



**MID-COLUMBIA COUNCIL OF GOVERNMENTS
Board of Directors Agenda**

Tuesday, May 12, 2015

10:00 a.m.

MCCOG Boardroom – 1113 Kelly Ave, The Dalles, OR 97058

I. 10:00 a.m. **Call to Order**

A. Roll Call and Introductions.

B. Approval of [minutes from March 3, 2015](#) Board meeting.

II. 10:10 a.m. **Open Agenda**

(This time is set aside for the public and board members to introduce subjects NOT on the agenda). Persons invited by the Chair to speak to the Board shall state their name and address for the record. Their presentation will be limited to three minutes. The Board will take no action on the issue(s) presented until the next Board meeting, in order to give the Board time to research any matters or to decide upon a course of action. The time restriction is necessary in order to complete this meeting as published.

III. 10:15 a.m. **Action Items**

A. [Resolution 14-06, Sarah Brumbaugh](#)

B. [Revised Employee Handbook](#)

IV. 10:30 a.m. **Reports/Communications**

A. Executive Director Update

V. 11:00 a.m. **Adjourn**

Pursuant to ORS 192.660, the Board may enter into Executive Session during the meeting to discuss topics allowed. The meeting location is accessible to persons with disabilities. If you have a disability that requires any special materials, services, or assistance, please contact the Executive Assistant (541) 298-4101 at least 48 hours before the meeting.

Meyer acknowledges that Bob Futter has contacted Board and updated them about these issues; cross-training and technology. Knows they are working on those.

Smith states that this is a good stopping point. This is the problem; they are not communicating with each other. There's an advisory board made without knowing about it. Contractors upset because MCBCS doesn't know what's going on. If the Board would have been involved in this and been part of the process, they would be glad to do it. A review is always a good idea. But not having the chance to be part of the review creates the kind of turmoil that this is here.

Stone asks Smith about the formation of an advisory group; Commissioner Hege told Stone he has been trying to get MCCOG to form an advisory committee for a quite some time and potentially it may have even been voted down.

Multiple Board members respond that they do not recall any voting down. Meyer states that he doesn't recall the voting down of an advisory group. Smith agrees that he doesn't recall that either, Weimar agrees.

Smith says they have had discussions about an advisory committee and what they have done to form one. Says they have not voted down an advisory committee; have been looking for avenues for getting input.

Smith asks what the status of this is; can MCCOG be part of this so they can have the ability to answer some of the questions and have a greater opportunity to address these things?

Stone states that, for clarity, he is just facilitating this group. Mentions that he has specifically asked that question at the advisory committee; who are they missing for this committee. Question was asked if MCCOG should be involved and there was concern that if MCCOG was at the table, there would be a sense of defending their positions. States he will revisit this again with the group.

Smith states that he hopes they do. The duty of every Board member here is to make what we do better, not to defend old practices.

Meyer responds that he completely defends the right of Wasco County to do this. Perhaps the messaging got off track. But at the end of the day, the intent is for all involved parties to help each other out.

Stone says to look at it from a different perspective; maybe they are helping everyone out by doing this. If other counties would like to get involved, it's welcomed. Wasco County isn't out doing this to slap MCCOG down or other partner counties. They are doing this because they have an issue in the community surrounding building codes. The solution is to understand what those problems are and work toward fixing those.

Meyer asks Stone if he would at least understand that the Board feels a bit overlooked in this matter as the governing body of MCBCS. Notes that there is some interesting information mentioned by the committee, but there's this feeling amongst Board members, and in the general public, that this is Wasco looking for a way out of the BCS. Says he doesn't think Wasco County would be able to replicate it (MCBCS) at the end of the day for lower cost than it is operating currently.

Runyon responds that wasn't his goal. Mentions again that Stone had contacted John Arens about these issues. That Arens, rather than giving Stone a heads up—or Wasco Commissioners--showed up to read a letter into the record (at Wasco County). This is now a huge deal, which Wasco County didn't intend. This began as a simple request, an idea, so Wasco County had given their AO the authorization to do some research.

Smith mentions that Arens did contact him, the Board Chair, prior to presenting the letter. Smith said he agreed with Arens presenting the letter to Wasco County Commission to represent MCCOG; to involve MCCOG in some way with this process because this was after the decision was made (to form an

advisory committee). Arens presented Wasco County with the letter after--not during, or even before the decision to form a committee was made. They (Board) all have an interest in making this better.

Runyon asks the Board if they don't see Arens actions as the same thing (not bringing information to the table prior to acting).

Smith, Meyer, Weimar and other Board members respond no, that they do not think it's the same.

Smith says MCCOG Board is trying to be part of the conversation; not informing after. If MCCOG would've made a decision without Wasco County and then told them after it would be the same thing.

Runyon replies that they haven't made any decisions about any course of action or tearing anything apart or anything else. Feel they've had enough questions brought to them, some specifically that have been brought to MCCOGs Board table which were disregarded.

Smith states that they (MCCOG) never "tossed out" Mr. Leases questions; all of those had been addressed. They did not allow him to ask the same questions over and over, constantly. On record, MCCOG Board did not, under any circumstance, toss Mr. Lease out.

Runyon says if there are projects they (Wasco County) are involved in that are costing the agency, then they have to reevaluate that; maybe it goes back to the State? Right now they are just gathering information. If we (counties) are losing money on a particular program, that's something they have to discuss here.

Meyer states that's what the Board does; take on programs that they can't afford because they can only afford to do them regionally.

Runyon agrees that MCCOG does serve that purpose. But if MCCOG can't do it, can't break even, maybe they have to examine that.

Smith states, to wrap this up, MCCOG Board would love to be involved in this. Smith asks the Board if there is a consensus to ask Wasco County to be involved in a supportive way on this.

Stone replies that it's not Wasco County they should ask, it's the contractors.

Shaffer speaks; addresses Stone. Says his only problem with this is that Wasco County is the facilitator. Asks that contractors bring these issues to MCCOG Board, that this be what Wasco County recommend the contractors do.

McCoy states that Board has asked for these issues to come forward. They could have created a MCCOG sub-committee.

Shaffer states that he thinks that is what Contractors want to avoid; there may be fear of loss of freedom to initiate their concerns.

Stone replies that the opportunity was there over the last year and a half, but didn't materialize. As a result, it landed at Wasco's door. The contractors are very vocal and want to see improvements.

Pohl speaks. Thinks when it came to Wasco County, the response should have been to work with this Board to find a solution.

Smith tries to bring topic around. Asks for the end result; whether Wasco County invites MCCOG or not.

Stone says the full intent is to gather information and that they will bring that forward.

Runyon states that he isn't aware of any Commissioners being involved in advisory committee of Wasco County.

Smith states it sounds like Advisory Committees are not public. Are meetings publicly noticed?

Stone states that there was public notice.

Russ Brown speaks. Understands that contractors would feel more comfortable not “airing their dirty laundry” initially with MCCOG. Thinks MCCOG should be directly involved as they will ultimately be the solution.

Bod Futter speaks. He has worked with Building Codes staff for a long time, since long before 2007. Addresses concerns of contractors being afraid of retaliation by MCCOG. Says this is hearsay; not because of MCBCS staff.

Stone replies that he is not saying there is or isn't (retaliation).

Smith asks that, moving forward, MCCOG would like to be involved.

Smith asks for anything further on topic; hears none. Discussion moves to next topic.

C. Letter from State Building Codes Division to MCBCS

Smith asks Arens to present his letter.

Arens addresses Board. Reads letter he received from State Building Codes Division, dated March 2, 2015, in regard to a complaint received (in 2014) and potential investigation of MCBCS. Arens provides history of the process between State Building Codes and MCBCS in regard to this issue.

In summary, the State responded they do not have adequate staff resources to evaluate these loans or further this investigation. The division expects MCCOG will follow State law and appropriate general accounting principles when repaying these loans to MCBCS. Arens provides information on the loans discussed. In conclusion, after having reviewed all documents and information, the State is closing the investigation; the division will continue to provide oversight for Building inspection programs.

Arens will prepare a response to State explaining they did not take one of the proposed loans, and recommends they (MCBCS) contract with Friend & Reagan, for audit purposes, to ensure their finances are in place in regard to the loans. Will have Friend & Reagan confirm to State that all things are in place for clarification.

D. Executive Directors Compensation Package

Arens presents his compensation topic to Board. States that he has returned his company vehicle in an effort to reduce operational costs.

Smith mentioned this was discussed at the Executive Committee but wanted to make sure the full Board was aware.

Smith asks for any other items for the good of the order.

V. Adjourn

There being no further business to come before the MCCOG Board of Directors, the meeting was adjourned at 11:25 a.m.

Respectfully submitted by:

ATTEST:

Cecilia Lamas-Guiney, Executive Assistant

MCCOG Board Chair

[Return to top](#)

Mid-Columbia Council of Governments

Memorandum

To: MCCOG Board of Directors
From: Sarah Brumbaugh, Finance Director
Date: May 12, 2015
Subject: **Agenda Item, Resolution 14-06**

Discussion:

There are 5 agency vehicles to be removed from the Asset Listing of MCCOG.

- 2013 Ford Explorer.
This is the vehicle once afforded to the Executive Director (ED), relinquished by the ED as a cost saving measure, and used as a trade in with the purchase of a new Toyota Corolla (replaces the old '04 Subaru) for agency use.
- 2006 Subaru Outback.
This vehicle has lived its useful life and is disposed of before it begins having major mechanical issues and still retains some market value. The proceeds will go into the General Fund for future vehicle M&R.
- 2008 Ford Edge.
This vehicle has lived its useful life and is disposed of before it begins having major mechanical issues and still retains some market value. The proceeds will go into the General Fund for future vehicle M&R.
- 2011 Ford F150.
This vehicle was surplus with the retiring of the Building Official in the Building Codes (BCS) program. It is disposed of as a cost savings to the program before it begins having major mechanical issues and still retains some market value. The proceeds will be shown as revenue in the BCS fund.
- 2013 Ford Escape.
This vehicle was the victim of a mechanical issue and was destroyed by fire. The insurance coverage on this vehicle will be used to replace it.

Staff Recommendation:

Adopt Resolution 14-06, Asset Surplus.

Attached: Resolution 14-06
Asset Surplus Detail

*Mid-Columbia Council of Governments * 1113 Kelly Avenue * The Dalles, Oregon 97058
(541) 298-4101 * Facsimile (541) 298-2084*

Serving Wasco, Hood River, Sherman, Gilliam and Wheeler Counties

MID-COLUMBIA COUNCIL OF GOVERNMENTS

ASSET SURPLUS

RESOLUTION NUMBER 14-06

WHEREAS, The Mid-Columbia Council of Governments (MCCOG) is an intergovernmental entity formed under the authority of Oregon Revised Statutes, Chapter 190, consisting of the five counties of Wasco, Hood River, Sherman, Gilliam, and Wheeler; and

WHEREAS, MCCOG desires to surplus five vehicles totaling \$126,491.64 (Schedule A attached) and;

WHEREAS, MCCOG desires to have the fixed assets database comply with the Fixed Assets Policy;

NOW, THEREFORE, BE IT HERBY RESOLVED the MCCOG Board of Directors authorizes the surplus of these items in FY 2014/2015.

PASSED AND APPROVED this 12th day of May 2015.

Attest:

Michael Smith, Board Chair

Cecilia Lamas-Guiney, Executive Assistant

SCHEDULE A

MID-COLUMBIA COUNCIL OF GOVERNMENTS
ASSET SURPLUS DETAIL

VEHICLES								Potential disposal value
<u>Description</u>	<u>VIN #</u>	<u>MCCOG ID#</u>	<u>Purchase cost</u>	<u>Purchase date</u>	<u>Current condition</u>	<u>Disposal intent</u>		
1. 2013 Ford Explorer	1FM5K8D88DGA93972	1832	28,158.00	August-12	good	trade in or sale		24,000.00
2. 2006 Subaru Outback	4S4BP61C067300701	1900	11,340.14	January-10	fair	trade in or sale		7,000.00
3. 2008 Ford Edge	2FMDK49C188BA14494	1901	30,497.00	October-10	fair	trade in or sale		12,000.00
4. 2011 Ford F150 Pickup	1FTFX1ET1BFC07009	1826	26,918.31	July-12	fair	trade in or sale		15,000.00
5. 2013 Ford Escape	1FMCU9HXXDUB09616	1831	29,578.19	October-12	total loss	veh.totaled by CCIS		27,000.00 ins.pmt.
TOTAL ASSET BOOK VALUE:			\$ 126,491.64		POTENTIAL DISPOSAL VALUE:			\$ 85,000.00

[Return to top](#)

Mid-Columbia Council of Governments

Memorandum

To: MCCOG Board of Directors
From: Lynda Dallman & Cecilia Lamas-Guiney
Date: May 12, 2015
Subject: **Revised Employee Handbook**

Discussion:

Revised the Personnel Policy Manual; now titled the "Employee Handbook." Major changes are noted in the attached summary of changes.

Staff Recommendation:

Approve revised Employee Handbook.

Employee Handbook - Summary of Changes

Edits

- Reformat Table of Contents
- Change effective date of revision from April 2010 to April 2015 throughout document
- Spell out numbers one through ten, use numeric symbols for 11+

Recommendations

- Change title/scope of document from Personnel Policy Manual to Employee Handbook
- Expand audience from “supervisory and management personnel” to “employees,” “staff” and “team”
- Add requirement for employees to sign an Acknowledgement Form to confirm receipt of Handbook
- Replace “rules” with “guidelines” for compensation and classification
- Change eligibility requirement to **“unless business needs change, employees typically hold current position for a minimum of 12 months before transferring to a position in another department”**
- Substitute either “employees” or “positions” for “appointments” to describe employment classifications
- Replace “fringe benefits” with “leave benefits” **in section on leaves of absence**
- Replace “Personnel Action Reports” with “Personnel Action Forms”
- Replace “develop plans for career advancement” to “create plans for career development”
- Replace “tuition aid” with “tuition reimbursement”
- Replace “Part-Time Fill-In” with “Part Time on Call”
- Add “move to another salary grade with a higher range maximum” to define promotion
- Replace “freedom” with “non-work time”
- Require employee to notify supervisor if uncomfortable coming to work due to inclement weather
- State that MCCOG may require a second or third **medical** opinion to determine degree of disability/accommodation
- Describe dress code image as conducive to “productive, thorough and reliable provider of services
- State that suspicion of drug use may subject employee to “drug screening at MCCOG’s expense” **(see Transportation policy for additional requirements for drivers)**
- Remove requirement for Executive Director to authorize use of Employee Assistance Program
- Move Office Equipment Use information to Appendix II
- Replace “reprimand” with “warning” for purposes of disciplinary actions and processes; revise forms
- Remove mediation section, as no longer offered
- Add prohibition of “personal use of social networking” on MCCOG computers; allow set-up of agency-related social media accounts with prior approval from Directors.

Employee Handbook - Summary of Changes

Group Health

- Major re-write of section on Medical and Dental Insurance Coverage (see page 45)

Legal Requirements

- Add “citizenship” to list of legally-protected classes, change “sex” to “gender,” add “make reasonable accommodations” for addressing employees with disabilities and religious beliefs and add “jokes” to illustrate kinds of inappropriate/harassing remarks of protected classes
- Describe desirable workplace environment (“pleasant, safe and comfortable”) to remain free of harassment
- Add consequences that harassment “results in disciplinary action up to and including termination”
- Add Human Resources or Executive Assistant as contacts if there are complaints of harassment, needs for investigations of complaints or grievances, proposed disciplinary actions and/or reviews of involuntary terminations
- Substitute “comparable” for “similar” (transfers) and “lateral” to denote “same salary level”
- Add Oregon Family Leave Act (OFLA) where appropriate
- Add “cannabis” as prohibited substance for a drug-free workplace
- Add proof of current auto insurance as requirement **when using personal vehicle** for business travel reimbursement

TABLE OF CONTENTS

INTRODUCTORY STATEMENTS	3
<i>Purpose of Employee Handbook</i>	3
<i>Personnel Administration</i>	4
EMPLOYMENT/WORKPLACE POLICES.....	5
<i>Equal Employment Policy</i>	5
<i>Non-Harassment</i>	5
<i>Sexual Harassment</i>	5
<i>Affirmative Action Policy Statement</i>	7
<i>Meeting Participation</i>	8
<i>Religious Accommodation</i>	9
<i>Americans with Disabilities Act</i>	9
<i>Americans with Disabilities Act and/or Section 504 Grievance Procedures</i>	10
<i>Employment of Relatives</i>	10
<i>Recruitment and Selection Policy</i>	11
<i>Applicant Processing</i>	12
<i>Internal Job Posting</i>	12
<i>Employment Classifications</i>	13
<i>Service Dates</i>	14
<i>Employee Records</i>	16
<i>Performance Appraisals</i>	19
<i>Professional Development</i>	20
COMPENSATION POLICIES.....	22
<i>Employee Classification</i>	22
<i>General Hours of Work</i>	23
<i>Office Closure</i>	23
<i>Paydays</i>	24
<i>Loss of Paycheck</i>	24
<i>Overtime</i>	24
<i>Salary Administration</i>	25
<i>Salary Plan Administrative Procedures</i>	25
<i>Salary Adjustments Based on Classification Changes</i>	27
<i>Travel and Expense Reimbursement</i>	27
<i>Garnishments</i>	30
TIME-OFF BENEFITS.....	31
<i>Holidays Recognized by MCCOG</i>	31
<i>Vacation Leave</i>	32
<i>Sick Leave</i>	33
<i>Jury Duty and Witness Leave</i>	34
<i>Bereavement Leave</i>	34
<i>Inclement Weather</i>	35
<i>Leave of Absence Without Pay</i>	35
<i>Family Medical Leave</i>	35
<i>Leave for Victims of Domestic Violence, Sexual Assault or Stalking</i>	38
<i>Military Leave</i>	38
<i>Oregon Military Family Leave Act (OMFLA)</i>	38
<i>Federal Military Family Leave Act (FMFLA)</i>	38
GROUP HEALTH AND OTHER BENEFITS.....	39
<i>Optional Insurance Benefits</i>	39
<i>Medical and Dental Insurance Coverage Policy</i>	39
<i>Consolidated Omnibus Budget Reconciliation Act (COBRA)</i>	40
<i>Life, Accidental Death & Dismemberment (AD&D), & Long-term Disability (LTD)</i>	40
<i>Required Insurance Benefits</i>	40
<i>MCCOG Pension Plan (401(a))</i>	41

<i>MCCOG Deferred Compensation Plan (457)</i>	41
<i>Longevity Benefit</i>	41
<i>Cafeteria 125 Plan</i>	41
<i>Workers' Compensation</i>	41
EMPLOYEE CONDUCT	44
Code of Conduct	44
<i>Dress Code</i>	44
<i>Drug Free Workplace</i>	44
<i>Workplace Violence</i>	49
<i>Workplace Searches</i>	51
<i>Conflict of Interest</i>	52
<i>Restrictions on Political Activities</i>	53
<i>Outside Work Policy</i>	54
<i>Complaint Investigation</i>	54
<i>Whistleblower</i>	54
<i>Safety</i>	54
<i>Security</i>	56
<i>Technology Use Guidelines</i>	57
<i>Vehicle Use Policy</i>	57
SEPARATION, DISCIPLINE AND GRIEVANCES	59
<i>At-Will Termination Policy</i>	59
<i>Request for Two Weeks' Notice</i>	59
<i>Involuntary Termination</i>	60
<i>Payroll/Benefits Procedure</i>	60
<i>Voluntary Termination Policy</i>	60
<i>Layoff</i>	60
<i>Disciplinary Action</i>	61
<i>Grievance Policy</i>	62
<i>Grievance Procedure</i>	63
GLOSSARY	65

INTRODUCTORY STATEMENTS

This Employee Handbook sets forth the personnel policies and procedures that are to be followed by the Mid-Columbia Council of Governments (hereinafter referred to as MCCOG). It has been designed to serve as a reference and working guide for employees in the day-to-day workings of MCCOG's programs.

All of the statements contained herein are broad internal guidelines which the organization may, from time to time, change, at its sole discretion, as appropriate, with the exception of our policy on at-will employment, which may only be modified by a written agreement between an employee and the Executive Director. These written guidelines should increase understanding, eliminate the need for individual decisions on matters of organization-wide policy, and help ensure consistency throughout our organization.

Each and every member of our team is responsible for endeavoring to follow and/or administer MCCOG's policies in a consistent and impartial manner. The Executive Director is vested with the authority to interpret and effectively administer these policy guidelines. If confusion over a policy statement exists, employees should contact supervisors for clarification. We sincerely hope this Employee Handbook will prove helpful to staff and will thereby contribute to a general strengthening of our overall employer-employee relationship.

The policies set forth in this handbook are effective April 2015. They are intended to supersede any prior policy memoranda and/or policy statements.

Nothing in this Handbook should be construed as creating a contract between the Mid-Columbia Council of Governments and any employee, or a guarantee of employment for any specific duration. While it is hoped that MCCOG's employment relationships with the employees will be long-term, either the employee or MCCOG may terminate the employment relationship at any time, with or without cause or notice. It is also understood and agreed that no employee or representative of MCCOG has the authority to make any verbal promises, commitments, or statements of any kind at any time that are legally binding on the organization. Further, no Program Director or manager or representative of MCCOG, other than the Executive Director, has the authority to enter into an agreement guaranteeing employment for any specific duration or to make any exceptions to any policy or procedure. Further, no agreement entered into by the Executive Director shall be enforceable and no exception to this policy shall be recognized, unless it is in writing and signed by the employee and a duly authorized management representative as noted herein.

Purpose of Employee Handbook

This Handbook is intended to be a reference document, a source of answers for staff to a broad variety of questions. At the same time, it is recognized and understood that things change. The circumstances of the agency are dynamic in nature, and procedures will need to be modified over time to coincide with reality and changes in the law. The ongoing participation of staff and management of the organization is needed to keep adopted procedures relevant, current and meaningful.

All of the policies in this manual are intended as guidelines for working relationships between the employees and MCCOG. Modifications, supplements, or revisions may occur at MCCOG's discretion without prior notice. Employees will be advised in writing of changes that occur. These policies are not intended to be a contract of employment, nor a guarantee to any person to continue their employment for any specified length of service. As with any guidelines, exceptions may be made as appropriate for individual situations.

In the event that any provision of this Handbook is declared invalid by any court of competent jurisdiction, made illegal through enactment of federal or state law or through government regulations having the full force and effect of law, all other provisions not invalidated will remain in full force and effect.

The personnel policies and procedures detailed in this Handbook have been adopted in conformance with the bylaws of the MCCOG Board of Directors, the organization's legally empowered governing body; and they will remain in force except as modified by the Board.

Finally, this Handbook, while reasonably broad in scope, is by no means totally comprehensive. In some cases, guidelines or requirements are to be found in other documents. The employee will be held responsible for knowledge of its contents and will sign an Acknowledgment to confirm receipt of the Employee Handbook. This Acknowledgment will be placed in the employees personnel file.

Personnel Administration

Personnel Responsibilities

The MCCOG Board of Directors appoints, disciplines, reviews, and removes the Executive Director. The Executive Director shall be accountable to the Board of Directors for the administration of the business of MCCOG, including the management of a personnel system for the employment of staff as necessary to carry out the work of MCCOG. The personnel system shall be described in this document which the Executive Director shall keep current and make available to the management staff of MCCOG. Employees will be issued a copy of the Employee Handbook.

The Executive Director, as chief administrative officer of MCCOG, is responsible for the development, administration, maintenance and implementation of the personnel policy and procedures. Responsibility and authority to appoint, promote, transfer, demote, suspend and separate personnel are vested in the Executive Director. The Executive Director will also interpret and administer all policy statements of the MCCOG Board of Directors. The administration of these policies and procedures, however, may be delegated.

Development of Policies

The Executive Director will prepare and recommend policies or amendments to policies for the MCCOG Board of Directors as may be necessary to carry out the personnel program.

Adoption and Amendment of Policies

All policy statements and amendments developed as part of the personnel policies of MCCOG will be adopted by the MCCOG Board. Such policies, or amendment of policies, will become effective on the date of adoption by the MCCOG Board, unless otherwise stated.

Development of Procedures

The Executive Director will develop procedures as necessary to implement the personnel policies adopted by the MCCOG Board.

Modification to Strict Application

The Executive Director will have the power to modify the strict application of these personnel policies and procedures in any case in which a strict application would result in particular difficulties or unnecessary hardship. Such modifications will not violate any equal opportunity or affirmative action policy commitments.

Maintenance and Revision

The Executive Assistant will maintain a correct and updated master copy of the Employee Handbook. Each new employee will receive and sign for a copy of this Handbook upon employment. Replacement pages reflecting changes or an entire revised Handbook will be distributed to each employee in a timely manner.

EMPLOYMENT/WORKPLACE POLICES

Equal Employment Policy

It is the policy of MCCOG to provide equal employment opportunity to all employees and applicants for employment without regard to age, disability, race, color, national origin, citizenship, religion, gender, sexual orientation, veteran status, current or future military status, association with members of a protected class, marital status, injured worker status, non-supervisory family relationships, or any other protected class or work relationship, or any other class protected by federal or state law. MCCOG will make reasonable accommodation for disabilities and religious beliefs. In addition, it is the policy of MCCOG to comply with applicable state and local laws governing non-discrimination in employment in each locality in which MCCOG has employees. This policy applies to all terms and conditions of employment including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

In support of this policy, MCCOG expressly prohibits any form of employee harassment based on race, religion, sex, national origin, age, disability, or an individual's status in any class protected by applicable federal, state, or local law. Improper interference with the ability of our employees to perform their expected job duties will not be tolerated.

Non-Harassment

Title VII of the Civil Rights Act of 1964, ORS 659.030, and other state and federal statutes prohibit harassment on the basis of sex and other protected classes. This policy establishes MCCOG's commitment to providing all employees with a work environment that is pleasant, safe, comfortable, and free from harassment and other disrespectful and unprofessional conduct. MCCOG will enforce a zero tolerance policy prohibiting gender inappropriate and/or harassing conduct as a means of maintaining a work environment which is professional, respectful, and accessible to all employees.

This zero tolerance policy also extends to prohibition of harassment on the basis of race, age, religion, disability, marital status, national origin and other protected classes established by Oregon and federal statute. For the purpose of this policy, *harassment* is defined to mean behavior that is unwelcome or hostile, is personally offensive or intimidating, and/or fails to respect the dignity of co-workers and which is committed because of sex, gender, race, age, religion, disability, marital status, national origin or any other protected class established by Oregon or federal statute.

This zero tolerance policy prohibits not only harassment committed by coworkers, supervisors, Program Directors, administrators and elected officials, but also harassment committed by suppliers, vendors, grantees, contractors, subcontractors, independent contractors, service providers and other third parties which have interaction with MCCOG employees. Harassment of any sort-verbal, physical, or visual-will not be tolerated and will result in disciplinary action, up to and including termination.

Sexual Harassment

For the purpose of this policy statement, *sexual harassment* is defined to mean behavior that is unwelcome, is personally offensive and/or fails to respect the dignity of coworkers. This includes sexual advances, request for sexual favors, or other verbal or physical conduct which is of a sexual nature or is based upon gender and where submission to such conduct is made, or implied to be, a term or condition of employment and/or submission to, or rejection of, such conduct is used as a basis for employment decisions. Such conduct has the effect of interfering with an employee's work performance or creates a work environment which is intimidating, uncomfortable, or offensive.

Conduct

Examples of the types of conduct expressly prohibited by this policy include, but are not limited to, the following:

- Touching, such as rubbing or massaging someone's neck or shoulders, stroking someone's hair, or intentionally brushing against another's body;
- Sexually-suggestive touching;
- Grabbing, groping, kissing, fondling;
- Violating someone's personal space
- Offensive whistling;
- Lewd, off-color, sexually oriented comments or jokes;
- Foul or obscene language;
- Leering, staring, stalking;
- Suggestive or sexually explicit posters, calendars, photographs, graffiti, cartoons;
- Unwanted or offensive letters or poems;
- Sitting or gesturing sexually;
- Offensive email or voicemail messages;
- Sexually oriented or explicit remarks or jokes, including written or oral references to sexual conduct, gossip regarding one's sex life, body, sexual activities, deficiencies or prowess;
- Questions about one's sex life or experiences;
- Repeated requests for dates;
- Sexual favors in return for employment rewards, or threats if sexual favors are not provided;
- Sexual assault or rape;
- Any other conduct or behavior deemed inappropriate by MCCOG.

MCCOG will promptly and informally remedy or formally investigate all reports, complaints or incidents of alleged violations of this non-harassment policy its management becomes aware of, and will take appropriate corrective action in all cases of confirmed violations of this policy. Retaliation against employees who report, make complaints of, or provide information regarding harassment is prohibited by MCCOG.

Responsibilities

The Executive Director, Program Directors, and/or supervisors are charged with the responsibility of implementing, enforcing and making employees aware of the protections and procedures of this **zero tolerance** policy. Supervisors who become aware of conduct which may violate this policy and who do not take immediate action (either by informally remedying harassment or by reporting the conduct to the Executive Director) may themselves be subject to disciplinary action, including possible termination of employment.

The Executive Director is responsible for reviewing all instances of informal remedying of harassment, for providing oversight of the investigation and corrective action process, and coordinating appropriate training regarding harassment and retaliation protections and procedures.

Reporting Harassment

Employees have a shared responsibility with management to work consistently towards the elimination, correction, and prevention of harassment in the workplace. Employees who personally experience, witness or obtain knowledge of what they believe to be harassment are encouraged to report such incidents to any one of the following and need not proceed through the applicable chain of command:

- The immediate supervisor of the employee who is the victim or the harasser.
- The Program Director or supervisor of the department, division or work group of the victim or the harasser
- Human Resources and/or the Executive Assistant
- The Executive Director (541) 298-4101.

Reports or complaints may be made, and will be accepted, orally or in writing. Oral complaints will be written down by the person receiving it, who shall verify with the complainant or the person reporting the apparent harassment that the prepared statement accurately memorializes the report or complaint.

Retaliation Protection

Employees who feel they have been subjected to retaliation are encouraged to report any such retaliation to any of the aforementioned persons.

Informally Remediating Harassment

A written memorandum summarizing the resolution of the matter will be provided to the Executive Director. An immediate supervisor who becomes aware of conduct which may violate this policy has the authority and discretion to address the situation by counseling and issuing a verbal warning to the apparent harasser, upon obtaining prior approval from the Executive Director, who shall make an initial determination of whether the alleged conduct would violate this policy. If the immediate supervisor who becomes aware of conduct which may violate this policy decides not to informally remedy the harassment, then the information shall be forwarded to the Executive Director.

However, if the situation is not resolved to the satisfaction of the apparent victim, or if an additional incident is alleged to occur involving the same apparent harasser, then the report or complaint will be formally investigated.

Formal Investigation of Harassment and Retaliation

MCCOG, through its administration office, will promptly investigate all other reports or complaints of conduct which the Executive Director determines may constitute retaliation or harassment under this policy. The investigation will be conducted in a fair and expeditious manner. The Executive Director will make an initial determination of whether the reported conduct would violate this policy, and if it is appropriate for an investigation. If an investigation is deemed to be appropriate, then an investigator will be assigned. The investigation may include but is not limited to interviews of the apparent victim, alleged harasser, and identified witnesses.

The Executive Director may conduct an investigation with the assistance of Human Resources or outside counsel to protect the investigatory file to the maximum extent possible under the attorney-client privilege. The investigation will be private and confidential to the extent possible.

However, no employee is to be promised strict or absolute confidentiality. The complainant and/or victim will be informed whether the occurrence of the reported conduct was confirmed.

Corrective Action

Appropriate corrective action will be taken in the case of all violations of this policy that are confirmed after an investigation. After the investigation is completed, the responsible supervisor will confer with the Executive Director in determining what corrective action is appropriate. MCCOG also retains its authority and prerogative to take corrective action to address behavior which constitutes a violation of this policy. The complainant and/or the apparent victim shall be informed whether any corrective action has been taken. However, if after investigating any complaint of harassment or unlawful discrimination, MCCOG determines that the complaint is not bona fide or that an employee has provided false information regarding the complaint, disciplinary action may be taken against the individual who filed the complaint or who gave the false information. This may include disciplinary action, up to and including termination.

Affirmative Action Policy Statement

MCCOG hiring policies were established in conformity with Executive Order 11246, the Rehabilitation Act of 1973, and the Vietnam era Veteran's Readjustment Assistance Act of 1974, and their implementing regulations

of the Office of Federal Contract Compliance Programs (OFCCP). MCCOG's policy includes, without limitation, the following commitments:

- *To continue to provide Equal Employment Opportunity (EEO) to all qualified persons, and to continue to recruit, hire, train, promote, and compensate persons in all jobs without regard to age, disability, race, color, national origin, religion, sex, sexual orientation, veteran status, military status, association with members of a protected class, marital status, injured worker status, non-supervisory family relationships, or any other protected class or work relationship, in accordance with federal law, without regard to any individual's status protected by applicable state or local law.*
- *To identify and analyze all areas of its employment process so as to further the principles of EEO. Employment decisions in all areas will be made on the basis of furthering the objective of equal employment.*
- *To administer personnel actions in a nondiscriminatory manner consistent with the OFCCP's regulations and other federal equal employment law in areas such as compensation, benefits, transfers, layoffs and recalls, MCCOG sponsors activities such as education training, tuition assistance and social and recreational programs to ensure that no employees are discriminated against.*

Specific examples are listed below (*Recruitment and Selection, Promotion, Transfers, and Terminations*).

Recruitment and Selection

The recruitment and hiring of all personnel is accomplished without discrimination against any individual with regard to age, disability, race, color, national origin, citizenship, religion, gender, sexual orientation, veteran status, current or future military status, association with members of a protected class, marital status, injured worker status, non-supervisory family relationships, or any other protected class or work relationship. All employment requirements mandated by State and Federal laws and regulations are observed.

Promotion

Individuals may be upgraded and promoted to available positions on the basis of their abilities, skills, and experience. MCCOG will undertake good faith efforts to ensure that minority and women employees, disabled individuals, and covered veterans, who are qualified, as well as those who become qualified through training, are considered for promotion.

Internal Transfers

When vacancies occur, appropriate management personnel will make every good faith effort to effect transfers of qualified minority and women employees, disabled individuals, and covered veterans, into areas where such employees may have been or may now be underutilized. In making transfer decisions, the managers directly involved and other appropriate personnel will use good faith efforts to ensure that transfers are based on valid occupational qualifications.

Involuntary Terminations

Should reductions in MCCOG's work force become necessary, they will be based on non-discriminatory factors. MCCOG will review the personnel files of those persons affected to ensure that such factors have been utilized and will make every good faith effort to ensure that minorities, women, disabled individuals, Vietnam era and special disabled veterans, or any other protected class are treated in a non-discriminatory manner with respect to termination.

Meeting Participation

MCCOG does not take adverse employment action against employees who choose not to attend MCCOG sponsored meetings where MCCOG's "position" regarding religious or political matters, will be presented.

Religious Accommodation

MCCOG may provide reasonable accommodation for religious observances or practices of employees, unless providing the accommodation would impose an undue hardship on MCCOG; 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. 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 residential 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 impairment under the ADA.

Individuals who currently engage in illegal use of drugs or abuse of prescription 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.

MCCOG offers equal employment opportunities for qualified individuals who may have a physical or mental disability, but are still able to perform the essential functions of the job. Essential functions are defined as the fundamental, non-marginal duties of the position being held or sought by a disabled individual. 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 the function is so highly specialized that an expert must be specially hired to perform it.

Reasonable accommodation may be available to employees and applicants, as long as the accommodation doesn’t cause undue hardship for MCCOG. Individuals protected by the ADA should discuss their need for possible accommodation with their supervisor, the Executive Director or his designee.

Americans with Disabilities Act and/or Section 504 Grievance Procedures

MCCOG has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Americans with Disabilities Act (ADA) or the U.S. Department of Health and Human Services regulations. The Americans with Disabilities Act states, in part, “...no qualified individual with a disability will, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.”

The Rehabilitation Act states in part, “...no qualified individual will solely by reason of handicap be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

The MCCOG Executive Director has been designated the ADA/504 Coordinator to coordinate the efforts of the above named facilities and services to comply with the ADA and Section 504. A complaint should be in writing, contain the name and address of the person filing it, and briefly describe the action alleged to be prohibited by the ADA and/or Section 504. A complaint should be filed in the office of the ADA/504 Coordinator within a reasonable time after the person filing the complaint becomes aware of the action alleged to be prohibited by either or both regulations. The ADA/504 Coordinator, or that person’s designee, will conduct such investigation of a complaint as may be appropriate to determine its validity. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint. The ADA/504 Coordinator, or that person’s designee, will issue a written decision determining the validity of the complaint no later than 30 days after its filing. The ADA/504 Coordinator will maintain the files and records of MCCOG relating to complaints filed hereunder.

The ADA/504 Coordinator may assist persons with the preparation and filing of the complaints, participate in the investigation of complaints, and advise the MCCOG Board of Directors or their designee concerning their resolution. The right of a person to prompt and equitable resolution of a complaint filed hereunder will not be impaired by the person’s pursuit of other remedies, such as filing of an ADA and/or Section 504 complaint with the Office of Civil Rights of the Department of Health and Human Services. Utilization of this Grievance Procedure is not a prerequisite of other remedies. These rules will be liberally construed to protect the substantial rights of interested persons, to meet appropriate due process standards, and to assure MCCOG’s compliance with the ADA and Section 504 as stated above.

Employment of Relatives

It is the policy of MCCOG to hire the best qualified candidates for employment without regard to any individual’s status as a member of a protected group. It is necessary that MCCOG exercise sound business judgment in the hiring and placement of employees who are closely related, reside together as domestic partners, or are involved in relationships due to the potential for conflicts of interest in the working environment.

Decisions regarding the hiring and placement of relatives, domestic partners, and significant others will be made by MCCOG in a non-discriminatory manner on the basis of business necessity and in accordance with applicable law (ORS 659). The Executive Director, will be responsible for ensuring MCCOG’s compliance with applicable laws in this regard.

MCCOG’s objective in administering this policy is to avoid the creation of a conflict of interest or the appearance of a conflict of interest, avoid favoritism or the appearance of favoritism, and decrease the likelihood of sexual harassment in the workplace. Typically an employee is not placed in a position where he or she is supervising or being supervised by a relative, domestic partner, or significant other. Generally, no relative, domestic partner, or significant other of an employee should be hired to work within the same

department as the employee or in any other positions in which MCCOG believes a conflict or the appearance of a conflict of interest may exist. In addition, no such person shall hold a job while he/she serves on any board or committee of MCCOG if that policy-making body has direct authority to order personnel actions affecting the employees' job.

Employees in a supervisory-subordinate relationship or employed in the same department who marry while employed, reside in the same household as domestic partners, or become involved as significant others, will be treated in accordance with these guidelines. In cases of this kind, the following procedure will apply:

- The situation may be resolved by transferring one of the employees to a separate department or facility at the earliest practicable time. The transfer will be voluntary when possible.
- When a voluntary transfer is not possible, the Executive Director, in conjunction with the Program Director in charge of the department where the individuals are employed, will make the decision to transfer based upon the importance of each job, business needs, and the availability of candidates to fill either job. Every effort will be made to place transferred employees into positions that are comparable in terms of pay and status.

Definitions

Relatives - For purposes of this policy, a relative is defined as:

- A. spouse, any children of the employee or the employee's spouse, and brothers, sisters, half-brothers, half-sisters, wife, husband, son, daughter, mother, father, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, or parents of the employee or of the employee's spouse.
- B. also means ex-husband and ex-wife in circumstances involving children from the former relationship or other required continuation of the family relationship.
- C. domestic partner or one with whom an employee is sharing or has shared an intimate relationship, home and finances within the preceding twelve (12) months, or with whom an employee has children or other required continuation of a family relationship.
- D. "Member of the household" means any person who resides with the employee.

Recruitment and Selection Policy

The purpose of the recruitment and selection process for MCCOG is to ensure that all position vacancies are filled with qualified, competent individuals who are well-suited to perform the duties of the position for which they were employed. All vacancies will be filled by following this process and the guidelines on compensation and classification.

As specified in MCCOG's policy on Equal Employment Opportunity, it is the policy of MCCOG to provide Equal Employment Opportunity to all employees and applicants for employment regardless of any individual's age, disability, race, color, national origin, citizenship, religion, gender, sexual orientation, veteran status, current and future military status, association with members of a protected class, marital status, injured worker status, non-supervisory family relationships, or any other protected class or work relationship. All employment requirements mandated by State and Federal laws and regulations are observed. When a vacancy exists within the organization, MCCOG will endeavor to ensure that the recruitment process is handled in a non-discriminatory manner and that all current employees who, in the opinion of MCCOG, when qualified, are given consideration for existing vacancies.

Position Authorization

The Executive Director is authorized to hire all MCCOG Board-approved regular and part-time positions as budgeted and all non-approved temporary positions for up to 12 full calendar months. Non-approved temporary or regular positions lasting longer than 12 full calendar months will need MCCOG Board approval prior to the end of the 12-month period.

Temporary and Emergency Hire Positions

Temporary or emergency hire positions may be exempt from the internal or open competitive recruitment and selection procedures with the approval of the Executive Director.

Promotions and Internal Recruitment and Selection

The Executive Director has the authority to fill any vacant or new regular positions from within the agency with or without internal posting.

Applicant Processing

Recruiting

It is the goal of MCCOG to fill employment vacancies with the most qualified applicants, whether recruiting internally or externally. Available openings will normally be posted in accordance with MCCOG's policy on job posting. Job applicants will be considered on an equal basis for all positions without regard to age, disability, race, color, national origin, citizenship, religion, gender, sexual orientation, veteran status, current or future military status, association with member of a protected class, marital status, injured worker status, non-supervisory family relationships, or any other protected class or work relationship.

Internal Job Posting

It is our policy to always try to select the most qualified person for each available job; we recognize current employees' experience and familiarity with MCCOG as an important qualification, and we encourage current employees to apply for openings in which they are interested. Usually, employees must have successfully completed the six-month trial service period, and held current job for a minimum of 12 months, before transferring to a new position. To be eligible for transfer, the employee may not be under any disciplinary action.

Available job openings will be posted on MCCOG's website and designated bulletin boards at all MCCOG locations. Postings generally include the title, salary range, essential job functions, minimum hiring specifications, and closing date for filing applications.

Employees are responsible for monitoring job posting notices and for completing and filing an employment application packet during the posting period for any opening for which they are interested in being considered. Employees are not required to notify their supervisor when submitting an application for a posted position. However, if an employee becomes a serious candidate for the position, his or her supervisor will be notified prior to the completion of the application process for, among other things, a recommendation.

All internal applications submitted will be reviewed and all candidates who do not meet the requirements for the position (e.g., due to performance issues, lack of experience or education, etc.) will be screened out. All employees disqualified at this stage of the process will be notified verbally and/or in writing. Consideration for a position does not necessarily include an interview. The hiring authority will interview all qualified internal candidates selected for interviews as well as selected external candidates. The hiring authority will make the final determination regarding which candidate should be offered the position. The hiring authority will prepare and forward the successful candidate an offer letter, in accordance with MCCOG's policy on recruitment. The hiring authority will also notify all external candidates who have been rejected for the position. If the successful candidate is currently employed by MCCOG the employee's current and new supervisor will work to arrange a mutually agreeable starting date for the employee in the new position.

Applicant Recruiting Expenses

MCCOG normally does not pay expenses that an applicant incurs in interviewing.

Agency Fees

The Executive Director, or his designee, is responsible for all contacts with employment agencies, executive search firms, and other recruiting organizations and to negotiate appropriate agreements and fee schedules with such organizations to minimize recruitment costs. No supervisor is authorized to contact any recruitment source directly, regardless of whether the department is requesting a regular or temporary employee, without prior approval of the Executive Director.

Applicant Notification

After a candidate has been selected, an offer may be extended to the candidate contingent upon acceptable references, background checks, post-offer pre-employment medical examination (if required), drug screen (if required), and all other facets of MCCOG's pre-employment screening process. All final offers will be extended to candidates in writing.

Reference Checks and Criminal Background Checks

Reference and criminal background checks are conducted for each prospective new hire by the Executive Assistant. Any offer of employment extended a candidate is contingent upon verification of employment, acceptable references, and conducting a criminal background check.

I-9 Requirements

On the candidate's first day of employment, the hiring department will verify the identity and employment eligibility as required by applicable federal law. The MCCOG designee verifying shall review the documentation presented by the candidate, have the candidate sign the appropriate section of the I-9 form, and certify by also signing the I-9 form that the documents presented have been verified and appear authentic. Copies of these documents should be made at this time and attached to the I-9 form.

Employment Classifications

Regular Employees

Employees in positions with the duration in excess of 12 months, will be considered regular employees. Employees who have successfully completed their trial service period will be classified as regular employees.

Trial Service Employees

Initial (new hire) entrance to employment with MCCOG will be considered a trial service period for six (6) months; or positions made as a result of re-employment after 12 months of the date of separation.

Promotions

Employees promoted to new positions will be considered trial service employees for six (6) months.

Part-Time Employees

Part-time employees may be positions requiring someone to work under 30 hours per week. Part-time employees will be classified as regular employees unless designated as temporary.

Temporary Employees

Employees in positions of less than 12 months duration are classified as temporary. Temporary employees may be full or part-time, and will be designated as temporary at time of hire.

Re-Employment

The Executive Director may re-employ any former employee having trial service, probationary or regular status in a position within the classified service to a position in the same or similar classification within 12 months of the date of separation from MCCOG employment.

Changes Occurring after Entrance to Employment in Regular Positions

A promotion may occur when an employee is selected to fill a vacant position through an internal or open selection process. Voluntary demotion will occur when an employee makes a request in writing to the Executive Director for demotion from a position in one range to an available position in a lower range, or when MCCOG's position is such that staffing restructuring is deemed necessary. If an employee requesting a demotion is qualified for the position requested, the Executive Director will consider the request and make a determination. The employee's salary range will be adjusted downward to the range of the lower position at the step level equivalent to their current salary, but not to exceed the maximum step of that range.

Limited Duration Positions

The Executive Director may authorize limited duration positions. Limited duration positions may be subject to special studies or projects of uncertain or limited duration which are subject to the continuation of grant, contract or award. Such appointments may be for a stated period of time not exceeding 18 months. Employment benefits may be extended to individuals in limited duration, and typically based on a case-by-case negotiation with the Executive Director. Individuals in limited duration appointments will not be considered regular service employees, but they may receive salary increases based on performance. An individual accepting a limited duration appointment will be informed of the conditions of the appointment and acknowledge in writing that he/she accepts the appointment under these conditions. Limited duration appointments will terminate upon the completion of the appointing contract or may be terminated at any time the Executive Director determines it to be in the best interest of the agency to do so.

Service Dates

Date of Hire

The Date of Hire is the date of initial employment with MCCOG. It will be used for determining length of service with MCCOG and for determining the *continuous service date* for each employee.

Continuous Service Date

The *continuous service date* is the first calendar day of the first full month worked. Employees will receive credit for the first full month worked when initially appointed as a new hire if the effective date of the initial appointment is the first working day of the month. The date of hire will determine the Continuous Service Date.

Use of the Continuous Service Date

The continuous service date will be used for determining the commencement of leave accruals, insurance and eligibility for other employment benefits or provisions which are based on full months of service.

Adjustment of the Continuous Service Date

Employees who are on leave of absence without pay for more than thirty (30) consecutive calendar days will have their continuous service date adjusted by the total number of calendar days, rounded to the nearest full calendar month they are on leave. The continuous service date will not be adjusted if an employee is on Jury Duty or Military Leave, either with or without pay. Seasonal employees will have their continuous service date adjusted for their seasonal time off from MCCOG's employment.

Anniversary Date for New Hires

For new hires to a position, the anniversary date is determined by the initial hire date. If an employee is hired on the first (1st) through the fifteenth (15th) of the month, the first of the month shall be their anniversary date. If an employee is hired on the sixteenth (16th) through the thirty-first (31st), their anniversary date shall be the first day of the following month. This anniversary date is used to determine the six-month trial service period.

Anniversary Date for Regular Employees

The anniversary date will be the first of the month following completion of the six-month trial service period, and annually thereafter.

Anniversary Date for Promoted Employees

The Anniversary Date for promoted employees will be the first of the month following completion of the six-month trial period, and annually thereafter.

Adjustment of the Anniversary Date

An employee's anniversary date will be adjusted as a result of a change in the employee's continuous service date.

Restoration of Service Credit on Return from Layoff

A regular status employee who has been recalled from layoff in a period of twelve (12) months or less from the layoff date will have all prior service restored. The continuous service date will be adjusted by the total number of calendar days, rounded to the nearest full calendar month he/she was not employed by MCCOG.

Trial Service Period

As a new employee, you are hired into a trial service training period of six (6) full months. The trial period is an extension of the employee selection process. During this period, you are considered to be in training and under observation and evaluation by your manager. Evaluation of your adjustment to work tasks, conduct and other work rules, attendance and job responsibilities will be conducted during the trial period. This period gives you an opportunity to demonstrate satisfactory performance for the position, and also provides an opportunity to determine if your knowledge/skills/abilities (KSAs) and the requirements of the position match. It is also a chance to decide if we meet your expectations as an employer.

At the end of the trial period, a decision about your employment status will be made. If you successfully complete the introductory period, you may be moved to regular status. If your KSAs border on satisfactory but fall short of expectations, the introductory period may be extended if there is reason to believe that your KSAs will improve within a reasonable amount of time. If expectations are not met or demonstrated, and/or KSAs are not satisfactory, it is unlikely that employment will be continued.

Employment may be terminated at any time and for any reason during this period at the discretion of the Executive Director, should either party regard it as necessary or appropriate. Completion of the trial period does not alter the "at will" employment relationship. Employees will accrue, but not be eligible to use vacation leave benefits during this period, unless specifically agreed upon in advance by the manager or Executive Director.

Duration

All new hire appointments and all promotional appointments will be tentative and subject to a trial service (for new hires) or probationary (for promotional appointments) period of six (6) full months of actual service. Any interruption of service during the trial service or probationary period will not be counted as part of such period.

Re-Employment

Re-employment after 12 months of the date of separation will be considered a new hire appointment.

Re-employment within twelve 12 months of the date of separation will require only the completion of the initial six (6) months trial service, if not earlier completed.

Extension of Trial Service Period

The trial service period may be extended for any length of time up to six (6) months beyond the normal six months trial service period if it is determined that an employee is performing at a less than satisfactory level. Regular status and merit increases will be withheld until successful completion of the required trial service period as extended. If an employee is unable to attain a satisfactory level after this extension period, they may be terminated.

Employee Requested Transfer

An employee who has requested transfer to another position prior to the completion of their six (6) month trial service, may be required to complete another six (6) month trial service in the new position. Employees transferring into another position cannot be guaranteed a return to their previous position if that position has been filled.

MCCOG Requested Transfer

An employee who is transferred to another position, at the convenience of MCCOG, prior to completion of their six (6) month trial service may be allowed to complete what remains of their six (6) month trial service period in the latter position. Employees transferring into a new position cannot be guaranteed their previous position if that position has been filled.

Reinstatement During Probationary Period

A probationary employee serving as a result of promotion, who fails to qualify in the new position for reasons other than disciplinary, and who was a regular employee immediately prior to this promotional appointment, will be reinstated to the employee's former position if available, or the policies governing layoff may be initiated.

Removal During Trial Service Period

At any time during an employee's trial service period to the agency, the Executive Director may demote, layoff or remove an employee for any reason.

Leave Benefits

All full-time employees who work 30 or more hours per week, either trial or regular status, are eligible to accrue leave benefits (sick, vacation, personal leave, etc.). Part-time employees are not eligible for leave benefits.

Insurance Benefits

All full-time employees are eligible to enroll in MCCOG's health/dental/vision insurance program. Insurance benefits begin on the first day of the employee's first full month of employment.

Termination While on Trial Service Status

An employee terminated while on trial service status will lose all accumulated benefits and leave time, except vacation time. No payment will be made for unused benefits, except vacation leave.

Employee Records

MCCOG maintains personnel files for each employee. The personnel files document all aspects of an employees' tenure with MCCOG, facilitating decisions about transfers, promotions, compensation, and other personnel activities.

Attendance Reports and Records

Employee payroll records including time, attendance and leave taken, will be maintained in a separate file with the Finance Department, rather than in personnel files. Individual employees and their supervisors may inspect their records by making a request to do so with the Finance Department.

Personnel Action Forms

Every appointment, transfer, promotion, demotion, separation, change of salary rate, and other temporary or permanent change of status of employment status will be documented in writing. All actions will require the approval of the Executive Director.

Access to Personnel Records

An employee may view their personnel files during regular office hours. Upon **written** request of the employee, copies of materials included in such files will be furnished within a reasonable time, the cost of which will be paid by the employee at the current cost to MCCOG.

Supervisors and Program Directors will have access to the files of their subordinates. The Executive Director, or his designee, will have access to all personnel files for the purpose of carrying out necessary personnel transactions. The Executive Assistant will be responsible for the clerical tasks associated with maintaining employee personnel files and will be responsible for the establishment of such files. Supervisors and Directors will not remove personnel files from MCCOG property without the prior consent of the Executive Director.

The MCCOG Executive Committee may also have access to review specific personnel files in the performance of settling a grievance as provided for herein; or by the MCCOG Board of Directors or Executive Committee in the review of other actions relating to a specific MCCOG employee. Individual MCCOG Board members will not have access to employee personnel files.

Entry of Material to Files

The Executive Director, or his designee, will routinely place, or have placed, all official documents relating to an individual's employment history with MCCOG in the employee's personnel file. Examples include:

- Performance appraisals;
- Letters of hire;
- Letters of promotion or demotion;
- Application form for initial employment;
- Copies of all disciplinary actions (including verbal reprimands); and
- Other materials deemed relevant to an individual's employment history as determined by the Executive Director

No material that reflects critically upon an employee will be placed in an employee's personnel file without the employee's knowledge. Supervisors may be required to submit material to be included in an employee's personnel file to the Executive Director for review. The Executive Director must approve all non-routine materials submitted for inclusion in an individual's personnel file, and the employee the material relates to must be advised immediately of its inclusion.

An employee may submit a written rebuttal to any material entered into their file which they feel reflects poorly on their employment history with MCCOG. Such rebuttal must be made within five (5) working days of the employee's initial knowledge and will be attached to the material objected to and will become a permanent part of the file so long as such material remains in the file. Rebuttal to a performance evaluation must be made within five (5) working days of the date reviewed and signed by the employee. No copy of a personnel discipline action that has been communicated orally or in writing to the employee and subsequently reduced in severity or dismissed through grievance or other personnel process will be placed or otherwise retained in the personnel file of the employee, unless agreed to by the Executive Director and the employee. A copy of the revised disciplinary action will be placed in the employee's personnel file.

Removal of Materials

Once materials have been entered into an employee's personnel file, they will remain with the contents of the file permanently.

Background Screening

MCCOG stores background screening information in access-protected files. This file is not considered part of the employee's personnel file, so it is not available to employees for review.

Change in Personnel Data

Because personnel records are used to administer pay and benefits, and other employment decisions, employees are responsible for keeping information current regarding changes in name, address, phone number, exemptions, dependents, beneficiary, etc. Keeping your personnel records current can be important to you with regard to pay, deductions, benefits and other matters. If you have changes in any of the following areas, please notify the Executive Assistant to assure that the proper updates/paperwork are completed as quickly as possible:

- Name
- Marital Status/Domestic Partnership (for purposes of benefit eligibility)
- Dependents
- Person to be notified in case of emergency
- Other information having a bearing on your employment
- Address
- Telephone number
- Tax withholding

Medical Records

Federal laws and the laws of most states require that medical records be maintained by employers in separate confidential files. In this connection, all medical-related records shall be maintained in separate confidential files. For purposes of this policy, medical records include but are not limited to the following documents:

- Post-offer pre-employment medical exam results;
- All medical exam results on current employees;
- Documents gathered in connection with considering accommodations for employees under the Americans With Disabilities Act and applicable state non-discrimination statutes;
- Leave of absence request forms and medical certification information obtained in connection with an employee's request for a family and medical leave for a serious health condition for an employee or an employee's covered family member;
- Any notes from an employee's physician supporting any sick time off; and
- All other records of a medically-related nature.

Drug-Testing Records

Although federal laws generally consider drug-test records not to be a medical record, certain state laws hold otherwise. In this connection, MCCOG will treat drug-related records in the same manner as medical records and retain them in an employee's medical file.

EAP Records

EAP-related records, whether medical in nature or otherwise, will also be maintained in the employee's medical file.

File Access

Documents under restricted access may only be released to the Executive Director, or his designee.

File Retention

Federal regulations require that an employer must keep for a minimum of one (1) year any records that relate to any employment decision including:

- Applications for employment;
- Resumes;
- Test results;
- Orders to employment agencies or other organizations for recruitment purposes;
- Copies of newspaper advertisements;
- Records and memoranda relating to promotion, transfer, demotion, selection for training, layoff, recall, or termination; and

- U.S. Immigration Services Form I-9 (retain for three (3) years, or one (1) year following termination of employment, whichever is longer).

Legal Action

In the event an action is brought against MCCOG under Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Americans With Disabilities Act, the Fair Labor Standards Act, the Equal Pay Act, or any other law, the records subject to the action must be retained until final disposition of the case. Personnel files for all terminated employees shall be retained for a minimum of six (6) years.

Performance Appraisals

It is the policy of MCCOG to review the work of each employee regularly to ensure the employee is meeting the performance standards of the particular position to which they are assigned. The objectives of the performance evaluation are:

- To recognize progress and accomplishments in assigned work;
- To measure employee progress in developing skills;
- To identify needs for improvement in job performance;
- To help the employee develop to full capacity;
- To create plans for career development;
- To provide specific ways to help the employee address identified needs, e.g. workshops, further education, consultation, reading, etc.
- To use as a basis for lay off, retention or termination decisions; and
- To use as a basis for merit pay increases, satisfactory completion of the trial service or promotion probationary period.

Performance Evaluation Ratings

The Executive Director will maintain a system of performance evaluation ratings designed to give a fair evaluation of the work performed and the efficiency and effectiveness demonstrated by the employee in meeting their job responsibilities. Evaluations will be in writing and may contain an overall rating based upon the material contained in the written evaluation.

Use of Performance Evaluations

The performance evaluation will become a part of the employee's personnel file and may be used as a factor in determining promotion, demotion, layoff, termination, salary increases, and satisfactory completion of the trial service or promotion probationary period.

Withholding of Salary Increase

A Supervisor may use the performance evaluation as a basis for recommending to the Executive Director the withholding of scheduled salary increase due to a less than satisfactory overall performance rating.

Termination or Transfer

The Executive Director may use the performance evaluation as a basis for termination or transfer due to an unsatisfactory overall performance ratings. An employee may be terminated if overall performance rating is unsatisfactory at any one evaluation; or some deficiencies evident for two (2) consecutive evaluations.

Probation

An employee must receive a rating that demonstrates that their work meets standards to pass from trial service employee to regular status or from promotion probation to regular status.

Frequency of Evaluation

The Executive Assistant will develop an evaluation schedule indicating dates, employee names, evaluators, and give to the Program Directors & the Executive Director.

- New employees will be evaluated prior to the end of the trial service period.
- Promoted Employees will be evaluated prior to the completion of their probationary period.
- Regular employees will be evaluated at least once annually.
- Temporary employees working more than six months will be evaluated as if they were new regular employees.

This is a minimum policy for frequency of evaluation and will not preclude evaluations to be made more frequently than detailed if circumstances prove necessary.

Performance Evaluation Process

Prior to the Performance Appraisal due date, the employee will be given the Goal-Setting Action Worksheet and a sample of pages 2-3 of the Employee Performance Review form (along with scoring explanation) for self-evaluation. These are to be completed by the employee and provided to the supervisor prior to the Performance Appraisal appointment.

The supervisor will complete the appropriate sections of the official Employee Performance Review to bring to the appointment.

The supervisor and employee will meet to discuss the results. They will discuss goals for the coming year. Using the Goal-Setting Action Worksheet completed by the employee, the supervisor and employee, together, will complete the “Plans for Improvement/Goals for Next Year” portion of the Employee Performance Review (on page 4).

When the evaluation appointment is done, the employee will have the opportunity to take the Employee Performance Review, with a copy retained by the supervisor. The employee will be given up to five working days to add their comments. The employee may add comments, if desired, to page 5 and will sign the Employee Performance Review.

The employee will return the Employee Performance Review to the supervisor and may choose to review their comments with the supervisor.

The supervisor will submit the Employee Performance Review to the department head for further review.

The department head will have the opportunity to add comments in the box added to the Employee Performance Review form on page 7. This will be especially appropriate if the employee has chosen to add comments. The department head will sign the Employee Performance Review and forward it to the Executive Director for signature.

Once the Employee Performance Review is signed by the Executive Director and Human Resources, the Executive Assistant will provide a final copy of the Review, in its entirety, to the employee.

Performance Evaluation Responses

Performance evaluations are a permanent part of an employee’s personnel file. If an employee disagrees with a performance rating, they may file a response. This response will be included in the personnel file. Such response must be filed no later than five working days following the date reviewed.

Appeal of Performance Evaluation

Performance evaluations are permanent and not subject to the grievance process.

Professional Development

Professional associations enable a person to mingle with their peers, keep up-to-date with trends, technical information, new rules and regulations, and provides the opportunity to maintain one’s managerial and professional skills through offered trainings, workshops and other means. Membership is usually reserved for the individual. Therefore, the selected professional association must directly relate to the position one holds; and the information one receives or the knowledge gained must help that person improve their position responsibilities with MCCOG. Further, the association must not discriminate on the basis of gender, age, race, etc.

General Training Activities

Depending on the availability of funding, MCCOG will encourage and promote training opportunities for employees and supervisors to the end that services they render may be made more effective. The Executive Director will encourage the development of training programs designed to meet personnel needs and to prepare employees for promotion to positions of greater responsibility.

Authorized Travel and Conference Attendance

Authorized expenses will be paid by MCCOG for an employee whose attendance at a conference has been authorized when such conference is held at a location other than the employee's job location.

Educational Assistance

Tuition aid is defined as full or partial payment or reimbursement for the costs of training sessions, classes or formal academic course work pursued on a full or part-time basis either during or after normal working hours.

When as part of a MCCOG training plan, an employee or group of employees are assigned to, or encouraged to attend on a full or part-time basis, designated courses either during or after regular working hours, the employee will be reimbursed for all or a portion of the costs of the course, registration and necessary travel expense. Actual in class and travel time, as outlined by BOLI, but not study time will also be paid for, subject to overtime, weekly balancing, compensatory time or exemption from overtime rules provided herein.

Depending on the availability of funds, tuition reimbursement may be provided to employees who successfully complete classes of their own choice when such training will also be relevant to their position at MCCOG. No reimbursement for travel time and costs or for in class time will be provided. An employee may request leave without pay for classes during working hours, subject to overtime, weekly balancing, and compensatory time. Requests for tuition reimbursement or leave without pay will be submitted in advance of enrollment and must be approved by the Executive Director and the respective Program Director. Tuition reimbursement will be paid on the basis of a class grade equivalent to a 'C' or better and the availability of funds.

Dues

Expenses paid by MCCOG for individual membership dues in professional associations and service clubs should be based on the merits of the organization and to the anticipated benefits to be received by MCCOG. Budget permitting, MCCOG will pay for no more than one membership per employee. An association having both national and state chapter affiliations is considered to be one membership. All memberships will be approved by the respective Program Director and Executive Director, with additional memberships to be approved by the Executive Director.

Involvement

Expenses for association involvement will be limited. MCCOG will not pay for national conference attendance, unless it can be shown to have a direct benefit to MCCOG. Meetings within Oregon are usually more relevant and acceptable. However, attendance at such meetings should be limited, i.e., much more time and expense is required by being a board member or an officer, than merely attending an occasional meeting as an interested member. Therefore, budget permitting, MCCOG will pay for relevant meetings/training sessions. Additional involvement time and expenses will be borne by the individual. All in-state involvement expenses must be approved by the respective Program Director and Executive Director. All out-of-state involvement expenses must be approved by the Executive Director.

Agency Associations

Membership in agencies/associations by MCCOG and the agencies under its supervision, versus individuals, directly benefit MCCOG and its programs. Examples of such memberships include: Chambers of Commerce, CEDO, MCEDD, ORCA, NARC, LOC, LGPI, NAAAA, OETA, E&T Directors Association, AAA Directors Association, COG Directors Association, etc.

Accordingly, budget permitting, payment of fees, time and expenses for involvement will be provided, so long as no conflict of interest or major time is required which enables MCCOG programs to suffer. All in-state involvement expenses must be approved by the Program Director and Executive Director. All out-of-state involvement expenses must be approved by the Executive Director. Priority involvement in organizations by individuals will be in agency associations followed by relevant professional associations, when time or funding are limiting factors.

COMPENSATION POLICIES

Employee Classification

It is the policy of MCCOG to ensure that all employees are classified appropriately for the purpose of determining uniform standards for benefits eligibility, conditions of employment, and compliance with applicable wage and hour laws. All employees will be classified in to one of the following categories:

Exempt Regular Full-Time Employees

This is an employee working 30 hours or more per week on a regular basis. Exempt regular full-time employees are those employees scheduled to work MCCOG's established normal work week on a regular basis and who are excluded from the overtime pay provisions of applicable wage and hour laws.

Non-exempt Regular Full-Time Employees

This is an employee working 30 hours or more per week on a regular basis. Non-exempt regular full-time employees are those employees scheduled to work MCCOG's established normal work week on a regular basis and who are eligible for overtime pay in accordance with the overtime provisions of applicable federal and state wage and hour laws.

Non-exempt Regular Part-Time Employees

Non-exempt regular part-time employees are those employees scheduled to work less than 30 hours per week on a regular basis. Non-exempt regular part-time employees are eligible for overtime pay in accordance with the overtime provisions of applicable federal and state wage and hour laws.

Temporary Employees

Temporary employees are employees whose full-time or part-time services are typically needed for only a short period of time (for example, less than 90 days). Temporary employees may be classified as exempt or non-exempt depending upon their job responsibilities. Temporary employees are generally not eligible for benefits unless so authorized by the Executive Director. Temporary employees are paid via MCCOG's normal payroll system.

Limited Duration

Limited duration employees are full-time or part-time employees working on special studies or projects of uncertain or limited duration which are subject to the continuation of grant, contract or award. Limited duration may be for a period of time not to exceed eighteen (18) months and may be included in the unclassified service. Employment benefits may be extended to individuals in limited duration; typically, benefits will be offered based on case-by-case negotiation with the Executive Director. Individuals in limited duration appointments will not be considered regular service employees, but they may receive salary increases based on performance. Limited duration employees are paid via MCCOG's normal payroll system.

Part-time, On-call Employees

Part-time, on-call employees are defined as employees who work irregular hours on an on-call basis for an hourly wage (building inspectors for example).

General Hours of Work

Work Week: The regular work week for full-time employees consists of 37.5 hours. MCCOG's designated work week begins at 12:01 a.m. on Monday and ends at 12:00 a.m. on Sunday.

The hours for part-time regular employees, temporary employees, agency workers, and leased workers will be arranged by department management based on the work load in each respective department. The daily and weekly work schedules and the number of hours per day and per week to be worked may be changed from time to time by MCCOG to meet the varying conditions of the business. Changes in work schedules will be announced as far in advance as possible. However, the work week as described above, shall remain constant as Monday thru Sunday.

Work Day

MCCOG's standard office hours for all employees are from 8:30 a.m. to 5:00 p.m. The regular work day consists of 7.5 hours for full-time employees. Any other work schedules must be approved by the Program Director(s) and acknowledged by the Fiscal Director.

Lunch Break

Employees will be allowed one (1) unpaid hour for lunch, normally between the hours of 11:30 a.m. and 1:30 p.m., but not later than five (5) hours and 1 minute after reporting for work. A shorter unpaid lunch break of not less than 30 minutes may be taken if scheduled as part of a flexible time plan with the approval of their supervisor. The elimination of a lunch break in order to leave work 1 hour early is not permitted. A supervisor may assign a specific lunch period to an employee between the hours of 11:30 a.m. and 1:30 p.m., for the convenience of the public, co-workers and office productivity.

Rest Break

Employees will be entitled to a paid 15 minute break in the morning and again in the afternoon. Breaks may not be accumulated, nor used to reduce the hours worked, and will be arranged with their supervisor.

Attendance

Employees will not be absent from work for reasons other than those in this personnel manual. Unless prior arrangements are made with their supervisor, an employee who for any reason fails to report to work must make a sincere effort to immediately notify his or her supervisor of the reason for being absent. If the absence continues beyond the first day, they will notify the supervisor on a daily basis unless other arrangements have been made. Any unauthorized absence from work will be deemed absence without pay and may be cause for disciplinary action up to and including termination. Unauthorized absence for three consecutive days will be deemed employment abandonment, and cause for immediate termination.

Employees are required to maintain an accurate semi-monthly time sheet and submit it to the appropriate supervisor for review. Time sheets will be submitted to supervisors by the first working day following the end of the pay period.

Office Closure

If adverse conditions result in the offices of MCCOG being understaffed, the office may be closed to the public. Employees will have the responsibility of judging their own level of comfort and safety in attempting to report for work. If their decision is to not report for work, the employee must notify their supervisor and utilize vacation leave prior to the use of leave without pay for the absence. To obtain current office status of public access, call The Dalles main phone number (541-298-4101, ext. 600 or toll free 800-831-8217, ext. 600) after 7:00 a.m.

Paydays

All employees will be paid semi-monthly by the tenth (10th) and twenty-fifth (25th) of each month. Time sheets will be submitted to supervisors by the first working day following the end of the pay period. These time sheets will then be routed through the respective Program Directors for approval, with final submission to the Finance Department.

Emergency draws, not to exceed two (2) times per year, may be permitted if requested in writing and approved by the Program Director up to the amount of \$200 or fifty percent (50%) of gross wages already earned to date, whichever is greater. The draw amount will be considered to be secured by any accrued vacation time owed to the employee. In the event of termination of employment prior to the full repayment of the draw, the amount owing will be deducted from the accrued vacation dollars owed to the employee.

If an employee authorizes a person other than themselves to receive their paycheck, written notice must be given to MCCOG detailing the pay period affected and the name of the person picking up the check. This information must be received from the employee before the check will be released.

Loss of Paycheck

In the event an employee's paycheck is lost or stolen, it should be reported to the finance department immediately. Upon receipt of this information, the finance department will endeavor to put a stop payment notice on the check. MCCOG will issue the employee another paycheck by the next scheduled paycheck run. Unfortunately, if MCCOG is unable to stop payment on any such check, the employee shall be responsible for any loss incurred.

Overtime

It is the general policy of MCCOG that all work by non-exempt employees shall be completed, in-so-far as possible, during the regular work day. However, conditions may arise from time to time which may necessitate overtime being worked by such employees. In such instances, overtime will be paid as outlined herein. While compensating employees for overtime, MCCOG will ensure compliance with all federal and state regulations regarding overtime pay. Employees may be requested to work overtime by their supervisors. MCCOG will endeavor to provide employees with as much advance notice as practical under the circumstances giving rise to the need for such overtime work.

Non-exempt Employees

Non-exempt employees will be paid at their regular hourly rate of pay (i.e. straight time) for all hours worked up to and including 37.5 hours in each work week, and at the rate of time and one-half (1-1/2 times) their regular hourly rate of pay for all hours worked in excess of 37.5 hours in each work week. Authorization to work overtime must be received prior to working the overtime. Failure to obtain permission may result in disciplinary action, up to and including, termination.

An election to take compensatory time off or receive payment for overtime must be made on the Overtime Hours Claim Form, and must be approved by the immediate supervisor. No payment for overtime will be approved if sufficient funds are not available. Compensatory time off must be taken within the current or following month.

Compensatory time received by an employee in lieu of cash must be at the rate of not less than one and one-half (1 1/2) hours of compensatory time for each hour of overtime worked, just as the monetary rate of overtime is calculated at the rate of not less than one and one-half (1 1/2) times the regular rate of pay.

Computing Overtime

Paid sick leave, vacation time, and all other paid time off will not be considered as time worked for purposes of computing an eligible employees' overtime pay.

Waiting Time

Non-exempt employees who report for and are available to begin working at their normally scheduled starting time, but who are required to wait by their supervisors before actually commencing work, will be paid for their waiting time. Also, non-exempt employees who are required to wait at any time during the work day for additional work will also be paid for such waiting time. Waiting time will not be paid, however, to any non-exempt employee, where the employee is relieved of his or her duty for a definite, specified period of time, is allowed to leave the job, and is free to use the period for which he or she is relieved of duty as he or she sees fit.

On-Call Pay

From time to time, employees may be required to remain on call by MCCOG, (i.e., the employee, although off duty, must remain on standby and be ready to report for work when called in by MCCOG). Exempt employees do not receive any additional compensation while on call. The determination regarding whether any non-exempt employee who remains on call will be paid for such time, will be based on the amount of non-work time the employee enjoys while on call. For example, how quickly will the employee be required to report for work if called in, whether the employee will be required to remain at home awaiting a call from MCCOG, and so on.

Salary Administration

To attract and retain well-qualified personnel, it is the policy of MCCOG to endeavor to pay salaries and provide benefits competitive with those paid by other organizations in the geographical areas surrounding our facilities and within the industries in which we compete. An employee's compensation will not be affected by any non-job-related characteristics such as race, gender, national origin, age, disability, or any other unlawful criteria. An employee's salary may be correlated with an employee's overall job performance, conduct, attitude, and demeanor. Administration of MCCOG's compensation program may include but is not limited to the factors listed below.

Salary Review

A salary review is an analysis of an employee's salary, including any necessary comparisons, (e.g., to market data for comparable positions, departmental salaries for internal equity, etc.) to determine if salary action is appropriate. A review may lead to an increase, but an increase is not always the result.

Salary Increase

A promotion is an addition to an employee's salary which results in a move to another salary range with a higher range maximum.

Performance Appraisal Review

A performance appraisal review is the process of analyzing and documenting an employee's job performance. The performance appraisal does not affect the date of the salary review, and the appraisal may be conducted at a separate time, as long as it is conducted within the frequency outlined by MCCOG policy.

Salary Plan Administrative Procedures

New Hires

New employees are placed at the minimum step within the assigned range unless special qualifications or labor market conditions justify placement above that level. In no instance should employees be placed above the range entry step on the basis of specialized skills or experience or unique labor market conditions, without Executive Director and/or MCCOG Board approval. Placement of promoted employees will depend on the employee's current salary and the salary range of the new position.

Regular Full-time and Regular Part-time Procedures

The following procedure will be used with regular full-time and regular part-time positions for administering the six-step schedule.

Step A: Beginning step for new (trial service) employees or for promoted employees earning less than this amount.

Step B: Step A hires are eligible for Step B following satisfactory completion of the six-month trial service period. (*Note: With approval, Step B may be used for the initial trial service placement for exceptionally well qualified applicants. Advancement to Step C will be six (6) months following completion of the trial service period for Step B hires; and annually thereafter for subsequent step advancements.*)

Step C: Step A hires are eligible for advancement to Step C at the completion of one full year of satisfactory service plus completion of the trial service period (1-1/2 years of total service).

Step D: Step A hires are eligible for Step D at the completion of 2-1/2 years of satisfactory employment.

Step E: Step A hires are eligible for Step E at the completion 3-1/2 years of satisfactory employment.

Step F: Step A hires are eligible for Step F at the completion of 4-1/2 years of satisfactory employment.

Temporary Full-time and Temporary Part-time Procedures

Step increases for temporary full-time and temporary part-time employees will generally follow the procedures outlined above provided that the length of service time will be at least six (6) calendar months. Should such position subsequently be reclassified to a regular position, a temporary status employee obtaining such a position will be credited on a pro rata basis for the time served in the temporary position towards completion of the required trial service period for the new regular status position.

Part-time, On-call Employees

Part-time, on-call employees are defined as employees who work irregular hours on an as needed basis for an hourly wage (building inspectors for example). Such employees are eligible for a step increase when they have completed 975 hours during a consecutive 12 month period.

Denial of Merit Increases

Salary increases are not automatic, but rather are based on the performance level of the employee. Adjustments beyond Step A, including trial service adjustments, can be denied for any length of time up to six (6) calendar months if it is determined that the employee is performing at a less than satisfactory level. If, on the basis of the follow-up evaluations the employee's performance improves to the point of warranting a step increment, it should be granted, but not retroactively, and a new anniversary date will be established. The next eligible date for a step increase will be one year from this new anniversary date. If, on the basis of the follow-up evaluations the employee has not improved, such employee may be terminated.

Salary Adjustments Based on Performance Evaluation

Generally, salary increases, with the exception of salary increases resulting from classification changes, are recommended through the performance evaluation system.

Eligibility for Salary Increases Based on Performance Evaluation

Employees may be granted a salary increase of one step on their anniversary date provided: a) the employee is not at the top step of the salary range of their classification; and b) the employee's performance is rated at least *satisfactory* as reflected in their performance evaluation. Employees receiving a below *satisfactory* rating will not receive a step increase.

Salary Increases for Promoted Employees

Employees who are promoted to a classification with a higher entry level should be placed at not less than the lowest salary step of the new classification which would result in a salary increase. Employees who are

promoted will be eligible for a salary increase, based on performance, the first of the month following completion of the six (6) month promotion probationary period, and annually thereafter until the employee reaches the top step in their salary range. Employees must be rated at least *satisfactory* on their performance evaluation form to be eligible for this increase.

Salary Adjustments Based on Classification Changes

Re-classification Upward

When a position has been re-classified to a higher classification, a person in that position will move to the base salary step of the higher classified position. If the new salary range base step is not sufficient to increase the employee's salary from their previous level, a step increase will be granted to the level which ensures an increase.

Re-classification Downward

When a position has been re-classified to a lower classification, the salary rate will remain the same as long as the rate is within the salary range of the lower classification. If the employee's salary rate is not within the lower salary range, the employee's salary will be reduced to be within the lower reclassified range.

Re-classification to Same Salary Level (Lateral)

When a position has been moved to a classification at the same salary range as the employee's current position, the employee's pay will remain the same.

Lateral Transfer

When an employee is transferred from one classification to another classification having the same salary range, the employee's pay will remain the same.

Working out of Assigned Classification

In cases where an employee is temporarily reassigned to a position in a higher classification for periods of thirty (30) or more consecutive calendar days, the employee will receive compensation at one step above their existing salary rate or the first step of the higher classification, whichever is greater. Such compensation will be for all hours of work at a higher classification beginning from the first day of the assignment for the full period of the assignment. All such assignments must be approved in advance by the Executive Director.

Rate of Pay on Re-Appointment from Layoff

When an individual is re-instated to a position in the same classification in which the person was previously employed, the person will be paid at the same salary step at which such employee was being paid at the time of layoff. When a regular full-time employee is changed to a regular part-time employee or temporary employee, accrued vacation leave will be paid out. Accrued sick leave and personal/compassionate leave will be banked for 12 months and reinstated when the employee returns to regular full-time status.

Travel and Expense Reimbursement

MCCOG shall reimburse all employees for reasonable out-of-pocket expenses incurred while traveling on authorized MCCOG assignments or while engaged in authorized MCCOG business with the travel exception noted below. It is recognized that the nature and amount of expenses may vary with reference not only to the objectives of the employee's assignments and the surrounding circumstances but also with respect to the employee's position and work within MCCOG. It is expected that employees will take full advantage of all commercial discounts wherever possible. The taxable/non-taxable status of all travel expense reimbursements shall be determined by the IRS ruling (publication 463).

Whenever any MCCOG employee, MCCOG Board of Directors or any committee of the Board of Directors or authorized volunteer is required to travel in the performance of his or her duty, such person will be allowed, in addition to his or her compensation, reimbursement for actual necessary and reasonable travel expenses with the

travel exception noted below. All such travel expenditures will be in accordance with the budgetary considerations and with the expressed approval of his or her supervisor and Program Director. If travel and expense reimbursements are available from a third party such as a city, state, or federal program via a scholarship or other source, the employee is required to notify their supervisor of the reimbursement availability and is required to apply for reimbursement from the third party. Employees will not be reimbursed by MCCOG for any reimbursement available by another source.

Travel Exception

MCCOG operates from several office locations in our region. Employees may be assigned to different office locations at any given time. If the assignment is less than 30 miles and is for the entire workday, no travel time will apply. If the assignment is less than 30 miles, no mileage reimbursement will apply (reference BOLI - Travel Time 839-020-0045). Home to work and work to home travel is not reimbursed.

Travel Voucher

All expenses are to be submitted on a MCCOG Travel Voucher Form and accompanied by detailed receipts and a relevant training or meeting notice to substantiate the trip. Expenses are to be submitted at least monthly, but not more than twice a month. Travel Reimbursement claims submitted after 30 days from the travel date will not be honored and will be forfeited by the claimant. Each claimant must show the inclusive dates of each trip for which reimbursement is claimed. Location and reason for purpose of travel must also be indicated for each trip.

Mileage Reimbursement

Any employee or official who is required to use a private automobile in the discharge of official duties will be reimbursed for actual mileage equal to the current State of Oregon rate. Mileage reimbursement will be governed by the following:

- Travel must be over the most direct route. Distances between points traveled will be as shown in standard highway mileage guides, the State Highway Division's official mileage table, or by odometer readings. If odometer readings are used as the basis for a mileage reimbursement request, beginning and ending odometer readings or a trip meter reading must be included for each trip or request. A claimant may request travel from their home, rather than from their business office, if it economically benefits the organization. Any substantial deviations between odometer readings and mileage guides and any deviations from the usual route must be satisfactorily explained.
- If a claimant travels by an indirect route for personal convenience, or interrupts travel by a direct route, he/she will bear the extra expense. Travel between home and office is not reimbursable. Reimbursement for travel to places of entertainment or for other personal pursuits is not authorized.
- When appropriate, car-pooling is strongly encouraged. The total reimbursement allowable for transportation of all passengers traveling together in a single vehicle is equivalent to reimbursement to one individual for use of a privately owned vehicle.
- Travelers utilizing privately owned vehicles for MCCOG business must carry liability insurance. Proof of insurance must be on file with MCCOG's Executive Assistant for any individual traveling on MCCOG business, whether using a MCCOG vehicle or a private vehicle. When renting automobiles, the traveler will take the optional insurance on the vehicle.
- If travel by personal automobile at the established rate exceeds the cost of commercial air travel, the Executive Director or Finance Director may limit reimbursement for mileage to the cost of commercial air travel. Further, the Executive Director or Finance Director may limit travel plans and/or costs to the least costly, considering travel time, meals, lodging, commercial air or private automobile, and other related costs.
- If travel time away from the work station is excessive because the employee elected to use their private automobile rather than travel by air, use of vacation time may be required to cover the excess hours.

Individual Meal Expenses & Reimbursements

Meal reimbursements will be allowed when on **official business and traveling greater than 30 miles** from any of our offices and your business requires you to be gone for the greater part of the day.

When an overnight stay is not required, the allowance shall be \$7.50 for a lunch. If an overnight stay is required, \$30.00 is the maximum reimbursable expense for a full day's meals with the following exception: travel days going to the event will be restricted to \$22.50 maximum and travel days returning from the event will be restricted to \$15.00 maximum. The employee is free to allocate the maximum reimbursable amount to any meal (or combination of meals) that fit your personal needs. An original, detailed receipt is required for reimbursements. *Note: Meals reimbursement is taxable according to IRS rules when an overnight stay is not included.*

Individual meal reimbursement may be claimed as follows:

Breakfast	\$7.50
Lunch	\$7.50
Dinner	<u>\$15.00</u>
<i>Total Meal Expense Reimbursable:</i>	<i>\$30.00</i>

*Tips in excess of 20% will be the responsibility of the employee.

Receipts

Detailed receipts are required for any and all expenditures. Detailed receipts will describe what was purchased and the cost of each item. A credit card summary receipt is *not* a detailed receipt. Failure to provide detailed receipts may result in the reimbursement being denied.

Third Party Meals

If meals are offered through the conference or meeting the employee attends, the allowance for that meal may not be eligible for reimbursement.

Other Expenses

Expenses in excess of the established limitations will be reimbursed only with approval of the Executive Director or Finance Director, and then only in extraordinary cases. Claims for individual meals in excess of set limits may be paid without prior approval if the meals are an official part of a convention, conference, or other official meeting, and the cost is beyond the control of the traveler. The Executive Director or Finance Director may use, for their consideration, the published per diem rates found at www.gsa.gov/perdiem for determining the authorization of an excess expense. Conference registration fees, and any other administrative or programmatic expenses incurred while on authorized travel status of an employee or official, will be reimbursed at actual costs. MCCOG will secure air or other transportation tickets or registration fees in advance and furnish them to employees or officials traveling outside of the area on agency business.

Travel Approvals

All travel outside of MCCOG's service area, but within the states of Oregon and Washington, must be approved in advance by the Executive Director and respective Program Director. MCCOG's service area is defined as within Wasco, Sherman, Hood River, Gilliam, Wheeler, Klickitat and Skamania counties. Travel outside of the states of Oregon and Washington will require advance approval by the Executive Director.

Travel Time

From time to time, non-exempt employees of MCCOG may be required to travel on MCCOG business. MCCOG's general policy with respect to the compensation of non-exempt employees for job-related travel time is as follows:

- ***Travel from the employee's home to work is not considered work time.*** Where an employee is asked to travel to a site other than the employee's normal work site, only that part of the employee's travel that exceeds the employee's normal commuting time to work will be compensated. (For example, Jean Smith's, a non-exempt employee, normal commute is one hour from home to her office. Jean is asked to drive to a client site for a morning meeting, and is told to arrive at that site by 9:00 a.m., her normal starting time.

The drive to the client site takes two hours. Jean will receive one hour compensation for her travel time (i.e., the two-hour travel less her normal one-hour commute).

- ***Travel by a non-exempt employee from one job site or location to another during their normal work hours, is compensable.*** Non-exempt employees traveling out-of-town during their normal work hours will be compensated for all hours traveling and working, less the employee's normal commuting time to and from work. For example, John Dokes, a non-exempt employee, is asked to travel from Washington, D.C. to New York City. He leaves his home at 8:00 a.m., arrives in New York at 11:00 a.m., works until 3:00 p.m. without taking a lunch break, and then travels home, arriving home at 8:00 p.m. John's normal commuting time in Washington is two hours per day (to and from work). John will be paid for ten hours for the day (twelve hours commuting and working, less the two hours John normally spends commuting to work).
- ***Travel time outside of a non-exempt employee's normal work hours will not be counted as hours worked. Therefore, it is not compensable (unless the employee is performing work while traveling). However, if the employee was REQUIRED to drive, and the travel time fell outside of the employees normal work hours, the travel time is compensable.*** For example, Peter, whose regular work schedule is 8:00 a.m. to 5:00 p.m., Monday through Friday, travels by plane to an out-of-state business meeting. The air travel takes place from 12:00 noon to 5:00 p.m. At the airport, Peter is required to pick up a rental car and drive an additional five hours to reach the remote city where the meeting will take place. In this case, Peter will be paid for ten hours of travel time – the five hours of air travel which cut across Peter's normal work hours, plus the five hours of car travel which fall outside of Peter's normal work hours, since he is required to drive that time.

Garnishments

It is the policy of MCCOG to comply with all valid claims against the wages of employees such as garnishments, support orders, and/or wage assignments. MCCOG will comply with legally authorized garnishment orders received, and upon receipt of the order the employee will be advised of the receipt of order and MCCOG's action. If there is an objection to the order by the garnished employee, MCCOG's position will be to follow the court order until a cancellation or amended order is received. It is the responsibility of the employee to contact their own legal counsel to take action on the objection to the order.

When a garnishment, support order, or wage assignment is received by MCCOG, the claim should be immediately forwarded to the Finance Director's office for handling. MCCOG's representative handling such claims will first determine if the subject employee is still employed. If not, MCCOG's representative will notify the appropriate legal authority by letter sent certified or registered mail (return receipt requested) that the individual is no longer employed and of the date the individual was terminated.

MCCOG will continue to withhold monies from the employee's salary until the entire amount specified in the garnishment is liquidated or until the employee presents MCCOG with a written release or satisfaction of judgment from the appropriate legal authority or from the creditor. And, MCCOG will continue to withhold monies from the employee's salary for the entire period specified in the federal, family court, or other assignment or until the employee presents MCCOG with a written release or notice from the appropriate legal authority that the employee's financial obligations have been satisfied.

Garnishment Procedure

It is MCCOG's position not to personally involve itself in the financial affairs of its employees. Supervisors should refrain from giving employees personal advice regarding such matters. Supervisors may, however, advise the employee to consider seeking financial counseling through MCCOG's Employee Assistance Program (EAP)

TIME-OFF BENEFITS

Holidays Recognized by MCCOG

<i>New Year's Day</i>	<i>January 1</i>
<i>Martin Luther King, Jr. Day</i>	<i>3rd Monday in January</i>
<i>Presidents' Day</i>	<i>3rd Monday in February</i>
<i>Memorial Day</i>	<i>Last Monday in May</i>
<i>Independence Day</i>	<i>July 4th</i>
<i>Labor Day</i>	<i>1st Monday in September</i>
<i>Veterans' Day</i>	<i>November 11th</i>
<i>Thanksgiving Day</i>	<i>4th Thursday in November</i>
<i>Day after Thanksgiving</i>	<i>Friday after Thanksgiving</i>
<i>Christmas Day</i>	<i>December 25th</i>
<i>Floating Holiday</i>	<i>(see below)</i>

Weekends

Holidays which occur on a Saturday will be observed on Friday; holidays which occur on a Sunday will be observed on Monday.

Vacation/Sick Leave

Vacation or sick leave which occurs on holidays will not be charged against such leave.

Eligibility for Holiday Pay

Regular full-time employees will be given 7.5 hours paid leave for each holiday. Temporary full-time employees will be given 7.5 hours paid leave for each holiday, except the Floating Holiday. Temporary part-time employees are not eligible for holiday pay unless required to work on the holiday. Regular part-time employees will be given paid leave for each holiday proportionate to the number of hours worked per week rounded to the nearest quarter of an hour (1/4). Floating Holidays are available only for regular full-time employees.

Working on Holidays (Voluntary)

If a regular or temporary full-time employee or an *exempt* employee chooses to work on a holiday, and receives written permission to do so from their supervisor, they may take their holiday time off on another day within the current or following month on an hour-for-hour basis.

Working on Holidays (Required)

If a regular or temporary full-time non-exempt employee is required to work on a holiday, they will earn compensatory time off or pay at one and one-half (1.5) hours for each full hour worked. The employee must be requested by their supervisor, in writing, to work during a holiday to earn compensatory time off or pay. Exempt employees required to work on a holiday may take time off on another day within the current or following month on an hour-for-hour basis.

Regular part-time & temporary part-time employees

Part-time employees who work on a holiday must have written permission from their supervisor to do so. They will be compensated at their normal rate of pay.

Floating Holiday

The floating holiday must be requested of a supervisor in advance and be granted in writing. An employee may choose one day as a holiday with pay to be taken within the calendar year. If not taken within the current calendar year this holiday will be forfeited.

Vacation Leave

Rate of Annual Vacation Leave Accumulation

For the first three full years of employment all regular full-time MCCOG employees will accumulate vacation leave at the rate of one day (7.5 hours) per full calendar month of employment with an extra day being added annually on the continuous service date of employment with MCCOG. Beginning with the fourth and continuing through the 15th year of employment, all regular full-time MCCOG employees will accumulate vacation leave at the rate of one and one-half days (11.25 hours) per full calendar month of employment with two extra days being added annually on the continuous service date of employment with MCCOG. Beginning with the 16th year of employment with MCCOG, regular full-time employees will accumulate vacation leave at the rate of two calendar days per full month of employment with two extra days being added annually on the continuous service date of employment with MCCOG.

In determining vacation leave accrual, the last month of employment will be prorated if less than a full calendar month. An employee will earn leave except while on an authorized extended leave-without-pay exceeding 30 consecutive calendar days from MCCOG, during which time the employee is not being paid a wage (e.g. extended sick leave).

Eligibility for Leave

Regular full-time employees will earn leave according to the aforementioned schedule. Regular part-time employees will not earn annual leave. Temporary employees will not earn annual leave. Full-time trial service employees in the classified service will earn leave and may use leave during their trial service period.

Accumulation

Vacation leave will be accumulated until used, or until a maximum of 187.5 hours (25 days) has been accumulated. The Executive Director may, upon written request, authorize an employee to temporarily accumulate in excess of 187.5 hours, provided such excess leave hours are taken within the time specified by the Executive Director, but not beyond June 30th of a given year. Any excess leave hours not taken by the time specified will be lost or forfeited. Further, in the event of an employee's termination or layoff, all unused annual vacation leave accumulated or unencumbered, up to a maximum of 187.5 hours, will be paid for in cash at a rate equal to their current hourly rate of pay.

Transfer of Hours

An employee may transfer vacation hours one time per year, per employee, to an employee who has a serious health issue and is eligible to be placed on FMLA/OFLA. These hours will be placed in a bank to be paid out to the individual with the health problem. The benefited employee will be allowed to bank one week of their own, accrued vacation time and continue to have access to the donated bank. Due to the sensitive nature of employees' health issues, the employee will submit to the Executive Director a request for consideration to access this benefit. The Executive Director will make a determination on the request and respond within ten working days from receiving the request. Upon completion of the authorized leave, any unused donated time will be returned to the donor.

Death

If an employee dies, his or her spouse or dependent children or estate will be paid the cash equivalent of accumulated leave up to the maximum amount permitted by law.

Vacation Buyback

At the employee's request, vacation time may be cashed out. An employee must take one day off for every two days of vacation buyback requested. The vacation request must be submitted ten days prior to the starting date of the requested leave. All buyback is subject to normal payroll taxes.

Example: If three weeks' vacation has been accrued, the employee may choose to take one week off with paid vacation leave and receive the other two weeks' vacation accrued in monetary buyback, subject to normal payroll taxes.

Maximum Hours

Maximum number of hours for buyback is 125 hours (equals one-third of the maximum vacation accrual hours). The buyback process can be used only once during the calendar year.

Requesting Leave

Request to take leave will be made with the employee's supervisor at least ten working days prior to the starting date of the leave whenever possible. The employee may be denied the requested leave dates if it would cause an unusual disruption of MCCOG work. Approved leave will not exceed the unencumbered amount available.

Holiday Within Leave Period

A holiday falling within approved vacation leave period will be paid but not counted as vacation leave time (specifically, a week of vacation leave including an approved holiday should be recorded as four days' vacation leave and one holiday).

Sick Leave

MCCOG recognizes that the inability to work because of illness or injury may cause economic hardship. For this reason, MCCOG provides a paid sick leave plan.

Accumulation

Sick leave will be accumulated until used or until a maximum of 675 hours (90 days) has been accrued.

Eligibility is as follows:

Regular full-time employees will accrue sick leave at the rate of 7.5 hours for each full calendar month of employment, with an extra day being added on their continuous service date with MCCOG.

Temporary and **Regular part-time** employees are not eligible for paid sick leave.

Use May Be Required

Although MCCOG realizes that an employee with temporary illnesses such as influenza, colds and other viruses often need to continue with normal life activities, including working, your manager may require you to go home from work if you appear to be too ill to be at work or if you are unable to perform normal job duties and meet regular performance standards. If in the judgment of the manager, your continued presence poses no risk to the health of yourself, other employees, or your customers, you may be allowed to work. However, if this is not the case, and your manager requires you to go home, you are expected to do so. If you dispute your manager's decision to send you home, then you must submit a statement from your attending health care provider that your continued presence in the workplace poses no significant risk to you, other employees or customers.

Utilization

Both eligible regular and regular trial service employees may use their allowance of sick leave when:

- unable to perform their work duties by reason of illness or injury;
- necessity for medical or dental care;
- exposure to contagious disease under circumstances by which the health of the other;
- employees or the public would be endangered by the employee's attendance; and/or
- serious illness of an immediate family member (see Family Medical Leave section for definition of family member)

Absence to attend to an ill family member will be limited to the time the employee's presence is actually required. Employees have the obligation to make other arrangements within a reasonable period of time for the attendance upon immediate family members. A physician's statement regarding the nature of the employee's or family member's illness, the need for the employee's absence, the estimated duration of the absence and/or a doctor's release to return to work will be required for absences over three days.

Vacation

If a person becomes sick during a scheduled vacation leave, with the exception of vacation buyback and holiday leave, they may claim sick leave and save the other paid leave for later use. They must notify MCCOG as soon as possible in writing of this change in leave.

Double Compensation

No employee will receive any compensation for any task performed while utilizing sick leave.

Daily Limit

Sick leave may only be used up to the normal rate of scheduled hours per day.

Termination

Sick leave is provided by MCCOG in the nature of insurance against loss of income due to illness. No compensation for accrued sick leave will be allowed for an employee when separated from MCCOG service. Sick leave will not accrue during any period of leave of absence without pay exceeding 30 calendar days or while covered under Workers' Compensation for time loss for on-the-job injury, disease or illness.

Coordination with Workers' Compensation

For on-the-job injuries, disease, or illness resulting in time loss, sick leave pay will be granted for the first three days of absence from work. Thereafter, an employee will receive compensation from Workers' Compensation for such time loss.

Coordination with Other Insurance

MCCOG will continue to pay the employer portion of the premiums for medical, dental, life, AD&D and long-term disability insurances during absences of paid sick leave; and/or for up to six months while receiving time loss payments under Workers' Compensation.

Employee Notification of Absence

If an employee is ill or injured and unable to report to work they will need to make a reasonable effort to notify their immediate supervisor within 30 minutes of the reporting time on a daily basis. In case of a known continuing illness, the employee must keep their immediate supervisor advised on a weekly basis of their inability to report to work.

Re-employment

An employee who is re-employed following a layoff or an expiration of leave without pay for a period of less than 12 months, will have their sick leave credits they accrued during the previous employment restored.

Abuse of Sick Leave

Abuse of sick leave, including the making of a false statement as to the cause of the employee's absence from work, may be subject to disciplinary action up to and including termination.

Jury Duty and Witness Leave

Leave with pay is allowed for regular and temporary full-time employees required to appear as a subpoenaed, disinterested witness or for jury service. If an employee is on leave pursuant to the provisions of this section they must report to work immediately upon completion of court service each work day. If they are completing a full work day in such service they are exempt from this provision. The employee's salary will be reduced by fees received from other sources for jury or witness service. Employees may retain allowances received for meals, travel, parking and lodging.

Bereavement Leave

All regular full-time employees will be entitled to accrue personal leave at the rate of one-half day (3.75 hours) per full calendar month of employment and may accrue up to a maximum of six days (45 hours).

In the event of termination, employees will not be compensated for unused personal leave.

Personal leave will be allowed only for attendance at family funerals; for a death in the immediate family. Family shall be defined as husband, wife, son, daughter, father, mother, sister, brother, father-in-law, mother-in-law, brother-in-law, sister-in-law, grandparents, and domestic partner. Whenever possible all personal leave must be approved in advance by the respective Program Director or Executive Director.

Inclement Weather

If adverse conditions result in the offices of MCCOG being understaffed, the office may be closed to the public. Employees will have the responsibility of judging their own level of comfort and safety in attempting to report for work. If their decision is to not report for work, the employee must notify their supervisor and utilize vacation leave prior to the use of leave without pay for the absence. To obtain current office status of public access, call The Dalles main phone number (541-298-4101, ext. 600 or toll free 800-831-8217, ext. 600) after 7:00 a.m.

Leave of Absence Without Pay

Occasions may arise which could require an employee to take leave beyond the limits for which the employee has accrued sick or annual leave benefits. The Executive Director may grant a regular full-time employee such a leave not to exceed six months. The position may be held open or filled with a temporary employee. The request must be in writing with reasonable justification for approval. No fringe benefits (i.e. sick leave, vacation, etc.) or seniority will accrue during a leave of absence without pay that extends beyond 30 consecutive calendar days.

For occasions requiring more than six months leave, the Board of Directors may grant a regular full-time employee leave of absence for a period not to exceed one year. The position may be held open or filled with a temporary employee. The request must be in writing with reasonable justification for approval.

Family Medical Leave

Eligible employees may take unpaid Oregon Family Leave (OFLA) for the purposes commonly referred to as parental leave, serious health condition leave, pregnancy disability leave and sick child leave as defined below: **Parental Leave** is leave taken to care for the employee's newborn, newly adopted or newly placed foster child under 18 years of age or for a newly adopted or newly placed foster child 18 years of age or older which is incapable of self-care because of a physical or mental impairment. It includes leave time to effectuate for the legal process required for placement of a foster child or the adoption of a child.

Note: If both parents work for MCCOG, they are not entitled to take concurrent leave except in limited situations. Employees will only be allowed to take leave in two or more non-consecutive periods with the Executive Director's prior approval.

With the Executive Directors' approval, employees may be allowed to work intermittently during their parental leave. Requests for this option would be reviewed on a case-by-case basis for approval by the Executive Director.

Serious Health Condition is leave taken to provide care for a family member with a serious health condition as defined in 839-009-0210(19); or to recover from or seek treatment for a serious health condition that renders an employee unable to perform at least one essential function of the employee's regular position.

Pregnancy Disability Leave is leave taken by a female employee for a disability related to pregnancy or childbirth, occurring before or after the birth of the child, or for prenatal care. Pregnancy disability leave is a form of serious health condition leave.

Sick Child Leave is leave taken to care for an employee's child suffering from an illness or injury that requires home care but is not a serious health condition. Routine medical or dental appointments do not qualify under this provision.

Provisions of OFLA will be construed to the extent possible in a manner that is consistent with any similar provisions of the Federal Family Medical Leave Act (FMLA). When both OFLA and FMLA apply, the provision that is more beneficial to the employee's circumstance shall apply. Not every detail of the OFLA and FMLA laws can be included, and MCCOG will administer this policy in accordance with all legal requirements. Requests for leave under these laws will be reviewed on a case-by-case basis.

For the purposes of taking parental leave under OFLA, an employee must be employed by MCCOG for at least 180 calendar days immediately preceding the date on which the parental leave begins. For purposes of taking all other types of family medical leave under OFLA, including pregnancy disability leave, an employee must be employed by MCCOG for an average of at least 25 hours per week during the 180 calendar days immediately preceding the date the family and medical leave begins. To qualify for FMLA, an employee must have been employed by MCCOG for at least twelve (12) months and worked at least 1,250 hours in the previous months.

Definitions

Child - For the purposes of parental and sick child leave only (not for the purposes of serious health condition leave), means a biological, adopted, foster or stepchild, the child of an employee's same-gender domestic partner or a child with whom the employee is or was in a relationship of in loco parentis. The child must be under the age of 18 or an adult dependent child substantially limited by a physical or mental impairment as defined by ORS 659A.100(2)(d).

Domestic Partner - Means an individual joined in a domestic partnership. Domestic partnership for the purposes of ORS Chapter 659A means two individuals of the same sex who have received a Certificate of Registered Domestic Partnership from the State of Oregon in compliance with ORS 432.405(1) and rules adopted by the State Registrar of the Center for Health Statistics.

Family Member - Means the spouse, same-gender domestic partner, custodial parent, non-custodial parent, adoptive parent, foster parent, biological parent, parent-in-law, parent of the same-gender domestic partner, grandparent or grandchild of the employee, or a person with whom the employee is or was in a relationship of in loco parentis. It also includes the biological, adopted, foster or stepchild of an employee of the child of an employee's same-gender domestic partner. For the purposes of OFLA, an employee's child in any of these categories may be either a minor or an adult at the time serious health condition leave is taken.

In Loco Parentis – Means in the place of a parent, having financial and day-to-day responsibility for the care of a child. A legal or biological relationship is not required.

Length of Leave Allowed

In any one-year calculation period, an eligible employee is entitled to the following amount of unpaid family medical leave:

12 weeks of family medical leave for parental, family serious health condition, sick child, and/or personal serious health condition reasons;

An eligible female employee may take up to 12 weeks of pregnancy disability leave in addition to 12 weeks of OFLA leave for any leave purpose;

Up to twelve (12) weeks of state leave for an illness, injury or condition related to pregnancy or childbirth that disables the employee;

An employee who takes the entire 12 weeks of parental leave is entitled to an additional 12 weeks of sick child leave within the same calculation year;

An eligible female employee may take up to 36 weeks of OFLA leave in one leave year that includes up to 12 weeks of pregnancy disability leave, followed by 23 weeks of parental leave, and 12 weeks of sick child leave;

An eligible employee may take up to 24 weeks of OFLA leave in one leave year if the employee takes 12 weeks of parental leave followed by 12 weeks of sick child leave;

The birth, adoption or foster placement of multiple children at one time entitles the employee to only one 12-week period of parental leave.

Sometimes more than one type of leave may apply to a situation. Where allowed by the federal or state law, leaves will run concurrently. Where the law allows, all approved leave time, whether paid or unpaid, will be deducted from an employee's annual family medical leave entitlement under this policy and the law. This means that workers' compensation leave, leave for a non-occupational injury or illness, federal family medical leave, state family medical leave may all run concurrently where allowed by law and be deducted from the employee's annual family medical leave entitlement.

Generally, the one year (12 month) calculation period during which leave is available will be measured backward from the date the employee uses any family medical leave. There is a period of time where an employee may be eligible for state but not federal family medical leave. When state leave is available before the employee is eligible for federal family medical leave or the reason for the first leave qualifies for state leave but does not also qualify for federal leave, the one-year leave calculation period will begin with the first state leave taken by the employee. Thereafter, a new leave calculation period will begin with the first day of federal qualified leave for family medical leave calculations.

Leave Request

Employees must provide 15 days advance written notice if the leave is foreseeable. To apply for a family medical leave of absence, employees must notify their supervisor and complete a *Family Medical Leave Request* form. If the reason for the leave is unforeseeable, employees must give their supervisor verbal notice in accordance with other MCCOG policies but the verbal request must be followed up by the written request within three days of their return to work. If the need for the leave is foreseeable and the employee fails to provide notice as set forth above, MCCOG may delay the leave for up to 15 days or, if the leave qualifies under state leave, reduce the available leave time for up to 15 days.

Certification

Employees are required to provide a medical *Certification of Physician or Practitioner* form from their health care provider to support a family medical leave request. Where the need for the leave is anticipated, they must provide the certification in advance of the leave, when possible. However, certification is not required for parental leave although employees may be required to provide documents evidencing birth, adoption, or foster placement. Where the need for leave is not anticipated, employees may be required to provide medical certification within 15 days of MCCOG's request for such certification. In some cases, MCCOG may require a second or third medical opinion, at MCCOG's expense.

If the employee has used three days or partial days of leave within a one-year period to care for a sick child, the employee may be required to obtain a *Certification of Physician or Practitioner* form to support a request for any additional leave to care for a sick child. In this case, MCCOG will pay the cost of obtaining the medical certification if it is not covered by their health care insurance plan. If the employee's medical leave is for their own serious health condition, they may also be required to furnish a *fitness for duty certification* form from their health care provider at least one working day before returning to work.

Pay and Benefits

The employee must use any accrued sick or vacation pay during family medical leave. The employee's accrued sick or vacation pay will be used in the following order: sick pay; combination of sick pay/vacation; any vacation pay remaining. There will be no accrual or accumulation of benefits *after* the first 150 hours of family

medical leave. MCCOG will continue to pay its portion of the group health insurance premiums on the employee's behalf and the employee must continue to pay their share of the premium. If the employee fails to pay their share of the premium, they may lose the coverage. MCCOG has the right to recoup from the employee any premiums it paid during the leave if the employee does not return to work for reasons other than their own serious health condition or that of an employee's family member, or some other reason beyond the employee's control.

Leave for Victims of Domestic Violence, Sexual Assault or Stalking

The employee's need for leave under ORS 659A.270 to 659A.285 is also covered by OFLA. To be eligible, the employee must have worked an average of more than 25 hours per week for at least 180 calendar days immediately preceding the date the employee takes leave. The length of leave will be determined by the Executive Director.

An employee seeking leave under ORS 659A.270 to 659A.285 for Victims of Domestic Violence, Sexual Assault or Stalking, shall give the Executive Director advanced notice in writing of the leave unless advance notice is not feasible. The employee seeking leave must provide, within five business days, the Executive Director with certification such as a copy of a police report; copy of protective order or other court evidence; documentation from an attorney, licensed mental health professional or counselor, member of the clergy or victim services provider that the eligible employee or eligible employee's minor child or dependent is undergoing treatment or counseling, obtaining services or relocating as a result of domestic violence, sexual assault or stalking as defined under OAR 839-009-0340(14), (16) and (17).

Military Leave

Military leave is granted to all employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and applicable state law. Generally, advanced notice is required before taking military service or training leave. *(See also Oregon Military Family Leave Act (OMFLA) and Federal Military Family Leave (FMFLA) for additional military leave information).*

Oregon Military Family Leave Act (OMFLA)

OMFLA is leave taken by the **spouse** or **domestic partner** of a member of the Armed Forces of the United States, the National Guard, or the military reserve forces of the United States who has been called to active duty or notified of an impending call or order to active duty, or who is on leave from active duty during a period of military conflict. Eligible employees are entitled to 14 days of **unpaid** leave per deployment and must provide notice to the Executive Director, of intention to take leave within five business days of receiving official notice of an impending call or order to active duty or of a leave from deployment, or as soon as is practicable when official notice is provided fewer than five days before commencement of the leave. The 14 days count against the employee's 12-week OFLA allotment for the year; this means the days are included in, not in addition to, the 12 weeks of family leave available under Oregon's Family Leave Act (OFLA). Notice shall include a photocopy of the service member's orders to verify that the leave is for the purpose as defined in OAR 839-009-0380(7). No retaliation or discrimination may occur because an employee has requested OMFLA leave.

FEDERAL MILITARY FAMILY LEAVE ACT (FMFLA)

Qualifying Exigency Leave for Families of National Guard and Reserves:

The National Defense Authorization Act for 2008 (NDAA) amends FMLA to allow military families members (spouse, son, daughter, or parent) of people who are on, or about to go on active duty, leave entitlement to manage their affairs ("qualifying exigency").

For the purposes of qualifying exigency leave, family members of covered military members called to active duty may take leave for one or more of the following qualifying exigencies:

- to address any issues which arise from the military member learning of a call or order to duty seven or less calendar days prior to deployment;
- to attend military events or sponsored family support programs;
- to arrange for alternative childcare or school attendance, attend childcare or school meetings, or provide childcare on an urgent immediate need basis when necessitated by the call to duty;
- to make or update financial and legal arrangements to address the military member's absence, or to serve as the military member's Representative in obtaining, arranging or appealing military service benefits;
- to attend counseling (not provided by a health care provider) or oneself, the military member, or child of the military member;
- to spend time (up to five days of leave for each instance) with a military member on temporary rest and recuperation leave;
- to attend post-deployment activities, and
- any other events which employer and employee agree arise out of the military member's call to duty, qualify as an exigency, and agree as to the timing and duration of leave.

Military Caregiver Leave

The NDAA FMLA amendments also allow up to 26 weeks of unpaid FMLA caregiver leave for a service member who incurs a serious illness or injury in the course of active duty. This leave is called "Service Member Family Leave" (SMFL). A caregiver may be the spouse, son, daughter, parent or next of kin (defined as nearest blood relative). For this leave only, a "serious injury or illness" is defined as any injury or illness incurred in the line of duty that "may render the service member medically unfit to perform the duties of the member's office, grade, rank or rating." This means that the SMFL serious health condition may not meet the definition of other FMLA serious health condition.

No retaliation or discrimination may occur because an employee has requested FMFLA leave.

GROUP HEALTH AND OTHER BENEFITS

Optional Insurance Benefits

Budget permitting, MCCOG will provide certain optional insurance benefits to employees. Specific benefits may change periodically depending on availability and cost. These optional benefits may include, but are not limited to: medical, vision, dental, life, accidental death and dismemberment, and long-term disability.

Medical and Dental Insurance Coverage Policy

MCCOG will provide a major medical and dental insurance plan for all active, regular, full-time benefit eligible employees; at 100% of employee-only coverage cost up to the MCCOG approved cap amount. This cap amount may change with the approval of the Board of Directors.

The coverage cost consists of a) the medical/dental insurance premium costs of employee-only coverage, plus b) a set-amount contribution to an employer funded Voluntary Employee's Beneficiary Association (VEBA) account in the employee's name. VEBA contributions on behalf of each benefits eligible employee will be uniform and fully funded by the employer.

Spousal and/or dependent medical/dental coverage can be provided on a self-pay basis. That means MCCOG will pay none (0%) of the dependent premium cost.

Elected Insurance Plans and VEBA contribution amounts will be reviewed annually by the Health Benefits Committee to ensure the coverage cost remains below the approved cap amount.

MCCOG will continue paying 100% of the employee-only coverage amount for up to six months while a regular, full-time employee is receiving time loss payments under Workers' Compensation; or while on approved paid sick, vacation, personal leave or Family Leave. The employee will be responsible for any dependent coverage cost.

MCCOG will provide a major medical and dental insurance plan for qualified employees on approved leaves of absence without pay, qualified retirees and certain terminated or disabled employees, as defined in MCCOG's insurance agreement, on a self-pay basis. That is, MCCOG will pay none (0%) of the coverage cost. The maximum length of time for continuation coverage is six months, unless the employee qualifies for extended coverage.

Consolidated Omnibus Budget Reconciliation Act (COBRA)

The federal COBRA extends benefits coverage 18 calendar months for certain terminated employees or employees losing coverage due to reduced work hours, and 36 calendar months for employees or their dependents losing coverage by reason of divorce, death, disability resulting in loss of or reduced employment, eligibility for Medicare or dependent children losing their eligibility. City County Insurance Services (CCIS) has outsourced the administration of COBRA requirements for employees terminating from CIS Benefits' plans. Employees will be notified by CIS regarding coverage and will make payments to CIS. Employees also have the option to convert their group medical insurance to an individual policy upon the expiration of their continuous or extended coverage through MCCOG.

Life, Accidental Death & Dismemberment (AD&D), & Long-term Disability (LTD)

MCCOG currently provides life, AD&D and LTD insurances for all active, regular full-time employees and covers 100% of the premium cost. Dependents are not covered. MCCOG will continue to pay 100% of the premium for up to six months while a regular full-time employee is receiving time loss payments under Workers' Compensation; or while on approved paid sick, vacation or compassionate leave.

MCCOG will provide life, AD&D and LTD insurances on a self-pay basis for qualified employees on an approved leave of absence. That is, MCCOG will pay none (0%) of the premium cost. To remain eligible for coverage, the employee must pay the required premium to MCCOG by the 15th of the month preceding the month for which coverage is requested. No premium payments will be required for continuing life insurance for employees who have a permanent total long-term disability and are unable to work. Except as provided above, life, AD&D and LTD insurance ends at the end of the month when an employee's job ends. LTD benefits have a 90-day waiting period before coverage begins.

Required Insurance Benefits

MCCOG will provide certain insurance benefits required by State and Federal law. These include Workers' Compensation, Unemployment and Federal Social Security and Medicare insurances.

Workers' Compensation Insurance

Workers' Compensation Insurance will be provided at no cost to employees.

Unemployment Insurance

State unemployment insurance will be provided at no cost to employees.

Federal Social Security and Medicare

Social Security and Medicare will be provided to employees, with premiums to be shared by MCCOG and employees according to law.

MCCOG Pension Plan (401(a))

Administered by International City/County Management Association (ICMA), MCCOG offers full-time employees a 401(a) Money Purchase Pension Plan. This plan has mandatory participation requirements for all full-time employees. Employees will contribute six – ten percent (6%-10%) of their monthly earnings and MCCOG will match six percent (6%) of their monthly earning for a total contribution ranging between 12%-16%. These contributions are tax-exempt. Please contact the Plan Administrator or ICMA representative directly for more information.

MCCOG Deferred Compensation Plan (457)

Administered by ICMA, MCCOG offers all part-time and full-time employees an optional 457 Retirement Plan. The employee may invest a set amount of wages on a monthly basis. There is no employer participation in this program. The employee may change or discontinue their contribution of the tax exempt deductions at any time. Please contact the Plan Administrator for ICMA representative for details.

Longevity Benefit

MCCOG regular, full-time employees are eligible for the Longevity Benefit. This Longevity Benefit will be calculated on base salary.

After 10 years of continuous service, the employee will receive a 2.5% monthly pay increase.

After 15 years of continuous service, the employee will receive another 2.5%, or a 5% total monthly pay increase.

After 20 years of continuous service, the employee will receive a 10% total monthly pay increase.

Cafeteria 125 Plan

MCCOG will make available a Section 125 Cafeteria Plan for all active regular full-time employees. The open enrollment for this plan is January 1st, or the employee's initial election period. The employee's initial election period is defined as the first day they meet eligibility requirements for the Employer's group medical plan. This plan enables the employee to pay for 1) insurance premiums, 2) out-of-pocket health expenses, and/or 3) dependent day care, on a pre-tax basis. You can choose to participate in 1, 2 or all 3 of these features. The amounts you elect to have included in the Cafeteria Plan **cannot be altered during the plan year**, they can only be changed at the annual open enrollment. It is important, therefore, to remember when committing to an amount for out-of-pocket health expense, or for dependent day care, that you must have actual expenses incurred during the plan year to utilize all of the dollars you have committed to the Plan, otherwise the unused dollars are forfeited. Limits for health care and dependent care amounts are set by federal regulations.

Workers' Compensation

MCCOG endeavors to provide all employees with a safe and healthful working environment. Regardless of how cautious MCCOG or employees are, however, work-related accidents or illness may inevitably occur. To provide for payment of medical expenses in the event of such incidents, all employees are covered by workers' compensation insurance. This not only provides for payment of an employee's medical expenses in the event of a job-related injury or illness, but also provides for partial payment of salary in the event lost work time exceeds a certain number of days, as defined by applicable state law. The amount of benefits payable and the duration of such benefits depend upon the nature of the injury and the provisions of applicable state law.

On-The-Job Injury or Illness

Reporting Requirements (no medical attention required): Employees must report any job-related injury, illness or property damage to their immediate supervisor within 24 hours of an incident. Employees must provide their immediate supervisor information on how the injury happened by completing an on-the job accident packet.

Reporting Requirements (medical attention required): Employees must report any job related injury, illness or property damage to their immediate supervisor within 24 hours of an incident. Employees are encouraged to seek treatment the same date as the injury.

If possible, before seeking medical treatment, the employee must obtain an on-the-job accident packet from their supervisor. This packet contains forms that must be presented to their attending physician for completion at the first visit. The completed forms must be returned to the immediate supervisor the same day as the appointment. If immediate medical attention is required, employees must provide their immediate supervisor information on how the injury happened by completing an on-the-job accident packet within 24 hours, or as soon as medically possible, following treatment.

Full Medical Release

Employees treated within their scheduled work shift and released to work will report immediately to their supervisor with a full medical release from their attending physician. If released after the shift, the employee will contact their immediate supervisor at the beginning of their next scheduled shift. In all cases, employees are required to return all required documentation to their immediate supervisor upon return to work, or within 24 hours. Failure to report to work or contact an immediate supervisor after treatment of injury may result in disciplinary action up to and including termination.

Modified Work Release

Employees released to modified work will report immediately to their supervisor with all required documentation from the attending physician outlining their work limitations. If released after the shift, the employee will contact their immediate supervisor at the beginning of their next scheduled shift. In all cases, employees are required to return all required documentation to their immediate supervisor upon return to work, or within 24 hours. Failure to report to work or contact an immediate supervisor after treatment of injury may result in disciplinary action up to and including termination.

Employees on modified work release must work within the physical limitations outlined by their treating physician. Failure to do so may result in disciplinary action up to and including termination. Employees on modified work release must report in after every doctor's appointment in person. Failure to do so may result in disciplinary action up to and including termination and could affect their re-employment rights. Employees must notify their immediate supervisor within 24 hours of any changes in their health status or receipt of an updated doctor's release for assessment of work restrictions.

Assignment of Modified Work

MCCOG retains the right to determine whether a modified work assignment can be provided which will be consistent with the treating physician's work restrictions and the needs of the department. All work will be within the limitations set by the treating physician. Reasonable effort will be made to accommodate the needs of the employee by modifying their present work setting. However, work availability may make it necessary to transfer employees within the department. Such transfers are solely at the option of the Executive Director. Employees may be required to move from one modified duty assignment to another if their health status changes or they complete an assignment prior to recovery.

Refusal of a physician approved modified job, by either verbal refusal, written refusal or refusal to report to work, may result in a reduction or termination of total or partial wage replacement (ORS 656) and may result in loss of reinstatement rights and future vocational eligibility. Nothing in this paragraph should be interpreted to interfere with any rights of a worker under state or federal law, including, but not limited to the Family Medical Leave Act.

Duration/Type of Modified Duty Assignment

MCCOG retains the right to determine duration of modified assignments and may alter or end the assignment without prior notice. Continuation of temporary modified work assignments for injured employees will be reviewed regularly. The employee's recovery progress will be monitored to assess when and how often duties

may be changed. All major changes in the work assignment will be made after receiving concurrence from the treating physician. If an employee has a permanent disability, which restricts their ability to return to regular work, the modified job program may end.

MCCOG will determine whether a continuing modified position exists and whether the employee will be offered the modified job or another position as their new regular assignment. MCCOG will determine whether the employee's physical restrictions require substantial modification and whether such modifications are possible. To the extent possible MCCOG will consider work site modification to allow the employee to continue employment.

Wage Information for Modified Work

Pay will be at the going rate of pay for the position at the time of injury. If the modified position pays less than the employee's wage at injury, MCCOG workers' compensation carrier will pay the difference at the appropriate compensation rate.

Scheduling

MCCOG retains the right to change regular days off and work hours while the worker is in a modified position. Injured employees working in modified positions are encouraged to schedule therapy and doctor appointments around their work schedules to avoid loss of earning power. Workers' Compensation only pays wages for appointments requiring the worker to be gone from work four or more hours. If this cannot be arranged, appointments should be scheduled at the end of the shift. Advance notification of at least 48 hours is required.

Progress Evaluation

The employee's eligibility for modified work will be reviewed at regular intervals. The employee may be asked to obtain a current medical evaluation at that time, if no current medical information is available to determine medical stability or the appropriateness of return to regular work, MCCOG will then determine if modified work will continue to be made available. Time worked in a modified position will be considered as time worked in determining seniority.

Employees Unable to Return to Work

If a worker is unable to participate in a modified job or no modified job exists, they will report in at least once every seven days. The supervisor or their designee will contact the injured worker and agree upon a regular time and day of the week to maintain regular contact. In all cases, it is the responsibility of the employee to contact their immediate supervisor at least once every seven days. Disciplinary action, up to and including termination may be taken for employees who fail to report weekly.

All changes in an employee's health status must be presented to their immediate supervisor within 24 hours upon receipt of any updated doctor's release. All employees must verify with their immediate supervisor current address and phone number. Any changes must be reported promptly. Failure to provide changes in medical condition, address or phone number could lead to disciplinary action, up to and including termination.

This on-the job injury/illness policy will take effect immediately and may from time to time be revised. All revisions, as recommended and adopted by the MCCOG Board of Directors, shall be made part of this policy as if said revisions were fully written hereunder. Nothing in this policy should be interpreted to interfere with any rights of a worker under state or federal law, including, but not limited to the Family Medical Leave Act, the American with Disabilities Act, and ORS 659.415 - 659.420 (reinstatement and re-employment). Failure to comply with any provisions of this policy may result in disciplinary action up to and including termination and could affect reemployment rights.

EMPLOYEE CONDUCT

CODE OF CONDUCT

- Respect each person, differing opinions and the courage to bring up difficult issues
- Communicate openly, truthfully and with positive intentions
- Address issues as they arise and where they belong
- Own our own behavior
- Share information/decisions with all who will be impacted
- Stay focused on solving the problem/issue and quit taking it personally (QTIP)
- Treat and value all people equally
- Give our best and help others achieve their best
- Speak positively about each other, our organization and our mission

Dress Code

Maintaining a professional, business-like appearance is important to the success of MCCOG. The image MCCOG employees' project must be as professional, productive, thorough, and reliable providers of service to MCCOG clients. Appearance is a major element of MCCOG's image. To this end, it is the policy of MCCOG that an employee's dress and grooming should be, in MCCOG's opinion, appropriate to his or her work situation.

Casual Fridays: Allows a relaxed dress code in business offices. If an employee has important appointments scheduled on Fridays, judgment in maintaining a professional appearance should be exercised. Casual attire must be neat, clean and free from tears and patches, and appropriate for his or her work situation.

Employees reporting to work improperly dressed may be sent home by their supervisor to change clothing or until their next scheduled work time. Violations of this policy may also result in disciplinary action. MCCOG reserves the right in all situations to make the determination regarding whether any employee is in violation of this policy.

Drug Free Workplace

Employee health and safety are of paramount concern to MCCOG. It is the responsibility of MCCOG, for the mutual benefit of the employees and the public, to provide a work environment which is free from the use, abuse, sale, possession or distribution of illegal drugs or the improper or abusive use of prescription drugs, cannabis or alcohol. To satisfy this responsibility, MCCOG must establish a work environment where its employees are free from the effects of drugs, alcohol or other performance-impairing substances.

Reporting for work or working under the influence of alcohol or illegal drugs, or the manufacture, use, purchase, sale, transporting or possession by an employee on MCCOG premises or property, or during any hours of work time, of a controlled or illegal substance, of a drug not medically authorized, or of any substance which impairs job performance or poses a hazard to the safety and welfare of the employee, the public or another employee is strictly prohibited, and will result in immediate disciplinary action, which could include termination. No employee shall report to duty or remain on duty when the employee uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to effectively perform assigned job duties.

In the event that any portion or portions of this policy and program shall be deemed to be in conflict with any federal or state law or regulation, such portion or portions shall be severable and void but such legislation shall not invalidate the entire policy and program and all other portions not in conflict with the legislation shall remain in full force and effect. MCCOG retains the sole and exclusive right to change, modify, add to, delete from and administer this policy. If an employee voluntarily requests assistance with a substance abuse problem, MCCOG wants to help that employee where possible.

Depending on the circumstances, and at MCCOG's discretion, the employee may be given the opportunity for rehabilitation. If approved for rehabilitation, the employee will be required to sign a *Last-Chance Agreement* to fulfill the terms of that agreement and to abide by the terms of this policy for the balance of their employment with MCCOG.

Definitions

Accident is defined as any physical injury, or any property damage caused to or by a MCCOG owned or leased vehicle or personal vehicle or to another party's vehicle, incurred while on MCCOG business. This shall also include any physical injury or property damage incurred or caused by acts of horseplay or fighting while on MCCOG time.

Controlled substances or drugs 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. This term also includes any prescriptions or over-the-counter drug knowingly taken in excess of the quantity prescribed or indicated on the product label.

Over-the-Counter drugs are those which are generally available without a prescription from a medical doctor and are limited to those drugs which are capable of impairing the judgment of an employee to safely perform his or her duties.

Prescription drugs are those drugs which are used in the course of medical treatment and have been prescribed and authorized for use by a licensed practitioner/physician or dentist.

Reasonable grounds for suspicion is defined as an observation or observations of an employee's condition or performance that may be an indication of drug or alcohol use.

Examples include, but are not limited to, accidents, deteriorating work performance, poor attendance, excessive tardiness, appearance (noticeable odor of alcohol, sudden clumsiness, uncontrollable laughter, etc.) abnormal behavior or slurred speech of the employee. When MCCOG has reasonable grounds for suspicion of an employee's use of drugs or alcohol in violation of this policy, it may direct the employee to submit to a drug and/or alcohol screening at MCCOG's expense.

Screening is the testing of body fluids, normally but not limited to urine, in order to determine the presence (or absence) of controlled substances or alcohol. Screening can include use of a Breathalyzer.

Under the influence of alcohol refers to (a) an employee who imbibes or has imbibed alcohol and whose performance level is determined by a supervisor to be impaired or (b) an employee who tests positive for alcohol.

Under the influence of drugs refers to (a) an employee who tests positive for a controlled substance as defined by the United States Department of Health and Human Services, National Institute on Drug Abuse or (b) an employee who tests positive for a prescription drug taken in excess of the quantity prescribed or for an over-the-counter drug taken in excess of the dosage indicated on the product label.

Work environment & work time are defined to include time waiting to begin work while on MCCOG property, all time and work locations during the work shift, including all meal and rest periods, and time after completion of the work shift while on MCCOG property.

Employee Responsibilities

Any employee who is charged or convicted under any criminal drug statute must report the charge or conviction to his or her supervisor within five calendar days of the event. An employee who is convicted of illegal substance activity on the job shall be considered to be in violation of this policy and subject to discipline under this program. MCCOG reserves the right to inspect and/or search all MCCOG property for alcohol, controlled or illegal substances or any other substance which impair job performance. MCCOG also reserves the right to inspect and/or search, for cause, any employee's personal property while it is on MCCOG property. Refusal to submit to any such inspection or refusal to cooperate in any investigation will subject the employee to disciplinary action including immediate suspension or termination.

Any employee who, while on MCCOG business, is involved in a personal injury accident or a property damage accident, or who has two, lesser valued drug-related accidents in a six-month period, or who damages another disinterested party's vehicle, must report the accident to their immediate supervisor as soon as physically possible. If the supervisor has reasonable grounds to believe that the employee, at the time of the accident(s), may have been under the influence of drugs or alcohol, he/she may require the employee to undergo screening. Failure to timely report an accident may result in disciplinary action up to and including termination.

Any incident of horseplay or fighting that result in physical injury to one, both or all of the participants must be reported to the immediate supervisor. If the supervisor has reasonable grounds to believe one, both or all the participants may have been under the influence of drugs or alcohol, he/she may require the employee to undergo screening. Failure to timely report an accident may result in disciplinary action up to and including termination.

All employees will comply with the testing requirements of this program. Failure to cooperate with any aspect of the program, including but not limited to falsifying or attempting to falsify test results or samples, refusing to cooperate in testing or searches, or impeding drug or alcohol investigations in any way will subject the employees to disciplinary action up to and including termination.

Post-Offer Screening

Only those employees in safety-sensitive positions (e.g. public transportation) are subject to post-offer substance screenings.

A potential candidate who has failed a pre-employment screening test may only be recertified as a candidate for a position with MCCOG after completion, at their own cost, of an acceptable substance rehabilitation program. *MCCOG reserves the right to make the determination about whether a rehabilitation program is acceptable.* If a candidate completes an acceptable rehabilitation program and is approved for employment with MCCOG, the candidate's status after employment will be considered to be the same as any other rehabilitated employee and will be subject to the same obligations required by this policy. Refusal by a potential candidate for employment with MCCOG to agree to a pre-employment substance screen will result in that candidate's elimination from consideration for any and all positions of employment with MCCOG.

Return-to-Duty Testing

An employee who fails to pass an alcohol or controlled substances test as called for in this policy will normally be discharged from employment. In the event MCCOG determines not to discharge the employee, the employee will not be allowed to return to work unless and until they have agreed to a Last Chance Agreement and fully satisfied the terms of that Agreement, including a requirement to pass a return-to-duty alcohol test

(alcohol concentration of less than 0.02) and a return-to-duty controlled substances test (verified negative result).

If an employee is not discharged for failing to pass an alcohol or controlled substances test and is reinstated under the terms of a Last Chance Agreement, the employee must undergo at least six follow-up alcohol and/or controlled substances tests during the first 12 months following their return to duty. The number and frequency of such follow-up testing shall be as directed by the substance abuse professional. The requirement for follow-up testing may extend for up to 60 months from the employee's return to duty, based on direction from the substance abuse professional, but the substance abuse professional may terminate the requirement for follow-up testing at any time after the first six tests have been administered if he/she determines that such testing is no longer necessary.

Reasonable Suspicion Testing

Whenever a supervisor has reasonable suspicion (as defined earlier) to believe that an employee is under the influence of drugs and/or alcohol, the supervisor may require the employee to submit to a reasonable suspicion drug/alcohol test. The determination that reasonable suspicion exists to require the employee to undergo an alcohol and/or controlled substances test, must be based on specific, contemporaneous, articulate observations concerning the appearance, behavior, speech or body odors of the employee. In the case of controlled substances, the observations supporting a reasonable suspicion finding may also include indications of the chronic and withdrawal effects of controlled substances.

Post-Accident Testing

If possible, all employees involved in an accident will be tested for drugs and alcohol within two hours of the accident. If testing is not accomplished within two hours, all attempts will be made to ensure testing for alcohol is accomplished within eight hours of the accident and testing for controlled substances within 32 hours. An employee who is subject to post-accident testing shall remain readily available for such testing or he/she may be deemed to have refused to submit to testing, provided that this requirement shall not be construed to require the delay of necessary medical attention for injured people following an accident, or to prohibit the employee from leaving the scene of an accident to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

The results of a breath or blood test for the use of alcohol or a urine test for the use of controlled substances, conducted by Federal, State or local officials having independent authority for the test(s), shall be considered to meet the requirements of this section, that the results of such tests can be obtained by MCCOG. An employee who is seriously injured and cannot provide a specimen for testing may be requested to authorize the release of relevant hospital reports and other documentation that would indicate whether there was alcohol or any controlled substance in their system at the time of the incident.

Refusal to be Tested

An employee will be deemed to have violated the prohibitions of this policy against a refusal to take a required alcohol and/or controlled substances test by doing any of the following:

- Telling their supervisor, other MCCOG representative or the person(s) conducting tests or collecting urine specimens that he/she is refusing to be tested;
- Failing to report to, or leaving MCCOG's job site or test site, or failing to report to, or leaving a specified on-site location for transporting to the testing site if the testing site is other than at a MCCOG facility, before the required testing and/or collection is completed;
- Failing to remain readily available for post-accident testing, provided that this requirement shall not be construed to require the delay of necessary medical attention for injured people following an accident, or to prohibit the employee from leaving the scene of an accident to obtain assistance in responding to the accident or to obtain necessary emergency medical care;

- Failing to provide adequate breath for alcohol testing without a valid medical explanation;
- Failing to provide adequate urine for controlled substances testing without a valid medical explanation;
- Engaging in any other conduct which clearly obstructs the testing process.
- A refusal to be tested shall be treated as a positive test and will subject the employee to the penalty provisions of this policy.

Consequences of Prohibited Conduct

Any employee tested under the provisions of this policy that is found to have an alcohol concentration of 0.02 or greater or a positive controlled substances test result, or who otherwise violates this policy will be removed from duty and may be terminated.

Employee Assistance Program (EAP)

MCCOG recognizes that alcohol and drug abuse are problems that can be treated and MCCOG accepts responsibility for providing channels of help, but it is the employee's responsibility to seek that help. If the employee seeks help prior to discovery or other violation of MCCOG's Drug Free Workplace Policy, then they will be assured an opportunity to enter a Last Chance Agreement. However, if the employee does not seek help prior to discovery and the problem in some way comes to the attention of management, then disciplinary action will result.

If an employee desires assistance with a substance abuse problem, he/she should contact MCCOG's EAP provider and set up an appointment. Appointments will be arranged at the employee's convenience, and will be kept confidential. The employee's case file will be coded and will not become part of their personnel file. In the event the employee has no accrued leave, MCCOG will attempt to grant an unpaid leave of absence in order to protect the employees' position with MCCOG. Voluntary requests for assistance shall not count against an employee for the purpose of job security or promotional opportunity.

Prescription Medications

All employees are required to notify their immediate supervisor when they are taking prescription medications with warning labels (for example, relating to the operation of vehicles, heavy equipment, machinery or causing drowsiness, etc.). In some cases, it may be necessary to temporarily re-assign covered drivers until the course of medication is completed. This decision will be based solely on management's discretion on a case-by-case basis. If a driver is in doubt about a medication's effect on work performance, he/she should ask the prescribing physician or pharmacist for clarification.

Payment of Program Costs

MCCOG will pay all costs, including, but not limited to, paid time for random, reasonable suspicion and post-accident testing. MCCOG will pay for pre-employment tests but the applicant's time spent at the test will not be MCCOG-paid time. Except as otherwise specifically provided herein, any employee who violates any of the provisions of this policy will be responsible to make all arrangements and pay for any dependency evaluation, treatment, and/or return-to-duty testing, which may result.

An employee who has a test performed on a split sample following a positive controlled substances test must make the arrangements and pay for the test. MCCOG will reimburse the employee for the testing cost if the test result refutes the positive test. Time off for an employee who violates any provisions of this policy shall be unpaid time and the employee will be responsible for the full cost of maintaining their health benefits. Employees will be allowed to utilize available accrued vacation, sick leave or compensatory time hours for the actual period of time required and utilized to participate in a prescribed alcohol and/or drug treatment program.

Education and Training

Employees will be occasionally furnished with educational materials that explain the requirements of this policy.

Supervisor Training

Supervisors who may be required to make reasonable suspicion determinations will receive training on recognition of the physical, behavioral, speech and performance indicators of probable alcohol and controlled substance use.

Workplace Violence

MCCOG is concerned about society's increased violence, which has filtered into many workplaces throughout the United States. To help prevent incidents of violence from occurring, MCCOG has adopted this Zero Tolerance Policy for workplace violence. Consistent with this policy, acts or threats of physical violence, including intimidation, harassment, and/or coercion which involve or affect MCCOG or which occur on MCCOG property will not be tolerated.

MCCOG will not condone any acts or threats of violence against its employees, customers, or visitors by any individual on MCCOG's premises at any time or while such individual is engaged in business with or on behalf of MCCOG, on or off MCCOG's premises.

Acts of Violence

Threats or acts of violence include conduct against persons or property that is sufficiently severe, offensive, or intimidating to alter the employment conditions at MCCOG, or to create a hostile, abusive, or intimidating work environment for one or more MCCOG employees.

Examples of Workplace Violence

General examples of prohibited workplace violence include, but are not limited to, the following:

All threats or acts of violence occurring on MCCOG property, regardless of the relationship between MCCOG and the parties involved in the incident.

All threats or acts of violence not occurring on MCCOG property but involving someone who is acting in the capacity of a representative of MCCOG.

All threats or acts of violence not occurring on MCCOG property involving an employee of MCCOG if the threats or acts of violence affect the legitimate interests of MCCOG.

Any threats or acts resulting in the conviction of an employee or agent of MCCOG, or of an individual performing services on MCCOG's behalf on a contract or temporary basis, under any criminal code provision relating to threats or acts of violence that adversely affect the legitimate interests and goals of MCCOG.

More Specific Examples of Prohibited Conduct (not all inclusive)

- Hitting or shoving an individual
- Threatening to harm an individual or their family, friends, associates, or their property
- Intentional destruction or threat of destruction of property owned, operated, or controlled by MCCOG
- Making harassing or threatening telephone calls, letters or other forms of written or electronic communications
- Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interest in MCCOG
- Harassing surveillance, also known as stalking, the willful, malicious and repeated following of another person and making a credible threat with intent to place the other person in reasonable fear of his or her safety
- Making a suggestion or otherwise intimating that an act to injure persons or property is *appropriate*, without regard to the location where such suggestion or intimation occurs
- Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on MCCOG property

Applications of Prohibition

MCCOG's prohibition against threats and acts of violence applies to all persons involved in MCCOG's operation, including but not limited to MCCOG personnel, contract and temporary workers, and anyone else on MCCOG property. Violations of this policy by any individual on MCCOG property, by any individual acting as representative of MCCOG while not on MCCOG property, or by any individual acting off of MCCOG property when their actions affect the public interest or MCCOG's business interests may be followed by legal action, as appropriate. Violation by an employee of any provision of this policy may lead to disciplinary action, up to and including termination.

Duty to Warn

In furtherance of this policy, employees have a duty to warn their supervisors, security personnel, or the Executive Director of any suspicious workplace activity, situations, or incidents that they observe or know of that involve other employees, former employees, customers, or visitors and that appear problematic. This would include, for example, threats or acts of violence, aggressive behavior, offensive acts, threatening or offensive comments or remarks, and the like.

Employee reports made pursuant to this policy will be held in confidence, to the extent possible. In cases where the reporting individual is not a MCCOG employee, the report should be made to the Executive Director. In cases where the reporting individual is a MCCOG employee, the report should be made to the reporting individual's immediate supervisor, a management level supervisory employee if the immediate supervisor is not available, or to the Executive Director. Each supervising employee shall promptly refer any such incident to the appropriate management level supervisor who shall take corrective action. Nothing in this policy alters any other reporting obligation established in MCCOG policies or in state, federal or other applicable law. MCCOG will not condone any form of retaliation against any employee for making a report in good faith under this policy. Each employee of MCCOG and every person on MCCOG property is encouraged to report incidents of threats or acts of physical violence of which he/she is aware.

Fitness-for-Duty Evaluation

At the discretion of the Executive Director, an employee exhibiting warning signs, symptoms and risk factors may be ordered to submit to a psychological evaluation at MCCOG expense to determine an employees' fitness-for-duty.

Training

MCCOG will provide opportunities for employees to be trained in the risk factors associated with workplace violence, and proper handling of emergency situations in order to minimize the risks of violent incidents occurring in the workplace.

All Weapons Banned

MCCOG specifically prohibits the possession of weapons by any employee while on MCCOG property. This ban includes keeping or transporting a weapon in a vehicle in a parking area, whether public or private. Employees are also prohibited from carrying a weapon while performing services off MCCOG's business premises. Weapons include guns, knives, explosives, and other items with the potential to inflict harm. Appropriate disciplinary action, up to and including termination, will be taken against any employee who violates this policy.

Employee Assistance Program (EAP)

Any employee who displays a tendency or propensity to engage in violent, abusive, or threatening behavior or who otherwise engages in behavior that MCCOG, in its sole discretion, deems offensive or inappropriate may be referred to the EAP for counseling or other appropriate treatment. Such employees will also be subject to disciplinary action, up to and including termination.

Definitions & Procedures for Workplace Violence

Crisis Assessment is a response to serious actions or threats against individual(s) or MCCOG. In the event of such actions or threats, a crisis assessment team will be convened, comprised of representatives from MCCOG's management team and the Program Director of the employee involved.

Physical Hostile Actions are those that may be considered endangering or life-threatening. Any physical hostile actions made by or against an employee or any individual on MCCOG property or off-premises where an employee is working off-site should be responded to by calling the Executive Director. The Executive Director will respond to the scene of the incident, contact the police if appropriate, and, if the police have not been previously contacted determine the appropriate action to be taken. Physical hostile actions or threats made by an employee require immediate suspension or termination. Law enforcement action may also be required.

In-person Threats Against Individual(s) and/or MCCOG

Confrontational threats while at work should be dealt with by the supervisor and Executive Director through an immediate meeting with the individual(s) involved. Depending on the seriousness of the threats, actions may include suspension with pay (for gathering additional facts), written warning, or termination. For employees suspended or terminated, police must be notified, the employee's keys retrieved, and the individual escorted out of the building.

Other Threats Against Individual(s) and/or MCCOG

Threats against individual(s) and/or MCCOG regardless of how transmitted (written, verbal, electronically) should be immediately reported to the Executive Director. The Executive Director will immediately convene the Program Director and management team of the individual making the threat, if he or she is employed by MCCOG and is identified. A crisis assessment will take place. Factors to consider may include the nature of the threat, the need for immediate action, the circumstances preceding the threat, the assurance that the individual(s) will not be able to enter the facility, the nature of on-going communications with the individual(s), notification of law enforcement authorities, and possible legal action.

Violence at Field Locations

Hostile actions and in-person, written or electronic threats occurring at locations outside of MCCOG's work sites should follow these procedures:

Hostile actions and threats require the senior person on-site to determine the appropriateness of contacting local law enforcement agencies. The Executive Director should be notified immediately to help local management determine appropriate follow-up actions;

Written or electronically transmitted threats must be made known to the senior on-site manager immediately. He or she should contact the Executive Director to determine the next steps to be taken in conjunction with the crisis assessment team;

Details of the incident should be recorded by the manager for analysis and review by the Executive Director and local law enforcement officials, if necessary.

Documentation

It is critical that any material relevant to the incident be maintained until the Executive Director decides upon proper disposition. In all circumstances, a complete and detailed log of events will be maintained by the Executive Director and reviewed on an on-going and as-needed basis.

Workplace Searches

In order to safeguard the property of our employees, our customers, and MCCOG, and to help prevent the possession, use, and sale of illegal drugs on MCCOG premises, and in keeping with the spirit and intent of MCCOG's drug-free workplace policy, MCCOG reserves the right to question and conduct personal searches of employees and all other persons entering and leaving our premises, and to inspect any packages, parcels, purses,

handbags, briefcases, lunch boxes, or any other possessions or articles carried to and from MCCOG's property. In addition, MCCOG reserves the right to search any employee's office, desk, files, locker, or any other area or article on MCCOG premises. It should be noted that all offices, desks, files, lockers, etc., are the property of MCCOG and are issued for the use of employees only during their employment. Inspections may be conducted at any time at the discretion of MCCOG.

In conjunction with implementing this policy, MCCOG has posted notices in conspicuous places, throughout MCCOG facilities, informing all employees, prospective employees, customers, visitors, and all other individuals of MCCOG's policy and right to question individuals and conduct inspections. Persons entering the premises who refuse to cooperate in an inspection conducted pursuant to this policy will not be permitted to enter the premises. Employees working on, entering, or leaving the premises who refuse to cooperate in an inspection, as well as employees who after the inspection are believed to be in possession of stolen property or illegal drugs, will be subject to disciplinary action up to and including termination if upon investigation they are found to be in violation of MCCOG's security procedures or any other MCCOG rules and regulations.

Conflict of Interest

The proper operation of MCCOG requires that employees be independent, impartial, and responsible to the people it serves; that decisions and policy be made in the proper channels of MCCOG structure; that MCCOG not be used for personal gain; and that the public have confidence in its integrity. No employee, whether paid or unpaid, will engage in any business or transaction or will have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of their official duties in MCCOG's interest, or would tend to impair their independence or judgment or action in the performance of their official duties. Personal, as distinguished from financial, interest includes an interest arising from blood, marriage, or close business or political association. MCCOG employees are also subject to the Oregon Code of Ethics. Specific conflicts of interest are detailed below for the guidance of employees:

Preferential Treatment to Individuals Generally - Granting any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

Incompatible Treatment - Engaging in or accepting private employment or rendering services for private interests when such employment or service is incompatible with the action in the performance of their official duties.

Disclosure of Confidential Information - Disclosure of confidential information concerning the property, government or affairs of MCCOG or a member government or private business without proper legal authorization; or, using such information to advance the financial or other private interest of himself/herself or others.

Representing Private Interests Before MCCOG or Courts - No person whose salary is paid in whole or in part by MCCOG will appear in behalf of private interests before any agency-related MCCOG activities, without first informing the Executive Director. Nor will the person represent private interests in any action or proceeding against the interests of MCCOG in any litigation to which MCCOG is a party. An employee may appear before MCCOG and its committees on behalf of constituents in the course of their duties as a representative of MCCOG or in the performance of their obligations. However, no person will accept a retainer or compensation or a promise of a position that is contingent upon a specific action by a MCCOG agency.

Interest in Contracts with MCCOG - No employee of MCCOG will have any interest or accrue any benefits from any contract issued by MCCOG.

Disclosure of Interest in Legislation - An employee of MCCOG who has a financial or other private interest in any project or program being considered by MCCOG will disclose on the records of MCCOG, or other appropriate authority, the nature and extent of such interest.

Restrictions on Political Activities

Hatch Act

Partisan political activities by MCCOG employees are limited by the provisions of the Federal and State Hatch Acts. For the purpose of this section, *partisan* is defined as: an election is partisan if any candidate for an elected office is running as a representative of a political party whose presidential candidate received electoral votes in the last presidential election.

For the purpose of this section, *covered employees* include: all regular and temporary full-time and part-time employees; persons employed by contract or intermittent employees during the 24-hour period of any day in which they are actually employed; Title V or work experience participants. All covered employees continue to be covered on their own time and while on annual/vacation leave, sick leave, leave without pay, administrative leave or other authorized leave. Examples of permitted activities:

- Register and vote as you choose;
- Assist in voter registration drives;
- Express opinions about candidates and issues;
- Participate in campaigns where none of the candidates represents a political party;
- Contribute money to political organizations or attend political fund raising functions;
- Wear or display political badges, buttons or stickers;
- Attend political rallies and meetings;
- Join political clubs or parties;
- Sign nominating petitions; and
- Campaign for or against referendum questions, constitutional amendments, municipal ordinances.

While engaging in these activities employees must be acting in their personal capacity, not their official capacity. For example, they should not identify their official title when engaging in any of these activities.

COVERED STATE AND LOCAL EMPLOYEES *MAY NOT* ENGAGE IN THESE PROHIBITED ACTIVITIES:

- Be candidates for public office in a partisan election;
- Use official authority or influence to interfere with or affect the results of an election or nomination; or
- Directly or indirectly coerce, attempt to coerce, command, or advise a state or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.

Applicability

When an employee has doubt as to the applicability of a provision of political activity policies to a particular situation, they should request a decision from the Executive Director. The employee will have the opportunity to present their interpretation of the facts at issue and any applicable provision of the policy before the Executive Director.

Use of Position for Political Influence

No employee will promise an appointment to any MCCOG position, favorable treatment, or the influence of their office or other favor or reward in return for political activity on their behalf, or on behalf of any candidate or cause.

Effect of Violation

Violation of any provision of political activity policies should raise conscientious questions for the employee concerned as to whether voluntary resignation or other action is indicated to promote the best interest of MCCOG. Violations may constitute a cause for suspension, removal from employment or other disciplinary action.

Outside Work Policy

Prior to accepting outside employment, employees must forward in writing to the Executive Director the following information: type of work, hiring organization, and hours of work. Within five working days of receiving such a request the Executive Director will respond, in writing, with a determination concerning whether the outside employment represents a real or apparent conflict of interest. The Executive Director may approve outside employment when the employment does not detract from the efficiency of the employee's work for MCCOG, and is not conflicting with the interest of or is a discredit to MCCOG.

Complaint Investigation

When MCCOG receives a complaint against an employee and the complaint is not of a criminal nature but concerns a violation of rules, policies or procedure, an investigation may be made. The employee will be informed of a complaint prior to a formal investigation. MCCOG will give the involved employee(s) written notification, if available, of the result of its investigation of non-criminal complaints upon request of the employee. When MCCOG receives a complaint of alleged criminal law violation, MCCOG will refer that complainant to a law enforcement or criminal justice agency. If MCCOG chooses to remove an employee from their work assignment during an investigation, the employee may be assigned duties not related to their normal work or put on a leave of absence with or without pay, as the circumstances dictate.

Whistleblower

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

Safety

General Safety Policy

The Mid-Columbia Council of Governments is committed to providing a safe and healthy workplace for all employees. MCCOG complies with all applicable requirements issued by the federal Occupational Health and Safety Administration (OSHA). The objective of the safety and health program is to reduce or eliminate disabling injuries and illnesses. It is the policy of MCCOG to exercise all precautions necessary to protect employees from all accidents. MCCOG firmly believes that all accidents are preventable.

The responsibility for the success of the safety and health program is shared by management and all employees working for MCCOG. Enforcement of safety rules will be vigorous and equitable, reinforcing the intent to provide workplace safety. Supervisors are required to take quick, consistent action to change unsafe behavior. It is the responsibility of all employees to cooperate in making the safety program work, including compliance with all rules and regulations.

Safety Standards are as follows: Each new hire will be given a new employee orientation. During the orientation, the new employee will receive a description of the work areas. All known potential job hazards will be discussed in detail. Job safety activities will be explained, as well as required provisions to prevent harm or injury to the employee. If a safety hazard or potential hazard is identified, the Executive Director must

be notified immediately. All hazards or potential hazards will be tagged as unsafe, and employees who are present will be so notified. All workplace hazards must be reported to the Executive Director immediately. When the Executive Director learns of a hazardous situation, all reasonable steps will be taken to correct the hazard as soon as possible. If correcting the hazard is not immediately possible, sufficient modifications will be made to eliminate any risk to employees or others.

MCCOG will take all reasonable steps to ensure workplace health and safety and to minimize the potential for workplace hazards. The Executive Director, in cooperation with the Safety Committee, will train new and existing employees on general safe and healthy work practices, as well as safety practices for a specific job, if applicable. The employee is responsible for immediately reporting all accidents and injuries to the Executive Director, regardless of how minor the occurrences may seem at the time. Failure to report such incidents may result in disciplinary action, up to and including termination. Reprisal shall not be permitted against any employee who reports a workplace hazard or injury.

Potential Hazards that exist in an office setting include the following:

- Fire and injuries associated with fire.
- Earthquake and injuries associated with falling objects.
- Back injuries from lifting heavy objects.
- Injuries associated with jammed fingers and toes, tripping, and falling.

To prevent these accidents or injuries, the following safety standards have been established:

- Lift heavy objects using the muscles of the legs and not the back.
- When bending, bend the knees while trying to keep the back as straight as possible.
- Keep work and floor areas free from clutter.
- Do not obstruct doorways, hallways, or stairways in any manner.
- Know the location of the fire extinguishers and emergency exits in the building.
- Keep fire paths free from clutter.
- Coffee pots and heaters are to be turned off at day's end to avoid fire hazards.
- All employees must obey the fire codes.
- If a life-threatening emergency occurs, the employee must dial 9-1-1 and report their name, the telephone number from where they are calling, and the exact location of the emergency. The employee will need to describe the nature of the emergency and what happened. **DO NOT HANG UP.** The operator will give special instructions until the emergency service arrives.
- If a fire occurs, quickly notify everyone in the building and begin evacuation procedures. Dial 9-1-1 or have someone else call and follow the instructions in previous step. If elderly people, children, or disabled individuals are inside, help them out of the building right away.
- If an earthquake occurs while indoors, any employee should remain indoors, proceed to get under a desk or a table and stay clear of windows, brick masonry, book shelves, heavy furniture, and appliances. Do not rush outside. If the building has stairs or an elevator, do not use them while the earthquake is in progress. If an employee is outside during an earthquake, any employee should get into the open, away from buildings and power lines. If an employee is driving, they should stop, but stay inside their car. Stopping under bridges, light posts, and power lines **SHOULD NOT BE DONE.** Be alert for falling objects.
- An employee will not work while under the influence of alcohol or drugs. If reasonable suspicion of drug or alcohol use exists or is witnessed, the employee will be immediately escorted from the work premises.
- Do not engage in horseplay. Practical jokes and horseplay can lead to accidents and are not considered appropriate on-the-job behavior.
- Use tools and equipment for their intended purposes only.

- Use toxic sprays or liquids only in well-ventilated areas.

Fire

Fires and injuries associated with fires can be avoided if proper steps are taken and care is given. Fires and injuries due to fires usually occur because of poor housekeeping, inadequate protection, poor or faulty heat control sources, inadequate quantity and type of firefighting equipment, improper storage and handling of combustibles, improperly trained employees, and faulty electrical installation. Employees must take every precaution to prevent work-related fires and fire-related injuries.

Employees must be aware and alert regarding the following:

- Inspect work areas regularly for potential fire hazards.
- Know the telephone number and location of the nearest public and private fire protection services.
- Know the location and use of job site fire extinguishers. Fire extinguishers are to be available on each floor in multi-story buildings and at each stairway. All fire extinguishers will regularly be fully charged, maintained, and inspected.
- Know the location of all exits.
- Observe safe housekeeping procedures.

Violating safety standards or risking the safety of oneself or others may result in disciplinary action, up to and including termination.

Security

Responsibility

Each person is responsible for making the workplace a secure environment for everyone. The following security guidelines apply to all employees:

- MCCOG keys given to employees may not be duplicated or loaned to anyone. Lost keys must be reported to the Executive Director immediately.
- Employees are responsible for turning off the lights and equipment, such as fans, heaters, radios, and computers, in their individual office at the end of each workday.
- The last person to leave the office for the day must ensure that all lights, fans, and equipment, including coffee pots and copiers, are turned off and all doors are locked.
- During working hours, purses and wallets should not be left out in the open where they are easily seen.
- Any employee who notices any unusual condition upon entering the building or office must report this condition to the Executive Director or their supervisor as soon as possible.
- Guests are to be escorted through the office and not allowed to walk through unattended.
- Guests are not permitted on work premises during non-work hours, unless accompanied by a MCCOG employee at all times.
- Former employees who visit the office should be treated as any other non-employee for security purposes and should be escorted in and out of the office, even though they can navigate around the office themselves.
- Employees are not to remain on the premises after normal working hours unless prior supervisory approval has been given. Caution should be taken in leaving the premises after-dark; employees are encouraged to leave in pairs or groups for security.
- Should an employee find themselves in a threatening situation, they should take appropriate action to prevent any harm to themselves or other people: remain calm, alert other employees, ask for assistance, dial 9-1-1, move to a secure location or off the premises. Use common sense in these circumstances; the ultimate goal is to prevent harm to anyone.

Technology Use Guidelines

Employees may make reasonable use of office phones, fax, postage machine and copiers for personal use, so long as there are no un-reimbursed charges being made on or to MCCOG phone, fax, postage machine and copier and does not interfere with work responsibilities or result in increased material expenses. Any charges that do accumulate to MCCOG will be billed to the employee each month and an itemized cost of the service will be provided to the employee. All charges are expected to be reimbursed to MCCOG immediately and will be reimbursed through payroll deduction as the only acceptable method of payment. Reporting incurred charges to MCCOG is expected and is the employee's responsibility.

Purpose/Scope

MCCOG owns and provides information and communications systems for the conduct of its official business. MCCOG has purchased and installed, at substantial expense, computer and advanced technological systems. MCCOG also provides cell phones for the conduct of its official business.

A policy was created to advise all users regarding the access to and the disclosure of information created, transmitted, received and stored via the use of the Internet, e-mail, cell phones, and other computers, communications and information systems (collectively referred to as "MCCOG's Technology").

MCCOG's policy regarding the use of MCCOG's Technology is, among other things, intended to guide you in the performance of your duties as a MCCOG employee. It is also intended to place you on notice that you should not expect the Internet, e-mail, cell phone conversations and voice-mail in your possession or those that you use from time to time, and their contents, to be confidential or private. All data, including any that is stored or printed as a document is subject to audit and review.

**THERE CAN BE NO EXPECTATION OF PERSONAL PRIVACY
IN THE USE OF MCCOG'S TECHNOLOGY.**

Vehicle Use Policy

The purpose of this policy is to set forth guidelines under which MCCOG vehicles will be authorized to MCCOG personnel, the guidelines under which MCCOG vehicles may be used and guidelines for reimbursement or compensation for employee use of personal vehicles. The provisions of this policy shall apply to all employees.

Definitions

MCCOG Vehicle – all self-propelled equipment, such as buses or automobiles owned, rented, or leased by MCCOG.

Personal Vehicle – A vehicle that is owned, leased, or in the control of an employee and is other than a MCCOG vehicle.

MCCOG Vehicles

It is the policy of MCCOG that certain positions require the use of MCCOG owned vehicles. MCCOG vehicles are not personal vehicles and are not for personal use. MCCOG vehicles should be viewed as belonging to the MCCOG patrons and are used solely for purposes consistent with providing services to those patrons.

Expense Reimbursement

It is the policy of the MCCOG to reimburse employees for expenses which they incur as a result of personal vehicle use on behalf of MCCOG.

General Rules Governing MCCOG Vehicle Use

- MCCOG vehicles may only be used for legitimate MCCOG business.
- MCCOG vehicles will not be used to transport any individual who is not directly or indirectly related to MCCOG business. Passengers shall be limited to the MCCOG transportation programs passengers, MCCOG employees and individuals who are directly associated with MCCOG work.
- Employees assigned to operate MCCOG vehicles are responsible for the operation, care and condition of such vehicle and are also expected to keep vehicles neat and clean inside and out. Employees are expected to report any malfunction or damage to their supervisor immediately.
- Employees must wear seatbelts during the operation of the vehicle.
- No smoking is allowed in or around MCCOG vehicles.
- Employees traveling the furthest will have priority for use of a MCCOG vehicle, even if it has already been signed out by another employee.
- Employees must be in compliance with MCCOG's Drug and Alcohol rules and regulations at all times while responsible for, and in control of, MCCOG vehicles.
- Employees who operate MCCOG vehicles must have a valid Driver's License. The employee must provide a copy of the driver's license to MCCOG any time it is renewed or otherwise changed, and provide a copy of the medical card each time it is renewed if a Commercial Driver's License is required for their position. Transportation Network employees need to be aware that MCCOG subscribes to the Oregon Department of Licensing reporting system which will provide MCCOG with reports of any activity involving an Oregon Driver's License. MCCOG will cover the costs associated with obtaining and maintaining a CDL, which includes test and license fees and medical exam if a having a CDL is a requirement of their position. Employees must submit receipts to the office for reimbursement of these costs.
- Employees are prohibited from applying or placing any signs, decals, posters, insignia, bumper stickers, window stickers or any other items on MCCOG vehicles, unless authorized to do so by the MCCOG Executive Director.
- Employees driving MCCOG vehicles shall obey all applicable traffic and parking regulations, ordinances and laws.
- Employees who incur fines in MCCOG vehicles will be personally responsible for payment of such fines, unless the Executive Director approves payment.
- Employees who are issued citations for any offense while using a MCCOG vehicle must notify their supervisor immediately, when practicable, but in no case later than 24 hours. Failure to provide such notice may be grounds for disciplinary action.
- An employee who is assigned a MCCOG vehicle and who is arrested for, or charged with a motor vehicle offense for which the punishment includes suspension or revocation of the motor vehicle license, whether in his or her personal vehicle or in a MCCOG vehicle, must notify his or her supervisor immediately, when practicable, but in no case later than 24 hours. Conviction for such an offense may be grounds for loss of MCCOG vehicle privileges and/or further disciplinary action.

Reporting and Investigating Accidents

When any MCCOG vehicle is involved in an accident resulting in property damage or injury to any person, the following procedures shall be observed:

- The operator shall immediately report the accident to the MCCOG dispatch office and/or supervisor; remain at the scene until released from the scene of the accident by management and not move any vehicle until authorized by management, unless non-removal creates an undue hazard. All vehicles should have an insurance packet to assist in obtaining information from the other involved parties, if any. The operator shall comply with any determination to conduct post-accident drug and alcohol testing in compliance with MCCOG's Drug and Alcohol policy.
- The operator shall promptly fill out MCCOG's accident report and the State of Oregon Accident report form, if required.

- Management or other employee(s) appointed by management shall respond to the scene, and request and facilitate a police investigation. Gather information for MCCOG’s insurance company, take photos if a camera is available, submit independent reports and complete all forms as appropriate and report all findings and conclusions to their direct supervisor.

Expense Reimbursement – Personal Vehicles

- Expense reimbursement for use of personal vehicles requires advanced approval of management.
- Employees will not be reimbursed for use of a personal vehicle if a MCCOG vehicle is available for use.
- When an employee is authorized to use a personal vehicle for work related travel, he or she shall be reimbursed at the current mileage rate established by the Internal Revenue Service.
- The mileage rate established above includes all of the costs of the use of the vehicle, including but not limited to the costs of gasoline, repairs, insurance, and general wear and tear on the vehicle.
- In addition to the mileage rate, MCCOG will reimburse employees for driving personal or MCCOG vehicles for tolls and reasonable parking expenses, when receipts are provided (where available).
- MCCOG retains the right to require employees who are reimbursed for work related travel to show proof of at least the minimum levels of insurance coverage:

Bodily Injury	\$100,000/300,000
Property Damage	\$25,000
Personal Injury protection	\$10,000

In order to be reimbursed for personal automobile use, employees must complete MCCOG’s Employee Reimbursement form and attach a copy of current proof of insurance.

Special Circumstances

This policy is intended to provide a basic framework governing the use of personal and MCCOG vehicles, and, as such, cannot contain procedures governing every situation that might arise. Employees seeking clarification of, or exemption from provisions of this policy should contact MCCOG’s Executive Director who will provide such clarification and may authorize exceptions to the policy under mitigating circumstances.

Sanctions

Failure to comply with any and all provisions of this policy may result in disciplinary action up to and including removal of MCCOG vehicle privileges, suspension, and/or termination from MCCOG Service.

SEPARATION, DISCIPLINE AND GRIEVANCES

At-Will Termination Policy

Employment with MCCOG is on an *at-will* basis and may be terminated by either the employee or MCCOG at any time with or without cause or notice. No commitment or employment tenure shall be inferred or otherwise assumed from any source whatsoever, written or oral. Employment for any specified duration shall not be valid or binding on the employee or MCCOG unless it is expressly set forth in a written document and signed by the employee and the Executive Director. Employment *at-will* is a term and condition of employment for all persons employed by MCCOG.

Request for Two Weeks’ Notice

Because employment is at will, employees are free to resign with or without notice. However, employees are encouraged to give MCCOG at least two weeks’ advance notice of resignation. At the discretion of

management, an employee may be dismissed on the same day he or she provides notice of intent to resign. In such instances, consent may be given to paying the employee for the requested notice period as if the employee actually had worked. However, such payment is solely at the discretion of MCCOG and requires the approval of the Executive Director.

Involuntary Termination

The decision whether an employee shall be dismissed from employment is within the sole discretion of MCCOG. MCCOG may terminate an employee at any time, with or without cause, for any reason or for no reason. The manager making the termination decision must complete a Personnel Action Form and submit it for the approval of his or her supervisor, Human Resources and the Executive Director (or, alternatively, MCCOG's general counsel) prior to dismissing the employee.

Payroll/Benefits Procedure

The supervisor is responsible for providing a copy of the Personnel Action Form to Payroll with information concerning the disposition of the employee's final pay and vacation pay.

Voluntary Termination Policy

Employees and MCCOG both have an equal right to terminate employment at any time for any reason. To the extent possible, employees will be given advance notice of termination.

Layoff

The Executive Director may lay off an employee without prejudice due to shortage of funds, curtailment of work, abolition of position, a change in duties, or for business needs. The policies of layoff will be as follows:

Notification of Layoff or Pending Layoff

The Executive Director will, whenever possible, notify an employee of a pending layoff in writing ten working days prior to the effective date of the layoff.

Separation

It is MCCOG's desire to avoid circumstances that require a reduction in hours or staff, but we also recognize that situations may arise where MCCOG may need to make such reductions. Depending upon the circumstances, MCCOG may respond in a variety of ways, including offering a voluntary reduction in hours or days or work, reducing the work hours or days of work, reducing expenses by other means, or by a reduction of the workforce. Some, but not all, of the factors that may be considered for any reduction-of-hours, or staff are:

- Department, location, or job;
- Job knowledge, skill and ability to do the required work;
- Performance, attendance, safety and disciplinary history and records;
- Possession of licenses, registrations and or certifications required by the job; and
- Efficiency of our operation.

Offer of Reassignment, Transfer, Demotion or Part-time Employment

Any regular service employee who has received written notice of pending layoff may be considered eligible for reassignment, transfer, demotion or part-time employment in lieu of layoff to a position for which the employee is qualified, and for which a position vacancy is available. Such appointments will be non-competitive and will be offered in writing by the Executive Director. An employee serving a trial service period to MCCOG, who

voluntarily accepts reassignment, transfer, demotion to a lower classification or part-time employment in lieu of layoff will have all time spent in the higher classification or previous position count toward completion of the trial service period.

Disciplinary Action

It is the policy of MCCOG to endeavor to treat all employees equitably and to administer all policies, procedures, rules, and regulations consistently. However, when an employee's performance is unsatisfactory, or when an employee violates the rules and regulations of MCCOG, appropriate disciplinary action may have to be taken, up to and including termination of employment, without prior warning or notice. It is the policy of MCCOG that employee discipline be corrective in the sense that MCCOG attempts to help the employee correct those deficiencies and restore the employee to a productive and positive employment status.

This procedure is set forth merely as a guideline. The implementation of this procedure should not be construed as creating a contract or a guarantee of employment for any specific duration. Nor should it be construed as preventing, limiting, or delaying MCCOG from taking disciplinary action, including the immediate termination of an employee without prior warning, in circumstances where MCCOG, in its sole discretion, deems such an action appropriate. Employees and MCCOG are free to terminate the employment relationship at any time, with or without cause, for any reason or no reason at all, with or without notice.

Classification of Disciplinary Action

Whenever an employee commits an offense warranting disciplinary action, their supervisor may begin disciplinary action at any of the stages listed below, depending upon the seriousness of the offense committed. Thus, the implementation of this policy/procedure should not be construed as preventing, limiting, or delaying MCCOG from taking appropriate disciplinary action against any employee at any level, including termination without prior warning, where MCCOG, in its sole discretion, deems such action appropriate.

Employee Coaching

Employees are coached by their supervisor regarding their performance or conduct in an effort to eliminate possible misunderstandings, improve job performance, or to explain what constitutes proper conduct. Documentation may or may not be placed in the employee's personnel file at this time. However, if the behavior continues, the dates and content of the coaching may be included in subsequent disciplinary actions and documentation.

Verbal Warning

A verbal warning occurs when an employee is verbally reprimanded by their supervisor regarding their performance or conduct following an effort to eliminate possible misunderstandings, improve job performance, or to explain what constitutes proper conduct. All verbal warnings will be documented in writing and include the date, time and action taken. The employee will be requested to sign the verbal warning indicating its receipt and understanding of the action. A copy will be given to the employee with an additional copy filed in the employee's personnel file.

Written Warning

A written warning occurs when an employee receives a notice of infraction. This can result from continued poor job performance, repeated minor offenses or where the supervisor or manager believes that an offense in the first instance is serious enough to warrant dispensing with coaching or verbal warning and issuing a formal written notice. A formal corrective interview will be held and documented. In this interview, the employee's immediate supervisor will discuss specific suggestions for corrective action on the part of the employee and timeframes for their accomplishment.

The purpose of a written warning is to make certain that the employee is fully aware of the level of the misconduct they committed or of those areas of performance that must be improved. The written warning should also inform the employee of what is expected, thereby allowing the employee to correct their performance problems or avoid a recurrence of the incident. The written warning will also state the consequences if the misconduct or poor performance continues. The reason for this interview and action recommended will be documented by the immediate supervisor. The employee will be requested to sign the notice indicating its receipt. A copy will be given to the employee with an additional copy filed in the employee's personnel file.

Suspension

Suspension will be with or without pay at the discretion of the Executive Director. Supervisors may need to relieve an employee of their responsibilities and send them home pending an investigation. The suspension must be reviewed by the Executive Director as soon as possible. Following an investigation, a Director, with the approval of the Executive Director, may suspend an employee with or without pay. The maximum period allowed for such suspension will not exceed ten (10) working days in any one instance.

Termination

Termination occurs when the employee's misconduct is of such a serious consequence that MCCOG believes it has no practical alternative. When an offense is so severe in nature that department management believes a termination is warranted, the supervisor involved should immediately suspend the employee with pay, pending further investigation and review of the incident. This will ensure that the management representatives involved will objectively evaluate all of the facts and circumstances surrounding the offense before deciding on an appropriate penalty. After deciding on an appropriate penalty, the management representatives involved should review the details of the incident with the Executive Director.

Administration of Disciplinary Action

Any disciplinary action to be taken, including a verbal warning, should be administered by the immediate supervisor and, where circumstances dictate, in the presence of the next level of supervision in the department (normally the individual to whom the supervisor reports) and/or Human Resources. A letter of reprimand should be prepared by the supervisor regardless of the level at which the warning is being given.

Supervisor's Responsibilities

Supervisors are responsible for administering discipline within the general guidelines of this policy and will put their decisions in writing and submit them to Human Resources and the Executive Director for approval. The Executive Committee of the Board of Directors will act as the supervisor in relating to discipline of the Executive Director.

Appeals from Disciplinary Action

The Executive Director of MCCOG has the authority and responsibility for final decisions on all disciplinary actions.

Grievance Policy

A grievance may be filed by any MCCOG employee for any alleged violation of the MCCOG Personnel Manual.

Time Limits

The time limits can be extended by mutual consent in writing by the parties involved at any step in the process. Likewise, any step in the grievance procedure may be eliminated by mutual consent in writing.

Employee Protection

There will be no interference or reprisal exerted on any employee choosing to use the procedures for resolution of a grievance. However, if an employee has abused the grievance process by filing frivolous, malicious, or repeated grievances without merit or has provided false information regarding a complaint, disciplinary action may be taken against the individual who filed the grievance or who gave the false information. This may include disciplinary action, up to and including termination.

Failure to Respond

Failure at any step of the procedure by the aggrieved to appeal a grievance to the next step within the specified time limits will be deemed to be acceptance of the decision rendered at that step. Failure at any step of the procedure by management to communicate in writing the decision on a grievance within the specified time limits will permit the aggrieved to proceed to the next step.

Files

All documents, communications, and records of a grievance will be filed in the employee's personnel file.

Confidentiality

All information relating to a grievance will be considered confidential information.

Coverage

All employees are covered by the grievance policy. Terminated and laid-off employees must file the alleged violation of MCCOG Personnel Policies and Procedures within five working days of termination or layoff.

Grievance Procedure

Step 1 - Initiation of Grievance

Each grievance must be initiated within five working days of the occurrence or first knowledge of the cause. Failure to initiate a grievance within the specified time limits eliminates the employee's rights to a grievance process.

Grievances will be initiated at the lowest supervisory level in the organizational structure and advanced to the Executive Committee as the final authority on grievance resolution. If it is not appropriate to initiate the grievance with the immediate supervisor, then the grievance will be initiated at the next most appropriate level in the organizational structure.

Step 2 - Informal Conference

Since the purpose of this grievance procedure is to settle, equitably and informally if possible, disputes constituting a grievance at the lowest possible administrative level, a thorough discussion of the claim will be conducted by the aggrieved and their immediate supervisor to seek resolution of the problem.

Step 3 - Formal Conference

In the event that the problem has not been resolved at Step 2, the aggrieved will, within five working days after the informal conference, prepare a written statement of the facts constituting the complaint and setting forth:

- The section of the personnel policy allegedly violated;
- The nature and extent of the injury or loss suffered;
- The results of previous formal or informal discussions of the grievance;
- Their dissatisfaction with the decision rendered at the informal conferences; and
- The remedy sought.

This information will be sent to the Program Director, who will, within ten working days of receipt of the complaint, meet with the grievant, and if necessary, the supervisor, to attempt to resolve the matter.

Within ten working days of the formal conference, the Program Director will provide both parties with a written decision along with rationale and will advise the Executive Director of the situation.

Step 4 - Appeal to Executive Director, Filing the Appeal

Within five working days of receipt of the written decision, the aggrieved may file an appeal in writing to the Executive Director. The grievant is encouraged to provide a written statement of the specific reasons why the decision rendered at Step 3 is unacceptable. Copies of the decision and statement of reasons from Step 3 must be filed with the appeal.

Within ten working days after receiving the appeal, the Executive Director will meet with the aggrieved for a thorough discussion of the aggrieved claim. The Executive Director may ask the Program Director and/or the immediate supervisor to participate in this meeting. The purpose of the meeting will be to resolve the complaint. The Executive Director will provide a written decision to all parties within ten working days following the meeting.

Step 5 - Appeal to Executive Committee

Within five days after receiving the written decision of the Executive Director, the aggrieved may file an appeal in writing to the MCCOG Executive Committee. The appeal must be in writing and include all pertinent correspondence, records, and information accumulated to date. The appeal to the Executive Committee must be sent, or delivered, to the MCCOG administrative office and addressed to the Chair of the Board.

The Executive Committee will meet as soon as reasonably possible after receipt of the official written appeal. The decision of the Executive Committee will be made in writing and signed by the Chair and state specific actions to be taken, person(s) responsible for or subject to said actions, and identify appropriate dates for actions to be completed.

The grievant and the Executive Director will be provided ample opportunity to present their cases before the Executive Committee, including witnesses and signed statements. MCCOG recognizes the grievant right to exercise the option of being represented by legal counsel before the Executive Committee, in which case all fees and expenses will be borne by the grievant. The Executive Committee will present their recommendation to the Board for the final decision.

GLOSSARY

Domain Name: A domain name is the way to identify and locate an address on the Internet. The domain name, also called the fully-qualified domain name or FQDN, is a computer's name in text form, for example: ci.hood-river.or.us. The domain name is used to send electronic mail (e-mail), make FTP requests, etc. Before any message is sent on the Internet, the domain name is converted internally to a numerical address, an Internet protocol address, which is what computers on the Internet deal with directly.

E-Mail: E-mail may include non-interactive communication of text, data, images or voice messages between a sender and designated recipient(s) by systems utilizing telecommunications links. It may also include correspondence transmitted and stored electronically using software facilities called "e-mail", "facsimile", or "messaging" system; or voice messages transmitted and stored for later retrieval from a computer system.

File Transfer Protocol (FTP): FTP is a program that allows you to transfer data between different computers on a network.

Hacking: Attempting to break into another system on which you have no account or authorization.

Internet: A worldwide network of networks, connecting informational networks communicating through a common communications language, or "protocol".

Mailing list: A service that sends e-mail to everyone on a list whenever e-mail is sent to the service, permitting a group of users to exchange e-mail on a particular topic.

Multipurpose Internet Mail Extension (MIME): A protocol which lets Internet users attach non-text files to e-mail messages, i.e: lets users send mail in any format including graphic images, formatted documents, and audio, video and compressed data files.

Netiquette: A combination of "network" and "etiquette". It is the practice of good manners in a networked environment.

News groups: Discussion groups with common themes on USENET.

Node: A component in a computer network.

Prohibited Content: Includes but is not limited to chat rooms, special interest groups, "adult" sites or any other site that is determined to be inappropriate.

Standards: Departmental directions or instructions describing how to achieve policy. Mandatory statement of direction.

TELNET: A program that allows remote login to another computer.

TCP/IP: Transmission Control Protocol/Internet Protocol; the communication protocol used by computers connected to the Internet.

USENET: A collection of computer discussion (news) groups.

Users: The public and MCCOG employees.

UUENCODE: A utility which converts binary files on PC into ASCII files. Stands for Unix-to-Unix Encode and was first developed for use with UNIX computers.

Vendors: Any private person or business enterprise.