on the check. Draws may be considered by the employee's supervisor for extenuating circumstances. Draws may not exceed the amount of pay the employee has accrued in that pay period less required deductions.

EMPLOYMENT RELATIONS AND CONDUCT

ETHICS

We believe in treating people with respect and adhering to ethical and fair practices. We expect employees to avoid situations that might cause their personal interests to conflict with the interests of our city or to compromise our reputation or integrity. Employees who violate the Ethics Policy or who create an equally detrimental impact on the City of Yachats will be subject to disciplinary action, depending upon the circumstance, up to and including termination.

Employees are required to maintain a cooperative working relationship with staff, other organizations and citizens. Employees must follow all general and departmental safe work rules and policies.

Confidentiality

Employees working at the City of Yachats have access to highly confidential, legally protected, and proprietary information. Confidential information includes all information acquired by an employee during the course of employment that is of economic value to the City of Yachats and not generally available to the public, including legally protected information. Financial data and payroll information are typical examples of information that the City of Yachats considers to be proprietary and confidential.

No records or information including (without limitation) protected medical data, documents, files, records, computer files or similar materials (except in the ordinary course of performing duties on behalf of the City may be removed from our premises without permission. Additionally, the contents of records or information otherwise obtained in regard to City business may not be disclosed to anyone, except where

required for a business purpose. Employees are subject to appropriate disciplinary action up to, and including, dismissal for revealing information of a confidential nature. Since many times it is difficult to distinguish between common and confidential information, the best rule to follow is not to discuss business information with persons outside unless employees have received prior approval from their supervisor.

All information acquired by an employee during the course of employment is to be used solely for the benefit of the City and, use of such information for personal advantage or disclosure to others is strictly prohibited. Likewise, any materials developed by our employees in the performance of their jobs, is the property of the City of Yachats. Employees may not take this material with them when they leave our employment, remove it from our offices for non-work related reasons, or copy or distribute it to persons or companies, other than as required in the course of business, without written approval from the City.

Conflict of Interest

Employees may not solicit, obtain, accept, or retain any personal benefit from any supplier, vendor, citizen, or any individual or organization doing or seeking business with the City of Yachats –This means you may not maintain an outside business or financial interest or engage in any outside business or financial activity that conflicts with the interests of the city or interferes with your ability to fully perform job responsibilities. For example, if job responsibilities include purchasing, or being in a position to influence purchasing, the individual responsible should have no proprietary or financial interest in any business that furnishes products, materials, or services to the City of Yachats or in any related transaction. Nor may he/she benefit directly or indirectly from a third party who furnishes products, materials, or services to the city.

[Employees are prohibited from receiving any income or material gain from individuals or organizations outside of the City of Yachats for materials produced or rendered while performing their jobs for the City of Yachats.](#)

Misrepresentation

As a public employee, you should be aware that you represent City of Yachats in your work interactions. You should handle your self in a professional manner and consider how you communicate with the public and other employees. You should take care not to misrepresent the city's policies, practices, procedures, or misrepresent your status and authority to enter into agreements. ~~Refer to the Government Standards and Practices Commission (GSPC) standards for conduct of "public officials" and employees of public entities, ORS Chapter 244.~~ Employees have no authority to enter into any verbal or written contracts without the express approval of the City Council. [You may not use the City of Yachats' name, logo likeness, facilities, assets or other resources, or the authority of your position with the City of Yachats for personal gain or private interests.](#)

Gifts, Prizes and Promotional Items

No City of Yachats employee shall accept any gift, service or favor, which would lead toward favoritism or the appearance of favoritism in any way.

Employees may keep prizes and awards offered to attendees of conferences, seminars, or professional gatherings as a result of attendance.. Such prizes become the property of the City of Yachats. Prizes and awards won in raffles requiring the purchase of tickets became the property of the individual who purchases such tickets. Promotional items, such as pens, pencils, notebooks, notepads, cloth or canvas bags, snack foods, etc., that are offered to all attendees, or that are meant to be used during the course of the event are excluded from this rule. Employees may keep these items for their personal use.

Off Duty Conduct

Generally, we regard off-duty activities of employees to be their own personal matters. However, certain types of off-duty activities concern us because of the potential negative impact on the city's reputation within the communities we serve. Therefore, employees who engage in or are associated with illegal or otherwise harmful conduct that adversely affects the City of Yachats or their own ability or credibility to carry out employment responsibilities may be subject to disciplinary action, up to and including termination.

Solicitation and Bulletin Boards

To make sure employees aren't disturbed or interrupted while on work duty, we have established the following no-solicitation policy:

- Individuals who are not employed at the City of Yachats may not solicit our employees or distribute literature on city property at any time.
- If you wish to solicit or distribute literature to other employees by or on behalf of any individual, organization, club, or society, you may do so only during times when you are on a rest or lunch break. You may solicit or distribute literature only to those employees who are also on a rest or lunch break. The distribution of literature in work areas is prohibited at all times, but you may place it in established break areas or lunchrooms.
- Obscene, profane, or inflammatory items and political advertisements or solicitations are strictly prohibited.
- You may not solicit, expect, or accept contributions from vendors, citizens, or anyone doing business with the City.
- You may not sell merchandise or collect funds of any kind without prior approval from your supervisor.

We use our bulletin boards to post up-to-date information, notices, safety committee minutes and information, health promotion program news and other city or local health related events as well as information required by law. We also use them to announce activities and other items of interest to employees. We ask that you check the bulletin board regularly to obtain information that may be important to you. Bulletin boards are to be used only for posting or distributing notices or announcements of a business

nature that apply equally and are of interest to all employees, or are directly concerned with city business.

CRIMINAL ACTS

Employees are required to report if they are convicted of any misdemeanor or felony, including a DUII. Upon conviction, the employee must report the matter to their supervisor, within two business days and must submit documentation concerning the conviction.

Conviction of a crime is not an automatic bar to continued employment. The City of Yachats will review the underlying facts of the matter; any action taken will be on a case-by-case basis, taking into account the totality of the circumstances. The City's actions may range from no action, to disciplinary action including discharge.

Failing to report a conviction constitutes grounds for discharge. Furthermore, misrepresentation of the circumstances of the events can serve as grounds for discharge.

Employees who are unavailable to report for work due to incarceration may be subject to disciplinary action, including discharge.

Political Activity

Engaging in political activity such as distributing literature, and campaigning for or against political parties, ballot measures, signatures or a candidate is prohibited during the workday. Employees may express personal views, including wearing buttons, while on the job as long as it does not interfere with the job.

EMPLOYEE PRIVACY

Employee

The City of Yachats recognizes our employees' rights to privacy. In achieving this goal, the city adopts these basic principles:

1. The collection of employee information will be limited to information the city needs for business and legal purposes.
2. Personal information and information in personnel records ordinarily will not be disclosed except as permitted or required by law or as authorized by the employee. Verifications of employment dates may be provided without written approval.

Note: This may limit the city to give job references, unless they are provided written consent to discuss your personnel records.

3. Internal access to employee records will be limited to those employees having an authorized need-to-know.
4. You are permitted to see the personal information maintained about you in our records, and you may correct inaccurate factual information or submit written comments in disagreement with any material contained in your personnel records.
5. All employees involved in record keeping will be required to follow these policies and practices. Violations of this policy will result in corrective action, up to and including termination.
6. [The City of Yachats has adopted the Oregon State Records Retention Schedule for all City Records, including personnel and employment records. All employee records, which are no longer needed for business use will be shredded rather than thrown in the trash or recycle can.](#)
7. Medical records are kept in a separate file and are only accessible to the employee, an employee representative with written consent and the employer, on a need-to-know basis.

Oregon law provides that “every person has a right to inspect any public record of a public body in this state.” “Public body” includes cities and counties and other public entities. Although there are some exceptions, most records in a public body are available to the public for inspections. It is the intent of the City of Yachats to be responsive to requests for public records. Employees are to forward all requests for public information to the City Recorder-

SOCIAL SECURITY NUMBERS

[Social security numbers may not be printed on materials that will be mailed, unless an employee has requested the mailing and all but the last four digits have been removed. This does not apply to records required by state or federal law \(examples: W2s, 1099s, etc.\).](#)

[Also, social security numbers may not be printed on a card used to access products or services, nor will the City of Yachats publicly post or display employees’ Social Security numbers, such as on a website.](#)

[If computer files containing this personal information have been subject to a breach, then the City of Yachats will notify you as soon as we are reasonably able to do so.](#)

COMMUNICATIONS

[Conversations: Please be careful when discussing confidential information about employees in public areas, where it might be overheard; or when talking on the telephone.](#)

Written information: Please use care not to leave written information about employees where unauthorized persons can view it. This includes leaving confidential documents sitting in printer trays or placing such documents in open recycling bins. Please send internal "mail" in sealed envelopes, marked "confidential."

Workplace Rules

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

General Rules

- All employees shall maintain a positive and cooperative working relationship with co-workers, other staff, citizens and any others who do business with the City of Yachats.
- Employees shall work and complete assignments that meet job standards.
- Employees shall not neglect their job duties or responsibilities, nor refuse any assigned work, which is within or related to their job responsibilities.
- Employees must fulfill their responsibilities to the city. No willful action, which detracts from the quality or quantity of work, service, safety and health or public image will be acceptable.
- An employee must be available for work as scheduled
- Employees are expected to be at their workstations at their scheduled starting time and comply with scheduled times for break and meal periods. Employees will not leave their scheduled workday early unless authorized by their supervisor.
- Employees shall not gather on work premises to conduct personal business during their working time.
- Employees shall be responsible for all organization property that has been placed in their custody.
- Employees must immediately report all work-related injuries, accidents, or illnesses to their supervisor or other authorized personnel.
- Employees are required to promptly notify the appropriate designated person of any changes in personal status, such as name, address, or telephone number. Please see the Change in Personal Data section of this Manual.
- Employees are expected to comply with normally accepted levels of personal grooming standards.
- Employees must display respectful and tolerant behavior of co-workers and citizens.

Examples of Offenses for Which Disciplinary Action May be Immediately Taken

- Failing to properly document time on own time records.
- Interfering with the work of others, their ability to complete work assignments, or in the performance of their assigned duties.
- Smoking in areas where smoking is not permitted.
- Littering on premises.
- Engaging in "horseplay" on city premises or during work time.
- Being late or absent without authorization. Any employee absent for three consecutive workdays without notifying the City of Yachats or failing to return from an authorized leave of absence shall be considered to have voluntarily resigned.
- Engaging in immoral conduct while on the job.
- Abusing time allowed for rest breaks and meal periods.
- Abusing the telephones, computers or other equipment for personal use, or conducting personal business except as noted below.
- Loitering while on duty or loitering on the premises while off duty.
- Using abusive language while on premises.
- Performing job duties in an unsafe or careless manner.

Examples of Offenses That May Result in Immediate Termination of Employment

- Bringing firearms or weapons of any kind, intoxicating beverages, drugs or chemicals not medically required onto the premises.
- Use of alcohol or drugs or being under the influence of alcohol or drugs, or intoxicants of any type, or any criminal activity involving alcohol or drugs while at work. (Any employees on prescription or over-the-counter medication, which may affect performance, are required to notify their supervisor before beginning the work shift.)
- Falsifying forms, reports, or records, including timecards.
- Falsely stating or making claims of injury or illness.
- Leaving work before the end of the shift without authorization of the supervisor.
- Unauthorized removal of any the City of Yachats property, equipment, products, records or other materials, or property belonging to another employee or the city.
- Striking out or hitting another employee, regardless of the reason. In addition, provoking another employee into striking or threatening another employee.
- Destroying the City of Yachats property, tools, or equipment.
- Willfully recording time on another employee's time records.

- Insubordination and/or refusing to follow your supervisor's, or other authorized employee's directions or instructions.
- Violating safety or health rules or practices, or engaging in conduct that creates a safety or health hazard.
- Physical or verbal abuse of a citizen, vendor, other employee, or any other individual.
- Engaging in any form of harassment, including sexual harassment, with another employee or visitor.
- Sleeping while on duty.

This information regarding unacceptable practice/behavior is to provide guidance for employee actions. You are urged to use reasonable judgment and to seek supervisory advice in doubtful or unclear situations. If all employees do their best to meet both the spirit and intent of these guidelines, employee disciplinary issues should be minimal. It is our policy to resolve conduct and performance problems in the most informal and positive manner possible. However, violations of workplace rules will result in corrective action, up to and including termination.

We also believe that all of our employees should be heard in matters involving discipline; therefore, we have adopted a formal Dispute Resolution Procedure, which can be found in this Manual.

COMMUNICATIONS AND SOFTWARE SYSTEMS

Electronic Communications Systems

The City of Yachats provides electronic communication systems to maintain superior communications both within the City of Yachats and with outside parties. You are encouraged to learn about these tools and how to use them. This policy provides directions for you regarding access and disclosure of information when using these communication systems. All employees and others outside the City of Yachats who may use the systems are expected to be aware of and support this policy.

Our electronic communications systems include computers, software, electronic mail (e-mail), copiers, fax machines, telephones, cell phones and Internet service. All of these systems are operated and managed based upon this policy.

These systems and any other informational, storage, or retrieval services that the City of Yachats provides are the City of Yachats tools and are to be used for city purposes only.

The use of these systems is not private or confidential. All communications are considered to be public record and subject to disclosure. The City of Yachats, within the bounds of current and future laws, reserves and intends to exercise the right to review, audit, intercept, access, and search these systems at will, monitor data and messages within them at any time for any reason, and disclose selected contents without notice or other restrictions. Messages sent through these systems remain the property of the city.

These systems shall not be used to receive copyrighted materials, trade secrets, proprietary information, or similar materials from outside the City of Yachats without prior authorization.

Any messages or communications used through this system are subject to our anti-harassment, anti-discrimination, and non-solicitation policies. You are expected to carefully compose and review the wording, tone, and content of your communications before transmission.

You should check with your supervisor if you have any questions about the proper use of communication or software systems. All system users who discover violations of this policy are expected to notify their supervisors immediately. Improper use or violation of this policy can result in disciplinary action, up to and including termination.

[Employees must follow federal and state law with regards to electronic communications. Refer to the City Policy Statements regarding public records requests, security for sensitive and non-public and the emergency plan for City records. Generally, you should follow the same archiving timeframes for electronic records, as you would for paper records.](#)

Electronic Mail System

You are reminded to be courteous to other users of the e-mail system and always conduct yourself in a professional manner. E-mail messages are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. You should write e-mail communications with no less care, judgment, and responsibility than you would use for letters or internal memoranda written on the City of Yachats letterhead. As with all other communications, email messages are part of the public record and subject to disclosure.

You should know that even when a message is erased through e-mail it is still possible to retrieve and read that message. We expect employees to respect others' privacy, and not retrieve or read electronic messages unintended for them unless authorized to do so. The use of passwords for security does not guarantee confidentiality. All passwords must be disclosed to the system administrator (City Recorder).

The City of Yachats realizes that employees may occasionally make and receive personal emails at work. Such emails must be held to a minimum, and should impact your work as little as possible.

The City of Yachats Personal Computers

To protect the integrity of our systems, all software used on the City of Yachats computers must be registered with the system administrator (City Recorder). Personal or downloaded software for business purposes may only be installed after authorization. A virus check of all such software must be made immediately before it is installed on any the City of Yachats computer. A virus check must also be made of any disk originating or used on any computer outside of the City of Yachats prior to use on an the City of Yachats computer. Copy or transfer of city-owned software may occur only with the written authorization of the system administrator (City Recorder).

Personal use of the computers shall be held to a minimum and should impact your work as little as possible. Personal use of the computers and email systems shall be only during times when you are on a rest or lunch break. Obscene, profane, or inflammatory websites or emails are strictly prohibited.

Telephone Usage

The City of Yachats realizes that employees must occasionally make and receive personal telephone calls at work. Such calls must be held to a minimum, and should impact your work as little as possible. Unauthorized or improper use of the telephone, including the City of Yachats provided cell phones, and charging long distance calls to the city, will result in corrective action, up to and including termination.

SOCIAL MEDIA POLICY

Employees may choose to host personal social networking sites. These sites must remain personal in nature and be used to share personal opinions or non-work related information. This helps ensure a distinction between sharing personal views and City views. Employees should never use their City email account or password in conjunction with personal social networking sites.

Employees should never post anything on their personal networking site that discloses confidential or nondisclosable City records, is inappropriate use of secured databases or other City information, or can be directly related to the City if the content legitimately harm or disparage the City's reputation or services. Employees should not post discriminatory comments or photos that could be considered harassment of co-workers. Employees should always be courteous and mindful that their audience can be co-workers, citizens of the City or future citizens.

HEALTH AND SAFETY

SUBSTANCE ABUSE

The objective of this policy is to provide a workplace and environment that are free from the effects of substance abuse. Furthermore, the City of Yachats believes that we have a responsibility to our employees and to the general public to ensure safe operating and working conditions. To satisfy our drug free workplace objective and meet these responsibilities, we must establish a work environment where employees are free from the effects of drugs, alcohol, or other impairing substances. Accordingly, we have adopted this substance abuse policy.

The following conditions and activities are expressly prohibited on our premises or property or during work time or while representing us in any work-related fashion:

- Manufacturing, selling, attempting to sell, using, or possessing alcohol or other controlled or illegal substances that impair job performance or pose a hazard when use or possession occurs (except strictly in accordance with medical authorization);
- Reporting for work under the influence of alcohol, illegal drugs, or controlled substances in a manner that may impair work performance.

If your doctor prescribes over-the-counter or pharmaceutical drugs, you are responsible for ensuring that your ability to work safely will not be affected by taking the medication. If you are in doubt, please discuss this with your supervisor before beginning work. Any medical issues discussed will be kept confidential.

If you have a problem with drugs and/or alcohol and wish to undertake rehabilitation, you will be granted an unpaid leave of absence for this purpose. It is your responsibility to seek help before the problem adversely affects your work performance or results in a violation of this policy. If you need assistance in seeking this help, you may talk to the your supervisor or the EAP. No one will be discriminated against for undertaking rehabilitation.

For purposes of this policy, having any detectable level of an illegal or controlled drug in one's system while covered by this policy will be considered to be a violation. Where we have a reasonable suspicion that an employee is in violation of this policy, the employee will be required to submit to testing to determine presence of, use of, or involvement with alcohol or drugs. We reserve the right to determine whether reasonable suspicion exists.

The following definitions apply:

- Reasonable suspicion is defined as specific describable observations concerning such circumstances as the work performance, appearance (including, for example, noticeable odor of an alcoholic beverage), behavior, or speech of the employee, or as being involved in an accident on City of Yachats premises that results in physical injury or property damage.
- Under the influence is defined as any detectable level of alcohol or drugs in an employee's blood or urine, or any noticeable or perceptible impairment of the employee's mental or physical faculties due to illegal or controlled substances.
- Controlled Substances are defined as all forms of narcotics, depressants, stimulants, hallucinogens, and cannabis whose sale; purchase, transfer, use, or possession is prohibited or restricted by law.
- Over-the-counter drugs are defined as those that are generally available without a prescription from a medical doctor.
- Prescription drugs are defined as those drugs that are used in the course of medical treatment and have been prescribed and authorized for use by a licensed practitioner/physician or dentist.

Any employee who is found to be in violation of this policy, who refuses to submit to testing, or who refuses to cooperate, or attempts to subvert the testing process will be subject to corrective action, up to and including termination. We also reserve the right to involve law enforcement officials for any conduct that we believe might be in violation of state or federal law.

If a professional assessment is made that you have a problem with alcohol or drugs, your continued employment may be conditioned upon your entering into and completing a treatment program (including follow-up recommendations) approved by the City of Yachats. You also may be required to sign and live up to the terms of a performance agreement in order to demonstrate your commitment to rehabilitation and staying alcohol/drug-free. This course of action is likely if you come forward on your own and ask for help in overcoming your problem. If you are caught selling, using, or being under the influence of drugs or alcohol while at work, we may terminate your employment without offering you the opportunity to participate in a treatment program.

WORKPLACE VIOLENCE

The City of Yachats recognizes the importance of a safe workplace for employees. A work environment that is safe and comfortable enhances employee satisfaction with work, as well as employee productivity.

However, situations may occur that could present a risk of harm to employees and others. All employees have an obligation to report any incidents that pose a risk of harm to employees or others associated with the city or that threatens the safety, security, property or financial interests of the city. Employees should make such reports directly to the supervisor.

Some examples of workplace violence include but are not limited to:

- Hitting or slapping
- Verbal threats to person or property
- Threatening phone calls or e-mails
- Intentional destruction of personal or public property
- Stalking
- Suggestions of violence
- Verbal outbursts
- Firearms at work or on public property (exclusions may apply for law enforcement)

The policy for reporting incidents of harassment, discrimination or violence in the workplace is described in this manual elsewhere.

Workplace Violence Policy is an integral part of the city's emergency action plan and should be discussed and practiced. Employee safety is our primary concern.

If a worker feels threatened or in danger of imminent bodily harm s/he should take the following steps:

1. Leave the scene, if it can be done safely. Do not attempt to control a violent person.
2. Call law enforcement (911) if the situation warrants this action.
3. The incident should be reported to the supervisor immediately or as soon as possible.

If the threatening individual poses no immediately physical threat, but is making verbal or other otherwise intimidating workers or others in the area, then the employee should:

1. Keep back move away from the individual, if possible in a way as not to provoke violence.
2. Notify a supervisor (manager/administrator) as soon as possible.

Any worker having knowledge of a violent act/threat involving other employees must report the incident immediately to a supervisor.

The City of Yachats understands that there may be situations that demand immediate action to protect oneself or others against an act of violence. If such an incident occurs and there is no time to follow procedures per these guidelines or wait for a law enforcement official to respond, workers may protect themselves or abandon their position in order to do so. Workers are still required to report the incident as soon as possible.

The City of Yachats may conduct an investigation of a current employee when the employee's behavior raises concerns about work performance, reliability, honesty, or potential threat to the safety of co-workers or others. An employee investigation may include investigation of criminal records and a search of the city's property such as desks, work areas, lockers, file cabinets, City of Yachats cell phone records, and computer systems.

The employee assistance program (EAP) is available to provide confidential and individual personal counseling to (eligible) employees involved in a violent incident.

Any intimidation, coercion, discrimination or retaliation against an individual who reports an act of workplace violence or who assists, participates or testifies in any manner in an investigation will not be tolerated. All such acts should be reported immediately. Workers who engage in any act of retaliation, intimidation or harassment will be subject to discipline up to and including termination.

EMPLOYEE HEALTH AND SAFETY

The City of Yachats is committed to providing our employees with a safe and healthful work environment. To accomplish this goal, both management and employees must make diligent efforts to promote safety.

We develop and implement safety rules and regulations through our managers, supervisors and safety committees. This process is ongoing and requires periodic review. Safety audits are undertaken to determine the necessity and feasibility of providing devices, work practices, policies or other safeguards to make the workplace safe and healthful. We also provide training for our employees regarding workplace hazards and the proper and safe methods to use in performing their job tasks.

You are expected to give your full skill and attention to the performance of your duties, using the highest standard of care and good judgment. You are also expected to always follow safety rules and regulations, including using appropriate protective clothing and equipment, attending all training sessions related to your job, and following the directions of supervisory personnel.

Safety rules and regulations will be issued or modified from time to time and will be effective immediately upon communication. General safety rules and regulations will be distributed to you and posted on the employee bulletin boards. Departments will have

specific job/task related rules and procedures that you will be expected to know and follow.

Accident Investigation and Reporting

All job-related injuries or illnesses should be reported to your supervisor immediately, regardless of severity. (In the case of serious injury, your reporting obligation will be deferred until circumstances reasonably permit a report to be made). Failure to report an on-the-job injury or illness may preclude or delay the payment of any benefits you may be eligible for and could subject the City of Yachats to fines and penalties.

If an injury occurs:

1. Take immediate actions and/or render remedial first aid.
2. Seek emergency medical care if necessary – call 9-1-1.
3. Report the injury to your (or a) supervisor as soon as possible.

Employee responsibilities:

1. Fill out the accident report form.
2. Cooperate in an accident investigation.
3. Complete the 801 Form if medical attention is sought.
4. Provide supervisor with a medical release from doctor/medical provider.
5. Review the incident with the supervisor/manager.
6. Discuss ability to return to a temporary modified job (if possible) and job restrictions.

Supervisor/Manager responsibilities:

1. Conduct an investigation into the cause of the injury or illness
2. Send the completed 801 Form (for medical treatment) investigation and current job description to your workers' compensation claims examiner.
3. Locate temporary light duty for the injured worker as soon as they are released.
4. Monitor light duty to assure that worker stays within the restrictions and co-workers support injured worker on completing job tasks.
5. Continue to communicate and cooperate with claims manager.

Early Return-to-Work Program

Our Return-to-Work program provides guidelines and procedures for returning employees who become ill or injured, to meaningful employment as soon as possible. The program is not intended to be a substitute for reasonable accommodation when an injured employee also qualifies as an individual with a disability, nor is it intended to deny time off rights under any family or medical leave laws.

Our Return-to-Work program for work related injuries/illness consists of a team effort by supervisors, injured workers and their treating physicians, management, and our workers' compensation claims staff. All team members will take an active role in returning injured employees to productive work.

Participating in this program helps our employees to recover and return to full employment as soon as their medical condition permits. This Return-to-Work program is a transitional program designed to help ease employees back into their full duties or full work shift. It is not intended to become a replacement for a regular job.

Smoking in the Workplace

All of our buildings and vehicles are designated as non-smoking. Places outside the office may be designated as smoking areas. Smoking on our premises is limited to these designated areas only. If any employee has a concern about the areas designated, he/she should speak with his/her supervisor.

SEPARATION FROM EMPLOYMENT

Separation from employment with the City of Yachats occurs when you voluntarily resign, or you are laid off or discharged by the city.

Exit Interview

An exit interview will be arranged to give you an opportunity to address unresolved issues before leaving the City of Yachats and allow us to solicit your opinions about our City of Yachats and any suggestions for improvement. We encourage all employees to participate in an exit interview when they separate from employment, and we value all opinions and suggestions we receive in the process.

At the exit interview session, you will be given any information such as your benefit continuation rights and responsibilities and your final paycheck.

Return of City of Yachats Property

Upon separation from your employment, either voluntarily or otherwise, you must return all city property in your possession by your last day of employment. The City of Yachats property includes credit cards, city vehicles, keys, ID cards, pagers, tools, software, computer disks, uniforms, this Manual, and any other items in your possession that belong to the city.

OTHER PERSONNEL AND EMPLOYMENT RELATED POLICY SOURCES

Refer to the current Collective Bargaining Contract for all other polices and employment agreements, including but not limited to:

- Work Schedules
- Reimbursement of Expenses
- Employee benefits
- Leaves benefits
- Corrective actions

APPENDIX A
MANUAL RECEIPT ACKNOWLEDGMENT FORM

NOTE: This signed form should be inserted in the employee's personnel file.

As an employee of the City of Yachats, I acknowledge the following:

I have received a copy of the Employee manual. I understand that the manual contains important information about the city's policies, work rules, and my benefits. I also understand that the manual outlines my responsibilities as an employee of the city. I understand that I have the responsibility to read and understand the information in the manual, and to ask my supervisor for clarification of any information I do not understand.

I understand that this manual is not a contract of employment or a guarantee of specific treatment in specific situations. Except for any supplemental safety policies and rules that apply to employees in certain jobs or work areas, or otherwise stated in a written employment contract, I understand that this manual supersedes all prior manuals, policies, and understandings on the subjects contained in it.

I understand that unless stated in an employment contract or collective bargaining agreement, the City of Yachats has the right to change, modify, add to, substitute, eliminate, interpret, and apply in its sole judgment, the policies, rules, and benefits described in this manual. I understand that should the content be changed in any way, the City of Yachats will require an additional signed acknowledgment from me to indicate that I am aware of the changes.

I also acknowledge that, before signing this form, I have asked for and received clarification on any of the items listed on it that I did not understand.

Employee Signature

Date

Print Employee's Name

APPENDIX B

NEW EMPLOYEE ORIENTATION CHECKLIST

Name _____

Department _____

Hire Date: _____

Training

- Computer System / Internet use policy
- Log on
- E-mail
- Software
- Telephone System
- Voice Mail
- Long-Distance Calls
- Training Opportunities

General

- Introductions, tour departments and Important Places: Parking, Restrooms, break & lunch areas, supervisor/manager or HR office
- Work space - (ergonomic evaluation)
- Work hours, breaks, mealtimes and other rules
- Time sheet and Payday(s)
- telephone number
- Equipment
- mail
- copier & fax machine
- tools
- Job Description (including physical requirements)
- Duties, Responsibilities, Purpose
- Handling Confidential Information
- Performance Expectations/Goals
- Time sheet/Time card, if applicable
- Parking
- ID Card
- Credit Card(s)
- Bulletin Board and Newsletter

Policies and Procedures

- Provide Copy of Employee Handbook (Policies)
- Discuss handbook
- Review and sign acknowledgments

New Employee Paperwork

Federal Forms

- PERS Forms (if applicable)
- W-4 and State Tax Forms
- I-9
- Health, Life & Disability Insurance Enrollment Forms

Benefits and Compensation

- Health, Life, Disability Insurance
- Retirement Benefits
- Educational Assistance
- Credit union
- Employee Assistance Program
- Pay Procedures/direct deposit
- Salary Increase/Performance Review Process
- Paid and Unpaid Leave

Training Scheduled and/or completed

- Computer System
- Log on
- E-mail
- Software
- Telephone System
- Voice Mail
- Long-Distance Calls

Safety Orientation: (General overview for City of Yachats and more specific done at Department/job level)

- Overview of Safety Policy / Program or Safety Manual
- Emergency procedures, response and medical plan
- General safety / health hazards
- Personal Protective Equipment use
- Hazard Communication / potential chemical hazards
- Bloodborne Pathogen assessment
- Safety Committee role / responsibilities / representative
- Injury prevention, ergonomics and wellness activities
- Reporting injuries

Date Completed: _____

Employee Signature: _____

Supervisor Signature: _____

Place in employee personnel file upon completion

APPENDIX C

EXIT INTERVIEW FORM

Name: _____

Position: _____

Supervisor: _____

Hire date: _____

Termination Date: _____

What made you decide to leave your current job? (Check all that apply)

Primary Secondary

- | | | |
|--------------------------|--------------------------|---------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Secured Better Job |
| <input type="checkbox"/> | <input type="checkbox"/> | Professional level of job |
| <input type="checkbox"/> | <input type="checkbox"/> | Return to School |
| <input type="checkbox"/> | <input type="checkbox"/> | Family |
| <input type="checkbox"/> | <input type="checkbox"/> | Issues with Supervisor |
| <input type="checkbox"/> | <input type="checkbox"/> | Problems with Hours |
| <input type="checkbox"/> | <input type="checkbox"/> | Not satisfied with Wages |
| <input type="checkbox"/> | <input type="checkbox"/> | Disliked type of work |
| <input type="checkbox"/> | <input type="checkbox"/> | Problems with co-workers |
| <input type="checkbox"/> | <input type="checkbox"/> | Quantity of Work |
| <input type="checkbox"/> | <input type="checkbox"/> | Physical Condition |
| <input type="checkbox"/> | <input type="checkbox"/> | Working Conditions |
| <input type="checkbox"/> | <input type="checkbox"/> | Transportation Problems |
| <input type="checkbox"/> | <input type="checkbox"/> | Other _____ |

What did you like most about your job?

What did you like least about your job?

Do you feel appropriate training opportunities were made available to you?

Yes No Comments _____

Do you think your current supervisor was fair and reasonable? If not, please explain.

Yes No Comments _____

Do you believe you were given access to and realistic consideration for promotional opportunities within the organization?

Yes No Comments _____

Did you feel your contributions were appreciated by your supervisor and others?

Yes No Comments _____

Did you have the appropriate equipment and resources necessary to perform your job?

Yes No Comments _____

Was your salary satisfactory for the job you were performing?

Yes No Comments _____

Were you satisfied with the employee benefits provided?

Yes No Comments _____

Was the physical working environment comfortable and conducive to productivity?

Yes No Comments _____

Was the job realistically presented to you when you were hired or most recently changed positions?

Yes No Comments _____

Do you have any suggestions for improvement?

Are there any changes or conditions that could have been made to prevent you from leaving this organization?

Other comments, if any:

Date Discussed: _____ Interviewed by: _____

Information to be discussed with the employee prior to departure:

| | Yes | No | Not Applicable |
|---|-------|-------|----------------|
| Medical Benefits/COBRA | _____ | _____ | _____ |
| Life Insurance Forms | _____ | _____ | _____ |
| Severance Pay | _____ | _____ | _____ |
| Vacation Pay Due | _____ | _____ | _____ |
| PERS Forms | _____ | _____ | _____ |
| Medical/Flexible Spending Accounts | _____ | _____ | _____ |
| Life Insurance | _____ | _____ | _____ |
| Expense Reports/Other Reimbursements | _____ | _____ | _____ |
| Unemployment Compensation (if applicable) | _____ | _____ | _____ |
| Computer Security Process | _____ | _____ | _____ |
| Education Assistance Reimbursements | _____ | _____ | _____ |
| Procedure for providing references | _____ | _____ | _____ |
| Eligibility for reemployment | _____ | _____ | _____ |
| Process for receiving final paycheck | _____ | _____ | _____ |
| Direct deposit | _____ | _____ | _____ |

Items to be returned by employee:

| | Returned | Not Applicable |
|---|----------|----------------|
| Key(s) - building/office/file cabinets/cars | _____ | _____ |
| Security Pass/ID Card | _____ | _____ |
| Parking Pass/Access Key | _____ | _____ |
| Credit Card(s) | _____ | _____ |
| Phone Calling Card | _____ | _____ |
| Pager | _____ | _____ |
| Cellular Phone | _____ | _____ |
| Laptop/other computer, including disks | _____ | _____ |
| Fax Machine | _____ | _____ |
| Tools/Other Equipment | _____ | _____ |
| Employee Handbook/Company Information | _____ | _____ |
| Uniform(s) | _____ | _____ |
| Other_____ | _____ | _____ |
| Other_____ | _____ | _____ |

Other procedures to follow:

| | Completed | Not Applicable |
|---|-----------|-------------------|
| Notify payroll and obtain/send final paycheck | _____ | _____ |
| Notify PERS Office | _____ | _____ |
| Notify credit union/bank/others | _____ | _____ |
| Notify health insurance provider | _____ | _____ |
| Notify life insurance provider | _____ | _____ |
| Process other pension/savings forms | _____ | _____ |
| Review and close out personnel file | _____ | _____ |
| Modify information system records | _____ | _____ |

Reference Checks

I agree to allow City of Yachats to release the following language and information to be used for reference checks by any and all future employers:

Employee Signature:

Supervisor Signature:

Date Signed:

Place a copy of this form in the employee file.

APPENDIX D

RETURN TO WORK PROGRAM

| |
|--|
| Adopted by City Council - November 13, 1997 |
|--|

It is the policy of the City of Yachats to assist any occupationally injured employee during his/her injury recovery period. It is the City's intent to return injured workers to work following such injury as soon as it is medically appropriate.

It is the City's goal to reduce lost time related to disability, and allow employees to remain productive.

This policy applies to all City employees following a disabling injury.

If it is determined that the employee can not return to regular work, the ability to accommodate the employee's permanent disability shall be evaluated and determined by the City.

Temporary Work Assignment Program

It is the intent of the program to attempt to provide temporary work assignments if available, until the employee is able to return to work.

Specific tasks may be assigned after the attending physician has reviewed them and released the injured employee for those duties. The physician may place restrictions on the temporary work as is reasonable and necessary.

The temporary job shall be limited to physical demands within the physician's restrictions. Efforts shall be made to assign work in the department and/or field or "class" of work that most closely relates to the employee's regular job, if such work is available.

Temporary work within the restrictions provided by the physician shall be assigned as available. All assigned tasks shall be meaningful, productive, and of value to the City.

Supervisors shall not change or alter any work assignment without prior approval by the physician. Employees shall return to their regular jobs when released for full duty by the physician.

In the discretion of the Program Monitor, a selection of light duty tasks normally part of the employee's regular job description and other available City positions may be combined to establish an eight hour shift.

Temporary Work Program Procedures

The Program Monitor shall be the current City Recorder or designee. All forms, temporary job descriptions, and records shall be maintained by the Monitor. The Monitor shall act as Liaison in contact with the employee, supervisor, and physician in coordinating the program.

After an injury, following completion of all necessary Worker's Compensation Insurance forms and the physician has determined the injury to be serious enough that the employee temporarily shall be unable to perform their regular job, a listing of proposed tasks which are available shall be prepared by the Department Head/Supervisor (supervisor), including estimated physical demands. Specific temporary tasks shall be considered in light of the employee's disability and availability of any such work..

The modified job description shall be given to the Program Monitor. The Monitor shall forward a copy to the attending physician for review.

If the physician has released the employee for temporary work, the employee shall be provided a detailed listing of the work assignment, as well as information about the employee's options, including information regarding the consequences should the employee decline the temporary assignment.

The employee shall sign the form and return it to the Program Monitor, who shall inform the supervisor in order that the work may be scheduled.

At each physician visit, or at least every 30 days, the employee's medical condition shall be evaluated to determine his/her medical progress toward return to the employee's regular job.

The temporary work assignment may be modified, as per the physician's instructions, as the employee's condition changes. If such a change is made, the Program Monitor shall obtain authority from the physician in writing and inform the employee and supervisor in writing, obtaining signatures from both before the work assignment tasks are changed.

Temporary Work Assignments may be terminated when:

- a) The work is no longer available,
- b) The attending physician determines the injured worker is not progressing medically toward a return to regular work, or
- c) The injured worker has been in the program for ninety days, or
- d) The injured worker obtains a full release for regular work.

Responsibilities: Employee, Supervisor, and Program Monitor

If the attending physician determines the employee's injury is serious enough to exclude the person from the Temporary Work Program, the employee's medical situation shall be evaluated weekly by the Program Monitor. The employee shall be required to have weekly contact with the Monitor.

The employee shall update the Monitor regarding his/her current medical situation and upcoming doctors' appointments. The employee shall inform the Monitor of any changes in his/her condition, and advise the Monitor of an estimated return date.

If the employee fails to contact the Program Monitor, one written notice shall be given to the employee by the Monitor. The second occurrence of a failure to contact may result in disciplinary action.

The Supervisor shall advise the Program Monitor of any complaints of the worker, and any problems with the employee's performance in the Temporary Work Program.

The Program Monitor is primarily responsible to work with the employee, the physician, and the Supervisor.