

RESOLUTION NO. 126

A RESOLUTION ADOPTING PERSONNEL RULES, POLICIES AND PROCEDURES FOR THE CITY OF AURORA.

WHEREAS, the Aurora City Council is authorized and directed under the provisions of Ordinance No. 258 to adopt rules and regulations for the administration of the personnel system created in said ordinance; now, therefore,

BE IT RESOLVED, that the Aurora City Council does hereby adopt the following personnel rules, policies and procedures:

Section 1. PURPOSE: The purpose of this resolution is to provide systematic and equitable procedures and regulations relating to the hiring, compensation, hours of work, leave, safety, training, working conditions, promotions, transfer, discipline, removal and other matters affecting the status of employees of the City of Aurora. Said rules and regulations are provided to maintain uniformity and equity in personnel matters which will make the City service attractive as a career and to encourage each employee to give his best service to the City.

Section 2. VARIANCES : The Mayor shall have the power to vary or modify the strict application of the provisions of this resolution in any case in which the strict application of said provisions would result in practical difficulties or unnecessary hardships.

Section 3. APPOINTMENT : All original appointments to vacancies shall be made solely on the basis of merit, efficiency and fitness. These qualities shall be determined through careful and impartial evaluation of the following:

- (a) The applicant's level of training relative to the requirements of the position for which he has applied;
- (b) The applicant's level of education relative to the requirements of the position for which he has applied;
- (c) The applicant's physical fitness relative to the requirements of the position for which he has applied;
- (d) The results of an oral interview.

No question in any test or in any application form or by any appointing power shall be so framed as to attempt to elicit information concerning race, color, ancestry, national origin, or political or religious affiliation for the pur-

pose of discriminating. All statements submitted on the employment application or attached resume shall be subject to investigation and verification prior to appointment. If required by the department, applicants shall be fingerprinted prior to appointment. Any job applicant or employee may be required to take a physical examination. In cases where a physical examination is deemed advisable, the City shall pay the cost of the examination.

Section 4. PROBATIONARY PERIOD: All appointments shall be tentative and subject to a probationary period of not less than six (6) consecutive months' service. In cases where the responsibilities of a position are such that a longer period is necessary to demonstrate an employee's qualifications, the probationary period may be extended; however, no probationary period shall be extended beyond twelve (12) months. The employee shall be notified in writing of any extension and the reasons therefore. During the probationary period, the employee shall not be eligible for vacation benefits, but he shall earn vacation credit to be taken at a later date. During the probationary period, a probationary employee may be terminated at any time without appeal.

Section 5. HOURS OF WORK : The hours during which City offices and departments shall be open for business shall be determined by the City Council.

Section 6. ATTENDANCE : Employees shall be in attendance at their work in accordance with the rules regarding hours of work, holidays, compensatory time off and leaves of absence. An employee shall not be absent from work for any reason other than those specified in this resolution authorizing sick leave without making prior arrangements with his supervisor. Unless such prior arrangements are made, an employee who, for any reason, fails to report for work, shall make a sincere effort to immediately notify his supervisor of his reason for being absent. If the absence continues beyond the first day, the employee shall notify the supervisor on a daily basis unless other arrangements have been made with the supervisor. Attendance records shall be maintained for all employees. Any unauthorized absence of an employee from duty shall be deemed to be an absence without pay, and may be cause for disciplinary action.

Section 7. PERSONNEL RECORDS : The City Recorder shall cause a personnel record to be maintained for each employee in service of the City. The personnel record shall show the employee's name, title of position held, the department to which assigned, salary, change in employment status, training received,

and such other information as may be considered pertinent. Employee personnel records shall be considered confidential, and shall be accessible only to the employee concerned and city officials authorized by the Mayor.

Section 8. LEAVE OF ABSENCE WITHOUT PAY : A permanent employee may be granted leave of absence without pay for a period not to exceed thirty (30) days, provided such leave can be scheduled without adversely affecting the operations of the City. Requests for leave of absence without pay shall be in writing, shall be directed to the Mayor and shall contain reasonable justification for approval.

Section 9. MILITARY LEAVE OF ABSENCE WITHOUT PAY : Military leave without pay shall be granted to a permanent employee during a period of active duty with the Armed Forces of the United States. The employee shall, upon honorable discharge from such service, be returned to a position in the same class as his last held position, at the salary rate prevailing for such class, without loss of seniority or employment rights. If it is established that he is not physically qualified to perform the duties of his former position by reasons of such service, he shall be reinstated in other work that he is able to perform at the nearest appropriate class to his former class. Such employees shall make application for reinstatement within ninety (90) days and shall report for duty within six (6) months following separation from active military duty. Failure to comply shall terminate military leave. If an employee voluntarily re-enlists, his military leave shall be deemed terminated.

Section 10. OUTSIDE EMPLOYMENT : No full-time employee shall accept outside employment, whether part-time, temporary or permanent, without prior written approval from the Mayor. Each change in outside employment shall require

separate approval. To be approved, outside employment shall be compatible with the employee's City work; in no way detract from the efficiency of the employee in his City work; and in no way conflict with the interest of the City or be a discredit to the City.

Section 11. RESIDENCE REQUIREMENT : Residency shall not be a condition of initial appointment or continued employment. Employees are encouraged, however, to live within the City and to participate in civic affairs.

Section 12. TRAVEL EXPENSE : When employees are required to travel outside the City on City business, reimbursement for expenses incurred shall be determined as follows:

- (a) Prior to traveling outside the City, the employee shall obtain approval for the trip and the mode of travel from the Mayor.
- (b) If the employee uses his own car, mileage will be paid at the rate of twenty (20) cents per mile. This rate includes all travel, insurance and storage expense of the vehicle.
- (c) If the employee travels via public carrier, the employee will be reimbursed the amount of the actual expense.
- (d) Reimbursement for the subsistence on official trips shall only be the amount of actual and reasonable expense incurred during the performance of official duty as a City employee for the City's benefit.

Section 13. IN - SERVICE TRAINING : The Council shall encourage training opportunities for employees and supervisors in order that services to the City will be more effective. An employee's successful completion of a training program will be included in his personnel file.

Section 14. SELLING AND PEDDLING AMONG EMPLOYEES : No peddling, solici-

ting or sale for other charitable purposes shall be allowed among or by employees during working hours without approval by the Mayor.

Section 15. POLITICAL ACTIVITY : No City employee shall be an officer of a political party or hold political office during his employment. No City employee, official or private persons shall solicit any assessments, contributions or services for any political party from any employee in the City service. No employee shall use his official authority or influence to further the cause of any political party or candidate for nomination or election to political office. An employee's political affiliation or preference will have no affect on his being hired or retained as an employee of the City. Nothing contained within this section shall affect the right of the employee to hold membership in and support a political party, to vote as he chooses, to privately express his opinions on all political subjects and candidates, to maintain political neutrality, and to attend political meetings.

Section 16. RELATIVES IN THE CITY SERVICE : Two members of an immediate family shall not be employed under the same supervisor. No person may be employed who is a member of the immediate family of the Mayor, or a member of the immediate family of a member of the Council. This shall not be retroactive.

Section 17. PERSONAL APPEARANCE AND CONDUCT : Public relations shall be an integral part of each employee's job. All employees shall be neat and clean in appearance and shall conduct themselves in a manner which is appropriate for an employee in the public service. Employees shall be courteous, efficient and helpful to everyone in their work and shall do the best job possible on every assignment.

Section 18. CAUSES FOR WARNING, SUSPENSION OR DISMISSAL : When an employ-  
ee's conduct falls below desirable standards, he may be subject to disciplinary  
action. General reasons for which an employee may be disciplined include:

- (a) Drinking intoxicating beverages or use of non-prescription drugs on  
the job, or arriving on the job under the influence of intoxicating  
beverages or drugs;
- (b) Violation of a lawful duty, insubordination, breach of discipline or  
inability to perform the assigned job;
- (c) Being absent from work without permission or failing to report to his  
supervisor when he is absent;
- (d) Being habitually absent or tardy for any reason;
- (e) Misconduct;
- (f) Conviction of a felony or of a misdemeanor involving moral turpitude;
- (g) Using religious, political or fraternal influence;
- (h) Accepting fees, gifts, or other valuable things in the performance of  
the employee's official duties for the City.

Section 19. FORM OF DISCIPLINARY ACTION : Disciplinary action ranges from  
oral or written reprimands to suspension, demotion and finally dismissal from  
the City service, and depends on the severity of the offense as well as the num-  
ber and the frequency of previous acts of misconduct. It shall be the duty of  
all City employees to comply with and to assist in carrying into effect the pro-  
visions of the City's personnel rules and regulations. No permanent employee  
shall be disciplined except for violation of established rules and regulations,  
and such discipline shall be in accordance with procedures established by the  
personnel rules and regulations. Every supervisor shall discuss improper or  
inadequate performance with the employee in order to correct the deficiencies  
and to avoid the need to exercise disciplinary action. Discipline shall be of  
increasingly progressive severity whenever possible. A written notice shall be

given each employee for each disciplinary action stating the reasons for the disciplinary action and the date it shall take effect. The notice shall be given to the employee at the time such action is taken. A copy of the notice signed by the employee shall be placed in the employee's personnel file and shall serve as prima facie evidence of delivery. All permanent employees shall have the right to appeal disciplinary action taken against them within ten (10) days after the effective date of disciplinary action. Appeals shall be made as grievances in accordance with the provisions of Section 20 of this resolution.

Section 20. GRIEVANCE PROCEDURE : The City shall promptly consider and equitably adjust employee grievances relating to employment conditions and relationships. Furthermore, the City desires to adjust the causes of grievances informally---both supervisors and employees are expected to resolve problems as they arise. The aggrieved employee or group of employees shall orally present the grievance to their supervisor within five (5) working days of its occurrence. The supervisor shall give his oral reply within three (3) working days of the date of the presentation. If the grievance is not settled, it shall be prepared in detail, shall be signed by the aggrieved employee or group of employees, and shall be presented to the City Recorder for presentation to the City Council at the next regular meeting. The decision of the Council shall be final and binding on the employee or group of employees. No employee shall be disciplined or discriminated against in any way because of the employee's proper use of the grievance procedure.

Section 21. RESIGNATION : If circumstances make it necessary for an employee to resign, a written resignation should be submitted to the employee's supervisor, stating the reasons for resigning and giving as much notice as possible, preferably not less than ten (10) working days. Such action will be a credit to the employee's record and will facilitate the hiring and training of

a person to fill the vacancy.

Section 22. COST CONSCIOUSNESS : City employees shall practice every economy possible in the discharge of their duties. Employees are encouraged to recommend to their supervisors work procedures which will result in a cost saving or improved service to the public.

Section 23. SAFETY : All employees are urged to practice safety at all times. The Mayor shall be notified of all accidents involving City employees and City equipment as soon as possible and not later than the next work day.

Section 24. LEGAL LIABILITY : Laws regarding responsibility and liability of cities and their employees are complex. For the most part, decisions regarding liability for accidents and injuries are based on proven negligence. Employees of governmental agencies are not relieved of personal responsibility in cases of injury or accidents to the public.

Section 25. POSITION CLASSIFICATION PLAN : A position classification plan as adopted and amended by the City Council shall be a part of these rules. Copies of this plan and of specifications for individual classes shall be available in the office of the City Recorder.

Section 26. TITLES AND SPECIFICATIONS : The position classification plan shall include titles and written classifications for the various classes of positions as a guide toward equal pay for equal work. Job titles refer to a particular position and not to an individual. Each class shall have a specification that includes a concise, descriptive title, and a description of the duties and responsibilities of each position in the class. Position specifications take into consideration the requirements of the job and are merely



descriptive and explanatory of the work performed. They may not include all of the duties and are not intended to replace detailed work assignments. The City Council shall be responsible for keeping the classification plan current through periodic studies of the positions within the City service.

Section 27. PAY PLAN : The City Council shall prepare a compensation plan which shall prescribe a minimum, a maximum and any intermediate rates of pay appropriate for each class. The rate or range for each class shall equitably reflect the difference in duties and responsibilities and shall be related to compensation for comparable positions in other places of public and private employment with the same job market.

Every City employee shall be evaluated on his/her performance at the completion of the six (6) month probationary period and annually thereafter at the anniversary date of becoming a permanent employee or promotion to a position of a higher classification. Performance reports shall become a part of the employee's permanent personnel file. Each employee shall participate in his/her performance evaluation. Evaluations shall be prepared on forms provided by the City.

Employees receiving recommendations for merit increases shall be advanced to the next higher pay step in their pay range. Merit increases are not automatic. They are subject to a written Performance Evaluation from the Mayor or Personnel Commissioner certifying the employee has been performing work which meets, and occasionally exceeds City standards, and has shown improving ability in executing his/her job assignment.

Section 28. ANALYSIS OF PAY PLAN : In January of each fiscal year, the Mayor shall compare the current City salary rates, compensation policies and personnel developments with those of other public and private employers within the same job market. Changes in the cost of living shall also be considered. The Mayor shall then examine the salary range for each class of position to

ascertain whether current minimum and maximum salaries should be maintained, increased or decreased during the succeeding fiscal year; and, upon the basis of this analysis, shall submit recommendations for amending the pay plan to the City Council.

Section 29. PAY DAY : Normally, employees shall be paid on the last working day of each month. An employee may elect to receive a partial payment, or "draw", which shall not exceed 50% of his net monthly earnings. This draw is issued on the 15th day of each month.

Section 30. OVERTIME : Overtime is that time worked in excess of eight hours in one day, or on any day in addition to a scheduled forty (40) hour shift week. Overtime must be authorized by the Mayor or Council Member, and shall be computed to the nearest half hour. Compensation for overtime shall be granted at one and one-half times the regular rate of pay. The regular rate is the total remuneration during the work period divided by the total hours actually worked. The position of City Recorder meets specified criteria as defined by the Fair Labor Standards Act and is exempt from the overtime ruling as an "executive" employee. Law enforcement personnel are also excluded from the overtime ruling provided the City of Aurora employs fewer than five (5) full or part time police officers. For those employees exempt from the overtime ruling, authorized overtime will be in the form of compensatory time at one and one-half times the normal rate. No more than forty (40) hours may be accumulated and/or taken at any one time.

Section 31. HOLIDAYS : All regular employees of the City shall be entitled to the holidays listed below with pay. Full-time employees shall receive regular compensation; part-time employees shall be compensated in proportion to the



days of vacation leave with pay. The Mayor or Personnel Commissioner shall schedule vacations for employees with due consideration for the desires of the employees and the City's work requirements. Vacation leave shall be used in units of full hours.

All permanent employees shall be entitled to payment for unused accrued vacation leave upon separation from City service. Such payment shall be computed by the City Recorder on a prorated basis at a rate of pay applicable at the time of separation.

Section 33. SICK LEAVE : All full time City employees shall earn sick leave with full pay at the rate of one work day for each calendar month of service. Sick leave shall accrue from the date of employment, but shall not be taken until the successful completion of the probationary period. Sick leave shall not be accumulated in excess of ninety (90) days. Employees are eligible for sick leave for the following reasons:

- (a) Non-occupational personal illness or physical disability;
- (b) Quarantine of an employee by a physician;
- (c) Illness in the immediate family requiring the employee to remain at home;
- (d) Medical or dental appointments.

Abuse of the sick leave privilege shall be cause for dismissal. An employee who is unable to report to work because of any of the reasons set forth above shall report the reason to his supervisor within four (4) hours from the time he is expected to report for work. Sick leave with pay shall not be allowed unless such report has been made. Sick leave with pay in excess of three (3) working days shall be allowed only after presenting a written statement from a physician certifying the employee's condition prevented him from appearing for work.

Unused sick leave shall not be compensated for in any way at the time of resignation or dismissal of an employee.

Section 34. LEAVE OF ABSENCE WITHOUT PAY : Employees may request leave of absence without pay for the purposes specified in this section. Each request shall be judged by the supervisor on its merits and on the basis of the guidelines provided in this section.

(a) Compassionate Leave : In the event of a death in the employee's immediate family, an employee may be granted leave of absence with pay not to exceed five (5) calendar days.

(b) Funeral Participation : When an employee serves as a pallbearer, or in some other way participates in a funeral ceremony, he may be granted a reasonable time off to perform such duty. Time not worked because of such absence shall not affect vacation or sick leave accrued.

(c) Witness or Jury Duty : When a City employee is called for jury duty or is subpoenaed as a witness, he shall not suffer any loss of his regular City compensation during such absence; however, he shall be required to transfer any compensation he receives for the performance of such duty to the City. Time not worked because of such duty shall not affect vacation or sick leave accrued.

(d) Voting : When an employee's work schedule is such that he would not be able to vote prior to or after his normally scheduled working hours, he shall be granted a reasonable time off duty to vote without loss of pay, accrued vacation or sick leave.

(e) Military Leave : Military leave with pay may be granted only when an employee receives bona fide orders to active or training duty for a temporary period, and shall not be paid if the employee does not return to his position immediately following the expiration of the period for which he was ordered to duty. When an employee is called for such duty, he will transfer any compensation received to the City, and then receive his regular compensation for the time covered by the absence, or rather the employee shall retain whichever amount is the greatest.

(f) Conferences and Conventions : Decisions concerning attendance at

conferences, conventions or other meetings at City expense shall be made by the supervisor with the approval of the Mayor. Permission shall be granted on the basis of an employee's participation in or the direct relation of his work to the subject matter of the meeting. Members of professional societies may be permitted to attend meetings of their society when such attendance is considered to be in the best interest of the City.

Section 35. RETIREMENT : After six months of full-time employment, employees are required to participate in the Oregon Public Employees Retirement System. Detailed information concerning this program is provided each eligible employee in a booklet available at the City Recorder's office.

Section 36. RETIREMENT AGE : The retirement age for City employees is 65 years old. At the end of the month in which an employee reaches retirement age, the employee shall automatically terminate his service with the City. However, the appointing power may grant an extension of the retirement age on a year-to-year basis when it is in the interest of the City to do so.

Section 37. SOCIAL SECURITY : For the benefit of the employee, the City shall match the employee's contribution in the Social Security Plan.

Section 38. INDUSTRIAL ACCIDENTS : All employees shall be covered under the State Accident Insurance Fund (SAIF) for industrial accidents and disease. Benefits include medical treatment and care as well as disability compensation during periods of time lost from the job.

Section 39. UNEMPLOYMENT COMPENSATION : For the benefit of the employee, the City covers them under the state unemployment insurance program on the taxable basis.

Section 40. MEDICAL AND HOSPITAL INSURANCE : The City provides free medical and hospital insurance to all permanent employees who work at least twenty-five (25) hours per week, after a thirty (30) day probationary period. After five (5) years of employment, the City pays half the cost of covering dependents for the same benefits. The employee may elect to cover dependents under the payroll deduction plan. This program is administered by the League of Oregon Cities and underwritten by Blue Cross of Oregon. Detailed information concerning this program is provided each employee in a booklet available at the City Recorder's office.

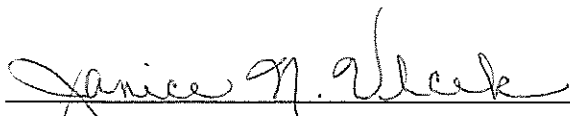
Section 41. LIFE INSURANCE : Police officers are covered by a \$10,000.00 death and dismemberment insurance policy underwritten by Standard Life Insurance.

ADOPTED by the Aurora City Council at a regular meeting thereof on the 9th day of September, 1985.



STEVEN E. STARNER -- MAYOR

ATTEST :



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JANICE N. VLCEK -- CITY RECORDER